



# Office of the City Clerk



O2012-5671

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## City Council Document Tracking Sheet

<b>Meeting Date:</b>	9/12/2012
<b>Sponsor(s):</b>	Emanuel, Rahm (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	Acquisition by Chicago Housing Authority for property located at 13106-13130 S Ellis Ave for development and construction to Altgeld Town Center
<b>Committee(s) Assignment:</b>	Committee on Housing and Real Estate

HSG-



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

September 12, 2012


TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Housing and Economic Development, I transmit herewith an ordinance authorizing an acquisition by the Chicago Housing Authority of property located at 13106-30 South Ellis.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

  
Mayor



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## ORDINANCE

**WHEREAS**, the City of Chicago ("City") is a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its governmental affairs; and

**WHEREAS**, the Chicago Housing Authority ("CHA") is a municipal corporation organized and existing in the State of Illinois, City of Chicago pursuant to 310 ILCS 10/1 *et seq.* (the "Housing Authorities Act"); and

**WHEREAS**, the CHA is the owner of a certain public housing development known as Altgeld Gardens bounded by 130<sup>th</sup> Street on the north, the Beubian Woods Forest Preserve on the east, to the City limits at 133<sup>rd</sup> Street on the south and Langley Blvd. on the west, in the City of Chicago, State of Illinois; and

**WHEREAS**, the CHA has undertaken a project involving the rehabilitation, acquisition, construction, renovation and improvement of Altgeld Gardens and related ancillary facilities; and

**WHEREAS**, by resolution passed on February 15, 2011, the Board of Commissioners of the CHA selected the property located at 13106-13130 South Ellis Avenue, Chicago, Illinois (the "Property") as legally described in Exhibit A attached hereto, for acquisition, development and construction to be the Altgeld Town Center (the "Project"); and

**WHEREAS**, the Housing Authorities Act grants CHA the power to acquire by eminent domain any property, real or personal or any interest therein; and

**WHEREAS**, the site for acquisition and development lies wholly within the territorial limits of the City; and

**WHEREAS**, pursuant to the requirements of the Housing Authorities Act, 310 ILCS 10/9, the CHA has requested that the City Council approve the acquisition of the Property so selected to be used in conjunction with the Project.

**NOW THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**Section 1.** The foregoing recitals are hereby adopted as the finding of the City Council and are incorporated herein by reference.

**Section 2.** It is hereby determined and declared that it is useful, desirable and necessary for CHA to acquire the Property legally described on Exhibit A for the public purposes set forth in the Recitals. The City hereby approves the selection, location and designation of the Property for acquisition, development and construction of the Project.

**Section 3.** The City approves CHA's authority to negotiate with the owner(s) for the purchase of the Property. If CHA and the owner(s) are unable to agree on the terms of a purchase, or if the owner(s) is or are incapable of entering into such a transaction with CHA, or if the owner(s) cannot be located, the City consents to CHA's institution and prosecution of condemnation proceedings for the purpose of acquiring fee simple title to the Property, or any portion thereof, under the CHA's power of eminent domain.

**Section 4.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

**Section 5.** All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 6.** This ordinance shall be effective immediately upon its passage.

## Exhibit A

A parcel of land in the Northeast  $\frac{1}{4}$  of Section 34 and the Northwest  $\frac{1}{4}$  of Section 35 all in Township 37 North, Range 14 East of the Third Principal Meridian, described as follows:

Beginning at the Northeast corner of said Northeast  $\frac{1}{4}$  of said Section 34, Thence South along the East line of said Northeast  $\frac{1}{4}$  of said Section 34, a distance of 1,291.43 feet to a point; thence West at right angles to the last described course, a distance of 341.39 feet to a point, which is the center of a circle; thence North 63 degrees 23 minutes 29 seconds East, a distance of 429 feet to a point of beginning; thence in a southeasterly direction along an arc of the previously located circle having a radius of 429 feet, a distance of 41.05 feet to a point; thence South 82 degrees 24 minutes 50 seconds East, a distance of 32.66 feet; to a point; thence North 69 degrees 35 minutes 10 seconds East, a distance of 71.10 feet to a point; thence in a northwesterly direction along an arc of the previously described circle, having a radius of 529 feet, a distance of 325.41 feet to a point; thence South 30 degrees 00 minutes 00 seconds West, along a straight line, which when extended to the Southwest falls 50 feet (measured at right angles) from the center of the previously located circle, a distance of 100.56 feet to a point; thence in a southeasterly direction along an arc of the previously described circle, having a radius of 429 feet, a distance of 199.90 feet, to the point of beginning in Cook County, Illinois.

PIN: 25-35-100-006

Address: 13106-13130 South Ellis Avenue, Chicago, Illinois 60627