

12/12/2022

133-O-22

AN ORDINANCE

**Selling a Vacated Portion of Public Land East of Central Park Avenue,
South of Grant Street, to an Abutting Owner at 2944 Grant Street**

WHEREAS, Paul and Mary Ann Harvey, owners of real property located at 2944 Grant Street, have agreed to compensate the City in an amount which, in the judgment of the corporate authorities, is the fair market value, for a portion of vacated public land east of Central Park Avenue, south of Grant Street, in the City of Evanston ("Subject Property"), which is adjacent to part of Property Index Number ("PIN") 10-11-410-012-0000; and

WHEREAS, this portion of public land south of Grant Street, east of Central Park Avenue, serves no public purpose; and

WHEREAS, Paul and Mary Ann Harvey are the owners of the property located at 2944 Grant Street a portion of which lies east of and adjacent to the Subject Property; and

WHEREAS, Paul and Mary Ann Harvey desire to acquire the vacated property and incorporate it into 2944 Grant Street; and

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WHEREAS, Paul and Mary Ann Harvey will add the Subject Property into their property and do hereby agree to provide a high level of maintenance of the property;

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

SECTION 1: The certain portion of public land east of Central Park Avenue, south of Grant Street, legally described as:

THE EAST 13.50 FEET OF THE 20 FOOT WIDE ALLEY LYING WEST OF AND ADJOINING THAT PART OF LOT 1 LYING NORTH OF THE SOUTH LINE OF LOT 4 EXTENDED EAST TO THE WEST LINE OF SAID LOT 1, IN BLOCK 1 OF DAVID F. CURTIN'S SECOND ADDITION TO LINCOLNWOOD IN SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. AREA OF DESCRIBED PARCEL = 2,992 SQUARE FEET MORE OR LESS COMMONLY KNOWN AS: PUBLIC ALLEY LYING WEST OF 2944 GRANT STREET, EVANSTON, ILLINOIS.

And depicted in the Plat of Vacation, attached hereto as Exhibit L, is 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. Said vacation shall be subject to the usual easements for public utilities, including, but not limited to, such rights-of-way, license and easement rights to such equipment as is presently installed and located on those portions of the public right-of-way hereby closed and the rights of ingress and egress for the maintenance, renewal and reconstruction thereof.

2. The City of Evanston has received payment of fourteen thousand eighty-nine dollars (\$14,089.00) from Paul and Mary Ann Harvey for conveyance of said vacated property.

3. In the event of litigation, Paul and Mary Ann Harvey will hold the City of Evanston harmless and defend it against any lawsuits resulting from the subject vacation.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of Ordinance 133-O-22 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

SECTION 4: Ordinance 133-O-22 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Approved:

Introduced: December 12, 2022

January 11, 2023

Adopted: January 9, 2023

Daniel Biss
Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza
Stephanie Mendoza, City Clerk

Nicholas E. Cummings
Nicholas E. Cummings, Corporation Counsel

EXHIBIT L

