
CITY OF CHICAGO

RULES



RULES REGARDING STREET AND ALLEY VACATIONS FOR COMMERCIAL/RESIDENTIAL UNDER 2-102-030(L); 2-102-030 (O); 2-102-040

LAST UPDATED JULY 27, 2015



BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF TRANSPORTATION PURSUANT TO 2-102-030 (l); 2-102-030 (o); 10-20-010; 2-102-040, THE FOLLOWING RULES REGARDING STREET AND ALLEY VACATION COMMERCIAL/RESIDENTIAL RULES ARE ADOPTED HEREIN.

By Order of the Commissioner:

Signed:  _____
Commissioner Rebekah Scheinfeld

Date: August 3, 2015

Published: **July 27, 2015**

Effective: **July 27, 2015**

THE STREET AND ALLEY VACATION PROGRAM

COMMERCIAL/RESIDENTIAL

I. Program Intent

Under the Commercial/Residential Vacation Program, the City can confer ownership of little-used, some unimproved, untraveled, or remnant streets and alleys to the adjacent property owner. Pending review and approval by utility providers, and provided that certain criteria and obligations are met by the beneficiary, the vacated right-of-way may be utilized for building expansion and modernization, employee parking, improved security, truck staging or other accessory uses that are likely to improve the operation or security of the participating company or homeowner.

II. Eligibility Guidelines

- A. The applicant must be the owner of the property that abuts the right of way proposed vacation.
- B. The applicant's property must be appropriately zoned for commercial or residential use.
- C. The proposed vacation must not have a significant adverse effect on the security, accessibility or operations of nearby land uses. Projects that propose to dead-end an alley or street in the middle of a block, turn out street traffic through an alley, vacate half the width of a street/alley, create an irregular right of way line or superlot, or vacate air rights, will not be granted.
- D. All other property owners (if any) abutting or affected by the proposed vacation area must concur in the vacation. Under State law, abutting property owners ordinarily share in the conveyance of the public way according to their percent share of frontage on the vacated street or alley.

III. Applicant Responsibilities

- A. The beneficiary must pay all fees associated with survey work, title work, land appraisals, recording and other associated expenses necessary to assure the validity of the land conveyance and the restrictive covenant.
- B. The beneficiary must pay any fees necessary to relocate, adjust, or otherwise remove the objections of the various Office of Underground Coordination (utility review board) agencies.

- C. If applicable, the beneficiary is responsible for constructing any new alley that may be required by the vacation, and as dictated by configuration. This will be at his/her own expense, and built to City standards. Dedications will not be credited against the appraised value of the vacation.
- D. The beneficiary (or any subsequent owner) must occupy and maintain the vacated right-of-way and the abutting property continuously. Failure to occupy the vacated right of way and/or the abutting property for a period of 12 consecutive months constitutes abandonment. Failure to secure the area against illegal use, or to successfully implement the project as approved will, also constitute grounds for reversion back to the City.

IV. Application and Review

- A. The applicant should keep a copy of their paperwork, and submit their completed application to:

Department of Transportation
Division of Project Development
Maps and Plats Section
30 North LaSalle Street, Suite 500
Chicago, IL 60602

- B. Applications will be initially reviewed by CDOT's Division of Project Development to ensure that they qualify under the program guidelines, and.
- C. Applications will be forwarded to the Office of Underground Coordination for utility review. Comments by the utility members will be sent to the applicant. The applicant will ultimately submit proof of mutually satisfactory negotiations with involved utilities. The applicant is responsible for any fees necessary to relocate and/or remove the equipment or structures.
- D. Upon completion of any required utility negotiations, the Department of Transportation will forward an ordinance to the City of Chicago Council and the Committee on Transportation for public hearing, and approval.
- E. The beneficiary is given 180 days after the date of City Council passage of the ordinance to pay any required fees and record a certified copy of the ordinance with the Recorder of Deeds.

*A reapplication fee will be assessed if the file is closed due to inactivity.

**APPLICATION
COMERCIAL/RESIDENTIAL VACATION
(FEE: \$350.00 CHECK TO THE DEPT. OF REVENUE- Nonrefundable)**

1. Name on title (if a trust, list company name): _____

Company contact: _____ Phone/Fax: _____

Address: _____ Zip: _____

Email: _____

2. Other Contact: _____

Company: _____ Phone/Fax: _____

Address: _____ Zip: _____

Email: _____

Note: we must have full contact information for 2 reps

3. Describe the general location with boundaries (ex: "S. Smith St, between W. Riley St & W. George Street"; or "the north-south alley in the block bounded by S. Smith St., W. Riley St., S. Jane St. and W. George St.")

Zoning: _____ Ward: _____

4. Description of intended use of area proposed for vacation:

5. Will the street/alley to be vacated be built over (with a building)? Y / N

6. What is the estimated cost to the beneficiary to build over or improve the area proposed for vacation? Include square footage of any resulting construction.

\$ _____

7. What is the zoning of the site? _____

COMMERCIAL ONLY:

8. Size of applicant's current operation in square feet: _____

9. Number employees: full-time _____ part-time _____ total _____

10. Length of time applicant has been at current address: _____

ALL APPLICANTS:

Applicant's Name
(printed): _____

Applicant Signature _____ Date: _____

IMPORTANT:

Larger development projects will require simultaneous review by the CDOT Plan Review Committee. Call (312) 744-4996 for submission requirements (or provide a copy of your stamp approved plans to prove prior acceptability)

A reapplication fee will be assessed if the file is closed due to inactivity

Plat Requirements

FOR THE CURRENT PLAT REQUIREMENTS
PLEASE FIND THEM ON SAME WEBPAGE AS APPLICATIONS, AT THE BOTTOM, CLICK
ON PLAT REQUIREMENTS

OR AT LINK

<http://www.cityofchicago.org/content/dam/city/depts/cdot/permit/general/2015%20Docs/PlatRequirements.pdf>

DETERMINING PROPERTY OWNERSHIP IF UNKNOWN

Each property in the City of Chicago has been assigned a unique Permanent Index Number (PIN). This PIN can be used to identify the owner of the property. If the PIN is unknown, it can be determined with a visit to Room 403 of the County Building located at 118 N Clark.

EITHER

1. Bring PIN to the lower level Recorder's Office-Tract Book Section and enter this into computer.
- 2 Computer will reveal the name of the Taxpayer of Recording with a document deed recorded.
3. Take the information to the Retrieval Vault across the hall from the Tract Book Section
4. Bring Document # to microfilm room (next door). Fill out an order form and get the microfilm reel or jacket that contains the deed that you are seeking.
5. Pay fee (menu posted) and obtain a certified copy of the deed.

OR

(FEE REQUIRED)

1. Contact a title company with the PIN and request a copy of the last deed.

Instructions: This below document must be reproduced on the applicant's letterhead, executed by same, and notarized:

DUTY TO BUILD AGREEMENT FOR CREATION OF A NEW ALLEY

In support of my current application with the Chicago Department of Transportation's Maps and Plats unit, for a dedication of my private property for a new public way, I hereby state that I am the applicant or the company agent for the applicant company involved in the project, and that I have the authority to agree to the below terms of the Dedication. Please initial:

_____ I am aware that I am responsible for the construction of all public and private rights of way (streets, alleys, etc) described on the Plat of Subdivision/Dedication.

_____ I further understand that all rights of way (both public and private) must be built to City specifications as detailed in CDOT's Regulation for Openings, Construction and Repair in the Public Way.

_____ Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be sub par or that do not adhere to the City's standards.

Signed: _____ Date: _____

Printed name: _____ Title: _____

Organization: _____

Address: _____ Zip: _____

Phone/fax: _____ / _____

Email: _____

Notary:

FINAL APPLICATION CHECKLIST

Commercial/Residential Vacation

Please submit the following in a single package with the correct number of copies. Original documents are not required.

- Letter from the respective alderman in support of your project (2 copies)
- Completed, double sided program application (2 copies)
- Application fee of \$350 (check to the Dept. of Revenue)
- Signed letter on company letter head from the applicant agreeing to pay appraisal costs (2 copies)
- Economic Disclosure Statement for the title holder, any sub companies, and individual owners. Also provide a chart as to how these entities are related. (1 copy of each)
- Current title policy, showing the PINs, legals & ownership of ALL lots adjacent to the area to be vacated. No tract searches or pro-forma titles will be accepted. (2 copies)
- Recorded quit claim deed from each non-applicant neighbor property (2 copies)
- Recently certified copy of any land trusts (if applicable) naming the beneficiary (2 copies)
- 2 hard copies of the Plat of Vacation/Dedication in accordance with the Plat Standards (attached) 8.5x11 & larger sizes (1 copy of each)
- Duty to Build Agreement if your project includes as dedication for a new alley Or street
- Diagram depicting the intended use of the area to be vacated
- A traffic study may be required

* Please be aware that all appraisals are completed by MAI certified appraisers and range in cost from

\$2000 for small residential projects to \$7600 for the review of large complexes

**Any changes in ownership that occur before the vacation has been recorded must be reported immediately or the ordinance will be nullified.