



# City of Chicago



O2016-6082

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 7/20/2016

**Sponsor(s):** Emanuel (Mayor)

**Type:** Ordinance

**Title:** Modification of redevelopment agreement releasing certain land use covenants for payment and negotiated quitclaim deed to city and correcting underlying parcel purchase by Latino Chicago Theater Company (Panamerica Performance Works)

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

## 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**, pursuant to an ordinance approved by the City Council of the City (the “City Council”) on May 24, 2006, and published in the Journal of the Proceedings of the City Council for such date at pages 77029 through 77062 (the “2006 Ordinance”), the City entered into an Agreement for the Sale and Redevelopment of Land (“Redevelopment Agreement”) with Latino Chicago Theater Company (n/k/a Panamerica Performance Works), an Illinois not-for-profit corporation (“Developer”), dated September 15, 2006, and recorded with the Office of the Recorder of Deeds of Cook County (the “Recorder’s Office”) on January 31, 2008, as document number 0803133165; and

**WHEREAS**, the Redevelopment Agreement requires the Developer to construct an approximately 3,582 square foot, one-story, masonry brick cultural center, to include performing arts space for lease to accommodate multiple users that conduct public performances (the “Improvements”), on the property commonly known as 2612-2620 West Ogden Avenue, Chicago, Illinois, and legally described on Exhibit A attached hereto (“Parcel 1”); and

**WHEREAS**, the City conveyed Parcel 1 to the Developer by a quitclaim deed dated January 28, 2008, and recorded with the Recorder’s Office on January 31, 2008, as document number 0803133066 (“Original Deed”); and

**WHEREAS**, the 2006 Ordinance, the Redevelopment Agreement and the Original Deed set forth various covenants running with the land, including, but not limited to, that the Developer construct the Improvements on Parcel 1 and utilize the Improvements for the presentation of theatrical, cultural and entertainment activities (collectively, the “Original Covenants”); and

**WHEREAS**, the Developer does not intend to complete the Improvements or to use Parcel 1 in accordance with the Original Covenants; and

**WHEREAS**, the Developer has requested that the City release the Original Covenants, subject to the Developer’s paying the City an amount equal to the appraised fair market value of Parcel 1, which amount is equal to Thirty-Four Thousand Two Hundred Dollars (\$34,200) (such amount, the “Release Payment”); and

**WHEREAS**, the Original Deed incorrectly included with the legal description of Parcel 1 the legal descriptions for Parcel 2 and Parcel 3, which are legally described on Exhibit B attached hereto (“Parcel 2” and “Parcel 3”, respectively); and

**WHEREAS**, the City remains in title to Parcel 2, but not Parcel 3, and the Developer proposes to quitclaim to the City (at no cost to the City) any interest the Developer may have in Parcel 2, for the purpose of clearing title to Parcel 2; and

**WHEREAS**, the City is agreeable to the Developer's request that the City release the Original Covenants, subject to the Developer's payment to the City of the Release Payment, and to the Developer's quitclaiming Parcel 2 to the City; 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 Mayor or his proxy is authorized to execute, and the City Clerk or Deputy City Clerk is authorized to attest, a release of the Original Covenants; provided, however, that such release shall not become effective unless and until the Developer has paid the City the Release Payment and quitclaimed the Developer's interest in Parcel 2 to the City.

**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 take effect immediately upon its passage and approval.

**EXHIBIT A**

**LEGAL DESCRIPTION OF PARCEL 1**  
(Subject to Title Commitment and Final Survey)

Parcel 1:

LOTS 9 TO 12 IN SUBDIVISION OF LOTS 1 TO 5 AND LOT 7 OF BLOCK 4 AND LOTS 1 TO 6 AND 11 TO 14 OF BLOCK 3 AND LOTS 3, 4 AND 5 OF BLOCK 5 OF COOK AND ANDERSON'S SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 2612-2620 W. Ogden Avenue  
Chicago, Illinois 60608

PINs:                   16-24-209-041-0000  
                          16-24-209-042-0000  
                          16-24-209-043-0000  
                          16-24-209-044-0000

## EXHIBIT B

### LEGAL DESCRIPTIONS OF PARCEL 2 AND PARCEL 3 (Subject to Title Commitment and Final Survey)

#### Parcel 2:

LOTS 5, 6 AND THE NORTHEASTERLY ½ OF LOT 7 IN SUBDIVISION OF LOTS 1 TO 5 AND LOT 7 OF BLOCK 4 AND LOTS 1 TO 6 AND 11 TO 14 OF BLOCK 3 AND LOTS 3, 4 AND 5 OF BLOCK 5 OF COOK AND ANDERSON'S SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 2604-2606 W. Ogden Avenue  
Chicago, Illinois 60608

PINs: 16-24-209-046-0000  
16-24-209-047-0000

#### Parcel 3:

LOT 8 AND THE SOUTHWESTERLY ½ OF LOT 7 IN SUBDIVISION OF LOTS 1 TO 5 AND LOT 7 OF BLOCK 4 AND LOTS 1 TO 6 AND 11 TO 14 OF BLOCK 3 AND LOTS 3, 4 AND 5 OF BLOCK 5 OF COOK AND ANDERSON'S SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 2608 W. Ogden Avenue  
Chicago, Illinois 60608

PINs: 16-24-209-045-0000

HSG.



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

July 20, 2016

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 an amendment to a previously passed land sale with Latino Chicago Theater.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor



**JOSEPH A. MOORE**

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**CITY COUNCIL  
CITY OF CHICAGO**

**COUNCIL CHAMBER**

CITY HALL, ROOM 200  
121 NORTH LASALLE STREET  
CHICAGO, ILLINOIS 60602  
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**HOUSING AND REAL ESTATE**  
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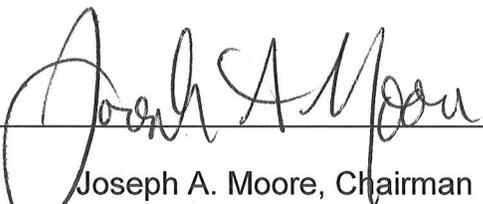
September 14, 2016

To the President and Members of the City Council:

Your Committee on Housing and Real Estate, for which a meeting was held on September 9, 2016, having had under consideration the ordinance introduced by Mayor Rahm Emanuel on July 20, 2016, this being the modification of a redevelopment agreement for property at 2612-2620 W. Ogden Ave., begs leave to recommend that Your Honorable Body Approve said ordinance transmitted herewith.

This recommendation was concurred in by a voice vote of all committee members present with no dissenting votes.

Respectfully submitted,

  
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Joseph A. Moore, Chairman  
Committee on Housing and Real Estate

APPROVED  
*Robert Emmet SBA*  
9/22/14  
Mayor

APPROVED  
*Stacy R. [Signature]*  
CORPORATION COUNSEL