

4/6/2006

4/5/2006

54-O-06

AN ORDINANCE

**Vacating a Portion of the East-West Alley
North of 415 Howard Street to Howard Station JV, LLC,
a Delaware Limited Liability Corporation, and
Accepting the Dedication by Howard Station JV, LLC,
of a North-South Alley East of 415 Howard Street**

WHEREAS, Howard Station has entered into a contract to purchase 415 Howard Street, a portion of which lies south of and adjacent to the afore-described City alley; and

WHEREAS, Howard Station has entered into a redevelopment agreement with the City to construct a two hundred twenty-one (221) -unit residential apartment building at 415 Howard Street; and

WHEREAS, Howard Station JV, LLC, a Delaware Limited Liability Corporation ("Howard Station"), has requested the vacation of a portion the east-west alley north of 415 Howard Street (P.I.N. #11-30-213-015, P.I.N. #11-30-213-016, P.I.N. #11-30-213-017, P.I.N. #11-30-213-018) in the City of Evanston as set forth in Exhibit A attached hereto and incorporated within; and

WHEREAS, Howard Station seeks to dedicate to the City of Evanston ("City") a north-south alley east of P.I.N #11-30-213-018 and west of P.I.N. #11-30-213-019 as set forth in Exhibit A; and

WHEREAS, Howard Station has agreed to certain terms and conditions as set forth in the redevelopment agreement;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the certain portion of the east-west alley (north of 415 Howard Street) legally described as:

THAT PART OF THE SOUTH 6.25 CHAINS OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING ON A LINE PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST ¼ AT A POINT 153.46 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE): THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 85.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 16.00 FEET TO THE NORTH LINE OF THE 16' PUBLIC ALLEY; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 281.41 FEET ALONG SAID NORTH LINE; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 16.00 FEET TO THE SOUTH LINE OF SAID 16' ALLEY; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 281.41 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

and depicted in the attached Plat, incorporated into this Ordinance as Exhibit A, is hereby vacated and closed, inasmuch as the corporate authorities of the City of Evanston have determined that the public interest will be served by the aforesaid

vacation, provided that said vacation shall be subject to the following terms and conditions:

1. That said vacation shall be effective upon the purchase of 415 Howard Street by Howard Station and the concurrent dedication by Howard Station of the north-south alley east of 415 Howard Street. In the event Howard Station does not purchase and close (accept title) on 415 Howard Street by July 1, 2006, this Ordinance shall be null and void and considered for naught.

2. That said vacated property shall be conveyed to Howard Station as the abutting property owner upon the acquisition of title to 415 Howard Street.

SECTION 2: That the dedication to the City of that certain portion of private property (415 Howard Street southern segment) legally described as:

THAT PART OF THE SOUTH 6.25 CHAINS OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF PARCEL 2; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 16.00 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 85.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 16.00 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 85.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

and depicted in the attached plat (Exhibit A) incorporated into this Ordinance, is hereby accepted and dedicated for a public alley, inasmuch as the corporate authorities of the City of Evanston have determined that the public interest will be

served by the aforesaid acceptance of the dedication and the dedication of said alley.

SECTION 3: That a certified copy of this Ordinance, together with a true and correct plat of said dedication, be recorded at the Office of the Recorder of Deeds in Cook County, Illinois.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

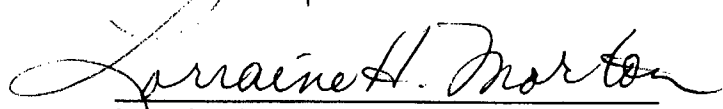
SECTION 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Ayes: 9

Nays: 0

Introduced: April 11, 2006 Approved:

Adopted: April 24, 2006 April 24, 2006


Lorraine H. Morton, Mayor

Attest:

Mary P. Morris, City Clerk

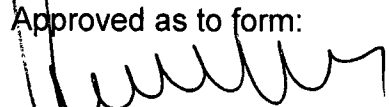
Approved as to form:

Corporation Counsel

EXHIBIT A

PLAT OF 415 HOWARD STREET

EXHIBIT A

Howard Street

Plat of Easement, Plat of Vacation, Plat of Dedication

PIN NUMBERS
 11-30-213-016
 11-30-213-017
 11-30-213-018

**THIS IS A PRELIMINARY PLAT,
 OF NO LEGAL EFFECT,
 AND NOT TO BE RECORDED**

Easement Number 1:
 THAT PART OF THE SOUTH 8.25 CHAINS OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:
 COMMENCING ON A LINE PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4 AT A POINT 153.46 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE); THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 10.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 10.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 80.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Easement Number 2:
 THAT PART OF THE SOUTH 8.25 CHAINS OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:
 COMMENCING ON A LINE PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4 AT A POINT 153.46 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE); THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 101.00 FEET TO THE NORTH LINE OF THE 18 FOOT ALLEY; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 281.41 FEET ALONG THE NORTH LINE OF SAID ALLEY; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 3.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 18.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 85.00 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 10.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 85.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Easement Number 3:
 THAT PART OF THE SOUTH 8.25 CHAINS OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:
 COMMENCING ON A LINE PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4 AT A POINT 153.46 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE); ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH EAST 90 DEGREES 00 MINUTES 00 SECONDS EAST, 101.00 FEET TO HOWARD STREET; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 101.00 FEET TO THE NORTH LINE OF THE 18 FOOT ALLEY; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 3.00 FEET ALONG THE NORTH LINE OF SAID ALLEY; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 104.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 284.41 FEET, PARALLEL TO THE NORTH LINE OF SAID HOWARD STREET; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 100 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Vacation:
 THAT PART OF THE SOUTH 8.25 CHAINS OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:
 COMMENCING ON A LINE PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4 AT A POINT 153.46 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE); THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 85.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 18.00 FEET TO THE NORTH LINE OF THE 18' PUBLIC ALLEY; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 281.41 FEET ALONG SAID NORTH LINE; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 18.00 FEET TO THE SOUTH LINE OF SAID 18' ALLEY; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 281.41 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Dedication:
 THAT PART OF THE SOUTH 8.25 CHAINS OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTH EAST CORNER OF PARCEL 2; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 18.00 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 85.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 18.00 FEET; THENCE SOUTH 90 DEGREES 04 MINUTES 30 SECONDS WEST, 85.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Drawing REVISIONS	
Number	Date
0	12/17/05
1	12/16/05
2	1-13-06
3	1-17-06
4	4/4/08

Field Work Completed: 9-27-05
 Scale: 1" = 20'
 Date: 12/16/05
 Site Address:
Howard Street Subdivision
Evanston, Illinois
 Professional Design Firm License No. 184-053837

