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City Council Document Tracking Sheet

Meeting Date:	10/5/2011
Sponsor(s):	Emanuel, Rahm (Mayor)
Type:	Ordinance
Title:	Acquisition of property near Midway Int'l Airport for runway buffer zone
Committee(s) Assignment:	Committee on Aviation



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 5, 2011

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

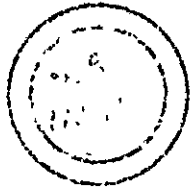
Ladies and Gentlemen.

At the request of the Commissioner of Aviation, I transmit herewith an ordinance authorizing an acquisition of property near Midway International Airport for runway buffer zone purposes.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor



ORDINANCE

WHEREAS, the City of Chicago ("City") is a duly constituted and existing municipality within the meaning of Section 1, Article VII, of the 1970 Constitution of the State of Illinois ("Constitution"), and is a home rule unit of local government under Section 6(a), Article VII, of the Constitution, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City owns and, through its Department of Aviation ("DOA"), operates the airport known as Chicago Midway International Airport ("Midway Airport"); and

WHEREAS, the City has determined that it is useful, desirable and necessary that the City acquire for fair market value those four certain parcels of real property located in the vicinity of Midway Airport that have been identified by the DOA as follows: Midway Parcel 149, commonly known as 6323-53 South Cicero Avenue, identified by Cook County as Permanent Index Numbers 19-22-100-045, and 19-22-100-046; Midway Parcel 150, commonly known as 5600-5608 West 63rd Street, identified by Cook County as Permanent Index Number 19-17-431-039; Midway Parcel 151, commonly known as 5448 West 55th Street identified by Cook County as Permanent Index Numbers 19-09-326-021, 19-09-326-022, 19-09-326-023, and 19-09-326-024; and Midway Parcel 152, commonly known as 5544 West 55th Street, identified by Cook County as Permanent Index Numbers 19-09-324-046, 19-09-324-047, and 19-09-324-048 (collectively the "Parcels"), and

WHEREAS, the Parcels are depicted on Exhibit A to this ordinance; and

WHEREAS, the Parcels are being acquired by the City for public purpose and use, namely, as a Runway Protection Zone or a Runway Safety Area, or both, as recognized by the Federal Aviation Administration ("FAA"); now, therefore,

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

Section 1. The above recitals are hereby incorporated by reference as if fully set forth in this ordinance and are adopted as the findings of the City Council.

Section 2. It is hereby determined and declared that it is useful, desirable and necessary that the City acquire the Parcels for public purpose and use in furtherance of the City's ownership and operation of Midway Airport.

Section 3 The Corporation Counsel is authorized to negotiate with the owners of the Parcels for the purchase of the Parcels

Section 4. If the Corporation Counsel is able to agree with the owner(s) of a Parcel upon the price to be paid for such Parcel, the Corporation Counsel is authorized to purchase the Parcel in the name of and on behalf of the City of Chicago for the agreed

price, with such purchase price to be paid out of any legally available funds of the City, including, without limitation, proceeds of any general airport revenue bonds previously issued, or grants or other funds received by the City. If the Corporation Counsel is unable to agree with the owner(s) of a Parcel on the purchase price, or if an owner is incapable of consenting to the sale, or if an owner cannot be located, then the Corporation Counsel may institute and prosecute condemnation proceedings in the name of and on behalf of the City for the purpose of acquiring fee simple title to the Parcel under the City's power of eminent domain.

Section 5. The Commissioner of DOA is authorized to execute such documentation as may be necessary 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 validity or enforceability 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 effective upon its passage and approval.