

**72-O-23**

**AN ORDINANCE**

**Selling a Vacated Portion of Public Land East of 2137 Crawford Avenue, to an Abutting Owner at 3320 Hayes Street**

**WHEREAS**, Kathleen and Kyle Docter, owners of real property located at 3320 Hayes 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 2137 Crawford Avenue, in the City of Evanston (“Subject Property”), which is adjacent to part of Property Index Number (“PIN”) 10-11-316-009-0000; and

**WHEREAS**, this portion of public land east of 2137 Crawford Avenue, serves no public purpose; and

**WHEREAS**, Kathleen and Kyle Docter are the owners of the property located at 3320 Hayes Street, a portion of which lies adjacent to the Subject Property; and

**WHEREAS**, Kathleen and Kyle Docter desire to acquire the vacated property and incorporate it into 3320 Hayes Street; and

**WHEREAS**, Kathleen and Kyle Docter 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 2137 Crawford Avenue, legally described as:

THAT PART OF THE EAST ½ OF THE SOUTH 52 FEET OF THE 16 FOOT WIDE ALLEY LYING WEST AND ADJOINING THE FOLLOWING DESCRIBED PARCEL:

LOT 5 IN BLOCK 3 IN HIGHLANDS EVANSTON LINCOLNWOOD FIRST ADDITION, A SUBDIVISION IN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼, (EXCEPT THE EAST 20 ACRES THEREOF), OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

And depicted in the Plat of Vacation, attached hereto as Exhibit 1, 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. Said vacated property shall be conveyed to Kathleen and Kyle Docter upon their payment to the City of Evanston the sum of five thousand two hundred dollars (\$5,200).
3. In the event of litigation, Kathleen and Kyle Docter 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 72-O-23 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 72-O-23 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: July 24, 2023

Approved:

Adopted: August 28, 2023

August 30, 2023

*Daniel Biss*  
Daniel Biss, Mayor

Attest:

Approved as to form:

*Stephanie Mendoza*  
Stephanie Mendoza, City Clerk

*Alexandra B. Ruggie*  
Alexandra B. Ruggie, Interim Corporation Counsel

**EXHIBIT 1**  
**PLAT OF VACATION**