



City of Chicago



O2015-6170

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 7/29/2015

Sponsor(s): Emanuel (Mayor)

Type: Ordinance

Title: Intergovernmental agreement with Chicago Park District regarding conveyance of property at 4030 N Oak Park Ave for construction of new Read Dunning Park

Committee(s) Assignment: Committee on Housing and Real Estate



HSG.

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

July 29, 2015

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

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing the execution of an intergovernmental agreement with the Chicago Park District regarding a conveyance of property.

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 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 Chicago Park District (the "Park District") is a body politic and corporate organized and existing under the Chicago Park District Act, 70 ILCS 1505/0.01 *et seq.*, with authority to exercise control over and supervise the operation of all parks within the corporate limits of the City; and

WHEREAS, the City is the owner of that certain parcel of real estate legally described on Exhibit A attached hereto consisting of approximately 7.5 acres of vacant land (the Property"); and

WHEREAS, the Property is located in the Read Dunning TIF; and

WHEREAS, the Park District wishes to construct the new Read Dunning Park (the "Park") on the Property; and

WHEREAS, the cost of improvements for the Park is \$3 Million; and

WHEREAS, the Illinois Department of Commerce and Economic Opportunity is providing a grant in the amount of \$3 Million to the Park District for construction of the Park; and

WHEREAS, the Park will have an artificial turf field to accommodate programming for baseball, softball, soccer, football and lacrosse, include bleachers, concessions, scoreboards, athletic field lighting, landscaping, and bathrooms, have up to 93 parking spots and a walking path which encircles the Park; and

WHEREAS, construction is anticipated to start in the fall of 2015 and be completed in the summer of 2016; and

WHEREAS, the City wishes to assist the Park District with the Park by conveying the Property to the Park District; and

WHEREAS, the City is authorized to convey title to or other interests in City-owned real estate to other municipalities in accordance with the provisions of the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*; and

WHEREAS, by Resolution No. 15-CDC-17, adopted on June 9, 2015, the Community Development Commission authorized the Department of Planning and Development ("DPD") to advertise its intent to negotiate a sale with the Park District for disposition of the Property and to request alternative proposals for redevelopment, and recommended the sale of the Property to the Park District if no responsive alternative proposals were received at the conclusion of the advertising period, or if alternative proposals were received, if DPD determined in its sole discretion that it was in the best interest of the City to proceed with the Park District proposal; and

WHEREAS, public notices advertising DPD's intent to enter into a negotiated sale of the Property with the Park District and requesting alternative proposals appeared in the Chicago Sun-Times on June 12, June 26 and July 10, 2015; and

WHEREAS, no alternative proposals were received by the deadline indicated in the aforesaid notices; and

WHEREAS, by ordinance adopted on January 12, 2011, the Board of Commissioners of the Park District authorized the acceptance of title to the Property from the City; and

WHEREAS, by Resolution No. 15-070-21 adopted on July 16, 2015, the Chicago Plan Commission recommended the transfer of the Property to the Park District; **now therefore**

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

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

SECTION 2. The City Council hereby approves the conveyance of the Property to the Park District for the sum of One and No/100 Dollar (\$1.00).

SECTION 3. The Mayor or his proxy is authorized to execute, and the City Clerk or Deputy City Clerk is authorized to attest, a quitclaim deed or deeds conveying the Property to the Park District. The quitclaim deed(s) shall include the following covenants which shall run with the land, or language substantially similar and acceptable to the Corporation Counsel:

- (1) This conveyance is subject to the express condition that the Property shall be used for park purposes in perpetuity. In the event that this condition is not met, the City may re-enter and take possession of the Property, terminate the estate conveyed to the Park District, and revert title in the City.
- (2) The City reserves a forty (40) foot permanent sewer and utility easement within the Property as depicted on Exhibit B attached hereto.

SECTION 4. Subject to the approval of the Corporation Counsel as to form and legality, the Commissioner of DPD (or any successor department thereto) is authorized to execute and deliver such documents as are necessary, between the City and the Park District, containing such other terms as are deemed necessary or appropriate by the parties executing the same on the part of the City.

SECTION 5. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

SECTION 6. This ordinance takes effect upon its passage and approval.

Exhibit A

LEGAL DESCRIPTION OF THE PROPERTY

(Subject to Final Title and Survey)

ADDRESS: 4030 N. Oak Park Avenue, Chicago, IL

PIN: 13-18-409-080-0000 (a portion of)

LEGAL DESCRIPTION: TO COME

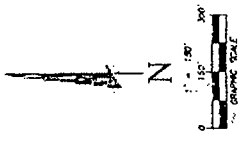
EXHIBIT B

**DEPICTION OF THE LOCATION OF THE 40 FOOT PERMANENT SEWER AND UTILITY
EASEMENT**

(Subject to Final Title and Survey)

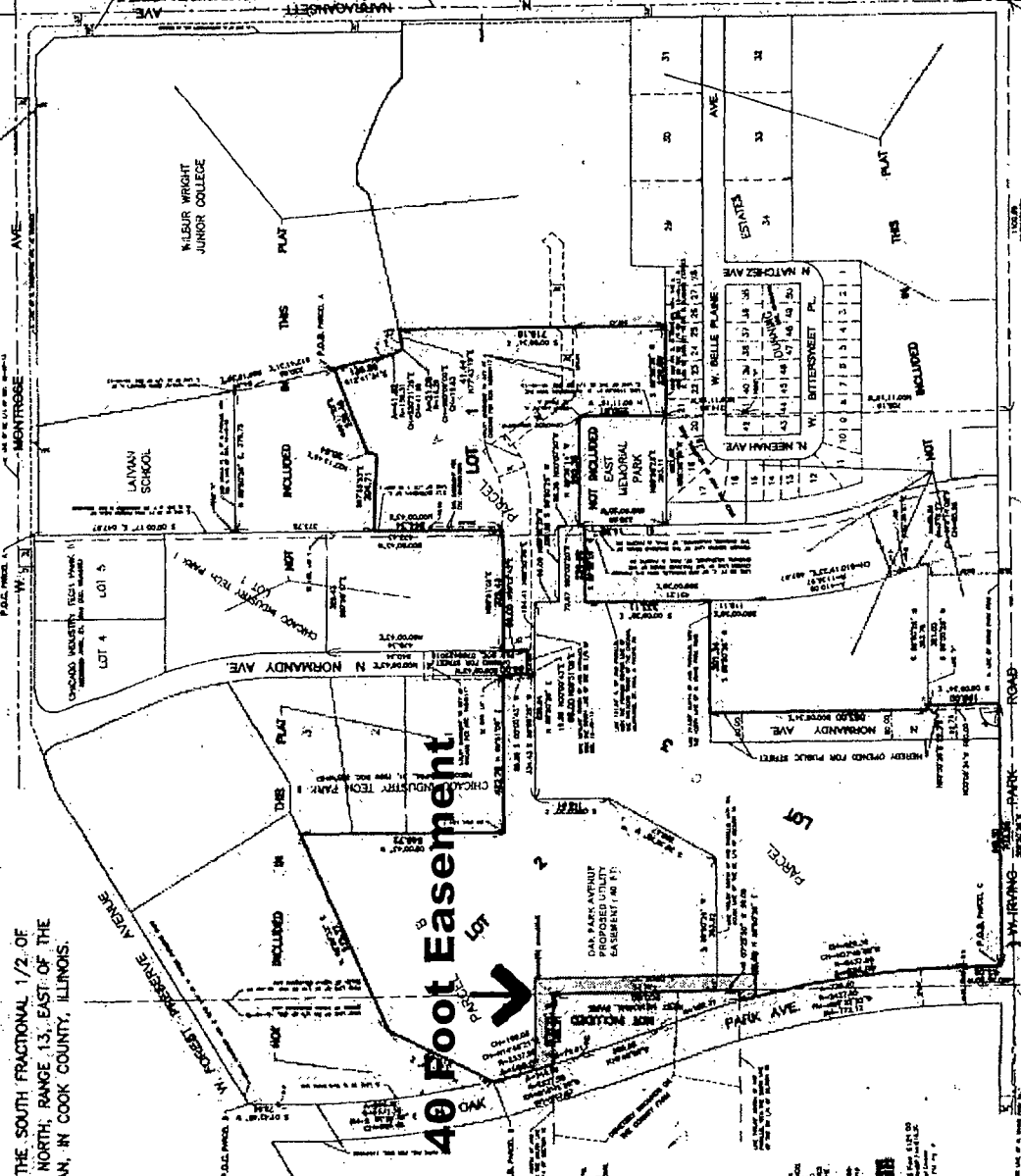
CHICAGO INDUSTRY TECH PARK III

BEING A SUBDIVISION IN THE SOUTH FRACTIONAL 1/2 OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



AREA SUMMARY	
LOT 1	60,808 SQ. FT. 1,379 ACRES
LOT 2	577,843 SQ. FT. 13.26 ACRES
LOT 3	72,847 SQ. FT. 1.67 ACRES
OPENED FOR PUBLIC STREET	6,438 SQ. FT. 0.15 ACRES
TOTAL	1,368,036 SQ. FT. 31.27 ACRES

40 Foot Easement



PREPARED BY:
EDWARD J. MOLLOY & ASSOCIATES, LTD.
 LAND & CONSTRUCTION SURVEYORS
 138 WEST PEARSON STREET, CHICAGO, ILLINOIS 60604
 DATE: 10-21-2010

RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, BOOK 124, PAGE 00.
 DATE RECORDED: 11-10-2010
 BY: [Signature]

ORDER NO.: 2006-0517
 FILE: 18-0-13
 PAGE: 10

EXHIBIT B