



Office of the City Clerk



O2012-5672

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	9/12/2012
Sponsor(s):	Emanuel, Rahm (Mayor)
Type:	Ordinance
Title:	Land transfer to Board of Education for school parking at Henderson Elementary School located at 5650 S Wolcott Ave
Committee(s) Assignment:	Committee on Housing and Real Estate



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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 a land transfer to the Board of Education for school parking.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor



1994-1995

1994-1995

1994-1995

ORDINANCE

WHEREAS, Article 7, Section 8 of the 1970 Constitution of the State of Illinois authorizes units of local government and school districts to contract among themselves to share services and to exercise, combine and transfer functions in any manner not prohibited by law or by ordinance; and

WHEREAS, the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., similarly authorizes public agencies, including units of local government and school districts, to contract with one another to perform any governmental service, activity or undertaking; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq. (the "LGPTA"), authorizes a municipality (including units of local government and school districts) (a "transferee municipality"), whose territory is wholly or partly within the corporate limits of another municipality, to by ordinance declare that it is necessary or convenient for it to use, occupy or improve real estate held by another municipality (a "transferor municipality") for the making of any public improvement or for any public purpose, in which case the corporate authorities of the transferor municipality shall have the power to transfer all of the right, title and interest of the transferor municipality in such real estate to the transferee municipality upon such terms as may be agreed to the by municipalities; and

WHEREAS, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City is the owner of the 3,750 square foot parcel of real property located at 5624 South Wolcott Avenue, which is legally described on Exhibit A to this ordinance (the "City Parcel"), and which is adjacent to the Henderson Elementary School which is located at 5650 South Wolcott Avenue; and

WHEREAS, the City has no present municipal use for the City Parcel; 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. (2007) (the "School Code"); and

WHEREAS, the City has agreed to convey the City Parcel to the Board for parking purposes; and

WHEREAS, pursuant to its power and authority under the School Code and pursuant to the LGPTA, the Board, at its meeting of May 23, 2012, pursuant to Resolution 11-0523-OP1, has authorized the acceptance of and acquisition of title to the City Parcel for parking for staff, employees and visitors of the Henderson Elementary School; and

WHEREAS, the Chicago Plan Commission on May 24, 2012, has approved the City's conveyance of the City Parcel to the Board by adopting Resolution No. 12-029-21; therefore,

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

SECTION 1. The above recitals, and the statements of fact and findings made therein, are incorporated herein and made a material part of this ordinance.

SECTION 2. The City's conveyance of the City Parcel to the Board in consideration of the Board's payment to the City of One and No/100 Dollars is hereby approved. The Mayor or his proxy is authorized to execute, and the City Clerk is authorized to attest, a quitclaim deed conveying the City Parcel to the Board. Such deed shall include a restriction requiring that such property be solely used for school purposes or another public purpose and shall further provide that if such school or public purpose is not complied with, title to the City Parcel shall revert to the City of Chicago.

SECTION 3. 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 4. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall be in full force and effect immediately upon its passage and approval.

Exhibit A: Legal Description of the city Parcel

EXHIBIT A

LEGAL DESCRIPTION

LOT 9 IN BLOCK 6 IN RESUBDIVISION OF BLOCKS 3 TO 6, AND 11 AND 12 IN THE RESUBCIVISION OF BLOCKS 1 TO 8 INCLUSIVE, (EXCEPT THE NORTH 134 FEET OF BLOCKS 1 AND 2 AND THE NORTH 60 FEET OF THE SOUTH 350 FEET OF BLOCKS 7 AND 8) IN LYONS SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ADDRESS: 5624 South Wolcott Avenue, Chicago, Illinois

Pin: 20-18-209-020