

8/14/2006

8/4/2006

8/3/2006

**89-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; and

**WHEREAS**, on April 24, 2006, a vacation and dedication ordinance was approved by the City pursuant to Ordinance Number 54-0-06 and was subject to the purchase and closing (accepting title) of 415 Howard Street by Howard Station by July 1, 2006; and

**WHEREAS**, Howard Station did not purchase and close on 415 Howard by July 1, 2006, thereby rendering that ordinance null and void and considered for naught; and

**WHEREAS**, Howard Station intends to purchase and close on 415 Howard Street by August 31, 2006;

**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 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, 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 September 30, 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 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, 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 the dedicated alley described herein, the north-south alley abutting the western portion of Howard Station's premises, along with the remaining unvacated portion of the partially vacated east-west alley, shall remain publicly dedicated alleys, available for ingress and egress by both the Chicago Transit Authority and Howard Station, and each of their successors and assigns, and any future vacation of said alleys by the City shall require the written approval by the Chicago Transit Authority or its successors and assigns.

**SECTION 4:** 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 5:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6:** 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: 8

Nays: 0

Introduced: August 14, 2006

Approved:

Adopted: August 14, 2006

August 14, 2006

Lorraine H. Morton  
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris  
Mary P. Morris, City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

EXHIBIT A

**PLAT OF 415 HOWARD STREET**

EXHIBIT A

Ho

Plat of Easement, Plat

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



Easement Number 1:

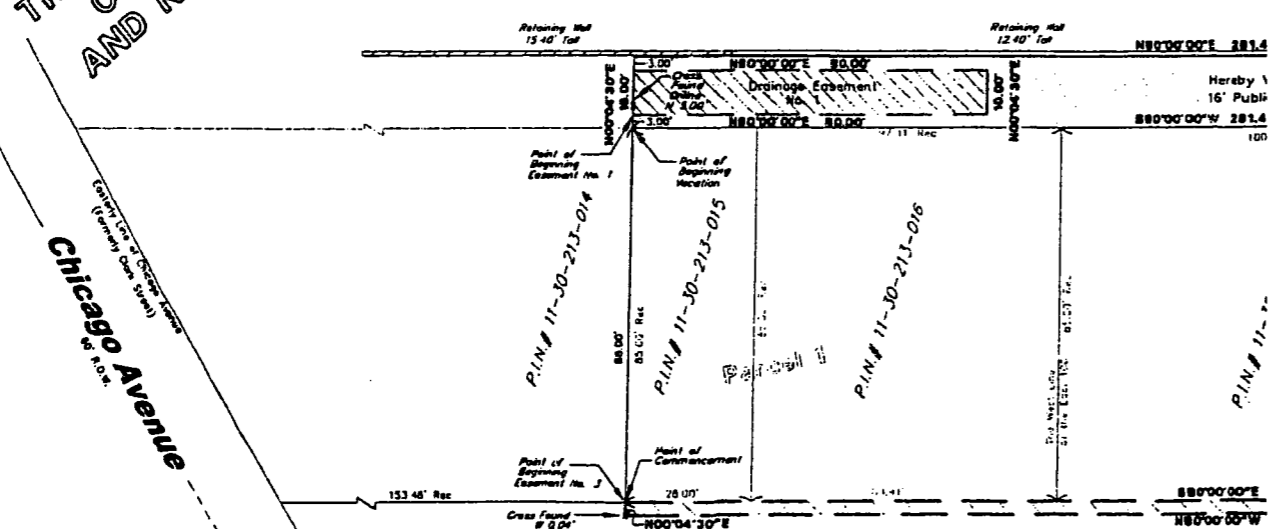
THAT PART OF THE SOUTH 6.25 CHAINS OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:  
COMMENCING ON A LINE PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST 1/4 AT A POINT 153.48 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE); THENCE NORTH 80 DEGREES 04 MINUTES 30 SECONDS EAST, 88.00 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 EAST, 80.00 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 10.00 FEET; THENCE SOUTH 80 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 6.25 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 153.48 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE); THENCE NORTH 80 DEGREES 04 MINUTES 30 SECONDS EAST, 101.00 FEET TO THE NORTH LINE OF THE 16 FOOT ALLEY; THENCE NORTH 80 DEGREES 00 MINUTES 00 SECONDS EAST, 281.41 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, 10.00 FEET; THENCE SOUTH 80 DEGREES 00 MINUTES 00 SECONDS WEST, 88.00 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 10.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 80.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Easement Number

THAT PART OF THE SOUTH 6.25 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 153.48 FEET EAST OF THE EASTERLY LINE OF CLARK STREET, (NOW KNOWN AS CHICAGO AVENUE); THENCE NORTH 80 DEGREES 04 MINUTES 30 SECONDS EAST, 101.00 FEET TO THE NORTH LINE OF THE 16 FOOT ALLEY; THENCE NORTH 80 DEGREES 00 MINUTES 00 SECONDS EAST, 281.41 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, 10.00 FEET; THENCE SOUTH 80 DEGREES 00 MINUTES 00 SECONDS WEST, 88.00 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 10.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 80.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.



# Howard Street

## Easement, Plat of Vacation, Plat of Dedication

**PIN NUMBERS**  
 11-30-213-076  
 11-30-213-078  
 11-30-213-077  
 11-30-213-078

### 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 80 DEGREES 00 MINUTES 00 SECONDS EAST, 281.41 FEET ALONG THE NORTH RIGHT OF WAY LINE OF 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, 281.41 FEET, PARALLEL TO THE NORTH LINE OF SAID HOWARD STREET, THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 3.10 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

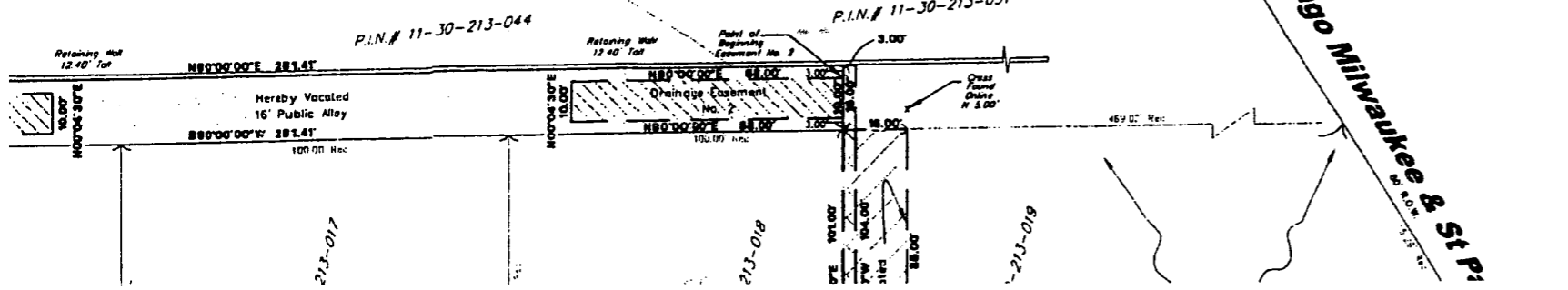
### Vacation:

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, 83.00 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 90 DEGREES 00 MINUTES 00 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 00 DEGREES 04 MINUTES 30 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, 83.00 FEET, THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST, 18.00 FEET, THENCE SOUTH 00 DEGREES 04 MINUTES 30 SECONDS WEST, 83.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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:  
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Drawing Revisions	
Number	Date
0	12/1/05
1	12/1/05
2	1-13-06
3	1-17-06
4	2/6/06

Scale: 1" = 20'  
 Date: 12/1/05  
 Address: 1617 N. Clark Street, Chicago, IL 60614  
 Plat License No. 184-002833