



# City of Chicago



O2014-4203

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	5/28/2014
<b>Sponsor(s):</b>	Austin (34)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Chapter 2-159 regarding Adjacent Neighbor and City-Owned Parcel
<b>Committee(s) Assignment:</b>	Committee on Housing and Real Estate

**ORDINANCE**

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

**SECTION 1.** Chapter 2-159 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

**2-159-030 Definitions.**

For purposes of this chapter:

“Adjacent neighbor” means a person who ~~owns and occupies as such person's primary residence an improved parcel of real property immediately adjacent to a city-owned parcel of vacant property, and who is not delinquent in the payment of any property taxes or any debt owed to the City of Chicago, County of Cook or State of Illinois.~~

(i) owns one parcel, or two or more contiguous parcels, of real property that is immediately adjacent to a city owned-parcel and at least one of the parcels is an improved parcel which the person occupies as his primary residence; and

(iii) is not delinquent in the payment of any property taxes or any debt owed to the City, County of Cook or State of Illinois.

“A.N.L.A.P.” means the Adjacent Neighbors Land Acquisition Program.

~~“City” means the City of Chicago.~~

“Department” means the department of planning and development.

“City-owned Parcel” means a one parcel of vacant real property, consisting of a single permanent tax identification number, which (a) is immediately adjacent to and is bounded on at least one side by a parcel owned by an adjacent neighbor ~~an owner-occupied improved parcel of residential real property~~, and (b) which has a fair market value of not more than \$50,000.00 as determined by the department.

**2-159-040 List of city-owned real estate – Required.**

The department shall prepare and maintain a list of city-owned real estate which shall include those city-owned parcels available for sale under A.N.L.A.P. This list shall be made available to the public during normal business hours.

**2-159-050 Minimum purchase price required – Sale procedures.**

The minimum purchase price of any city-owned parcel sold pursuant to the provisions of this chapter shall be \$1,000.00 for a parcel appraised at \$10,000.00 or less, 2,000.00 for a parcel appraised at more than \$10,000 and less than or equal to \$20,000.00, and for parcels having an appraised value of more than \$20,000.00, an amount equal to the sum (a) \$2,000, plus (b) fifty percent (50%) of the amount by which the parcel's appraised fair market value exceeds \$20,000, up to the \$50,000 maximum fair market value limitation. For illustrative purposes, if a city-owned parcel has an appraised fair market value of \$40,000, then the minimum purchase price for such parcel would be \$12,000. An adjacent neighbor shall not be permitted to purchase more than one city-owned parcel ~~(consisting of a single permanent tax identification number)~~ through A.N.L.A.P. Upon receipt of an application by an adjacent neighbor to purchase a city-owned parcel accompanied by the payment of a non-refundable \$150.00 application fee, the department shall obtain departmental approvals and an appraisal.

For qualifying city-owned parcels, ~~he~~ the department shall give written notice by certified mail to any owner of improved residential adjacent property indicating that the department will accept sealed bids for the parcel for a period of 30 days from the date of the mailing of the notice. All bids which conform to the requirements of A.N.L.A.P. shall be submitted by the department to the city council and shall thereafter be referred to the city council committee having jurisdiction over the disposition of city-owned real estate. The bids shall be promptly placed on the committee's agenda and a public hearing shall be held within a reasonable time thereafter. The city council may accept the higher bid by a majority vote or may reject both bids by a vote of three-quarters of its members. If an adjacent neighbor making an offer to purchase a city-owned parcel is the sole adjacent neighbor or the sole bidder, then the department shall submit the offer to the city council, which shall then be referred to the committee having jurisdiction over the disposition of city-owned real estate. The committee shall promptly consider the offer and then forward its recommendation to the city council. The city council may approve or reject the offer by a majority vote. A successful bidder shall deposit with the city a non-refundable earnest money deposit in an amount equal to not less than ten percent (10%) of the approved offer amount within sixty (60) days of city council approval. Such earnest money deposit shall be retained by the city if the successful bidder does not close the acquisition within six (6) months' of city council approval, or credited towards the purchase price if such closing does occur within such time period.


**2-159-060 Covenants in deed – Termination of covenants.**

Any deed conveying a parcel to an adjacent neighbor pursuant to the provisions of A.N.L.A.P. shall contain covenants which (1) prohibit the adjacent neighbor from conveying, assigning or otherwise transferring the city-owned parcel except in conjunction with the sale of the adjacent neighbor's parcel on which his primary residence is located ~~owned by the adjacent neighbor~~; and (2) require that the city-owned parcel be improved with landscaped open space within six (6) months of the conveyance of such parcel, and prohibit the construction of any permanent improvements on the parcel, excluding only improvements made by the adjacent neighbor on the parcel that constitute an integrated addition to the adjacent neighbor's primary residence, or a garage appurtenant thereto, and (3) require the adjacent neighbor to maintain the city-owned parcel in accordance with the provisions of the Municipal Code of Chicago. For purposes of this Section, the term "landscaped" shall mean the ~~planning~~ planting and maintenance of lawn grass, or cultivated ornamental shrubs, plants or trees, or a combination thereof. The covenants shall terminate ten (10) years after the date of the conveyance of the city-owned parcel to the adjacent neighbor.

**2-159-070 Rules and regulations.**

The department may establish rules, regulations and procedures for the advertising, bidding and sale of city-owned parcels pursuant to the provisions of A.N.L.A.P. All such rules, regulations and procedures shall be published and made available by the department.

**SECTION 2.** This ordinance shall be in full force and effect upon its passage and approval.



Carrie M. Austin  
Alderman, 34<sup>th</sup> Ward