



Office of the Chicago City
Clerk



O2011-7282

Office of the City Clerk

City Council Document Tracking Sheet

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| Meeting Date: | 9/8/2011 |
| Sponsor(s): | Rahm Emanuel |
| Type: | Ordinance |
| Title: | Ordinance authorizing conveyance of property to Chicago Public Schools |
| Committee(s) Assignment: | Committee on Housing and Real Estate |

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

September 8, 2011

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 a conveyance of property to the Chicago Public Schools.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

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

WHEREAS, the Board of Education of the City of Chicago (the "Board"), is a body corporate and politic, organized under and existing pursuant to Article 34 of the School Code of the State of Illinois, 105 ILCS 5/1-1 et seq.; and

WHEREAS, pursuant to Resolution No. 11-0126-OP3, adopted by the Board on January 26, 2011, the Board has previously approved the Board's acceptance of title to and possession of the real property commonly known as 7152 S. Ellis Avenue (P.I.N. 20-26-102-039-0000), 7154 S. Ellis Avenue (P.I.N. 20-26-102-040-0000) and 7156 S. Ellis Avenue (P.I.N. 20-26-102-041-0000) (collectively, subject to final title commitment and survey, the "Property"), for the public purpose of using such Property for parking and landscaped open space appurtenant to the Paul Revere School (the "Project"); and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq. authorizes a transferor municipal corporation to transfer property that is wholly within and coextensive with the corporate limits of another transferee municipality if it is necessary or convenient for the transferee municipality to use, occupy or improve such property for the making of any public improvement or any public purpose; and

WHEREAS, as recited above, the Board has found that it is necessary or convenient for the City to transfer the Property to the Board for the public improvements and public purposes described above; and

WHEREAS, the City Land is located in the 73rd/University Tax Increment Financing Redevelopment Project Area (the "TIF Area") established pursuant to ordinances of the City adopted by the City Council of the City ("City Council") on September 13, 2006 and published in the Journal of Proceedings of the City Council for such date at pages 83559 through 83667; and

WHEREAS, the Project is consistent with the redevelopment plan and project for the TIF Area; and

WHEREAS, pursuant to Resolution No. 11-035-21 approved on March 17, 2011, the Chicago Plan Commission (the "Commission") has approved the transfer of the Property from the City to the Board; and

WHEREAS, the Commission has caused notice of such proposed transfer to be published in the Chicago Sun-Times on March 2, 2011 and has requested alternative proposals for the transfer and use of the Property and provided reasonable opportunity for other persons to submit alternative bids or proposals; and

WHEREAS, since no other responsive proposals were received, the Commission has recommended that the Property be conveyed by the City to the Board; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The above recitals and the findings contained therein are expressly incorporated in and made part of this ordinance as though fully set forth herein.

SECTION 2. The City Council finds that it is necessary or convenient to transfer the Property to the Board for the Project.

SECTION 3. The City of Chicago hereby approves the conveyance of the Property to the Board for One and No/100 Dollars (\$1.00).

SECTION 4. The Mayor or his proxy is authorized to execute, and the City Clerk is authorized to attest, a quitclaim deed conveying the Property to the City of Chicago in Trust For Use of Schools, for the purposes of the Project.

SECTION 5. The Commissioner of the Department of Housing and Economic Development (the "Commissioner") and a designee of the Commissioner are each hereby authorized to execute such documents as may be necessary or appropriate to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.

SECTION 6. 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 7. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall be in full force and effect from and after the date of its passage and approval.