



City of Chicago



O2013-4935

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 6/26/2013

Sponsor(s): Emanuel, Rahm (Mayor)

Type: Ordinance

Title: Acquisition of property at 2206, 2222 and 2258 South Indiana Ave for benefit of 24th/Michigan Redevelopment Project area

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

ORDINANCE

AUTHORITY TO ACQUIRE 2206, 2222 AND 2258 S. INDIANA AVENUE 24th/Michigan Redevelopment Project Area

WHEREAS, the 24th/Michigan Tax Increment Financing Redevelopment Project and Plan (the “24th/Michigan Plan”) was approved by the City Council of the City of Chicago (the “City”) on July 21, 1999, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, et seq., as amended from time to time (the “Act”); and

WHEREAS, the City may, pursuant to Section 11-74.4-4(c) of the Act and in conjunction with goals and objectives of the 24th/Michigan Plan, acquire by purchase or condemnation, property reasonably necessary to achieve the objectives of the 24th/Michigan Plan; and

WHEREAS, the Department of Housing and Economic Development has found that the present use of, and improvements to, the property commonly known as 2206, 2222 and 2258 S. Indiana Avenue and identified as P.I.N. 17-27-102-013, -025, and -026 (the “Subject Property”) are inconsistent with the City’s development plans for the subject area and that acquisition of the Subject Property by the City for redevelopment would further the goals of the 24th/Michigan Plan; and

WHEREAS, the Subject Property is located within the boundaries of the 24th/Michigan Plan; and

WHEREAS, the City is a home rule unit of local government pursuant to Article VII of the 1970 Constitution of the State of Illinois, and, pursuant to its home rule powers, the City established the Community Development Commission (“Commission”) pursuant to Section 2-124 of the Municipal Code of Chicago (the “Code”); and

WHEREAS, under Section 2-124-030(a) of the Code and Section 11-74.4-4(c) of the Act, the Commission may recommend to the City Council that the City acquire by purchase or condemnation property reasonably necessary to achieve the objectives of a redevelopment project and plan; and

WHEREAS, the Commission, by Resolution 13-CDC-21, recommended that the Subject Property be acquired for redevelopment by the City in furtherance of the 24th/Michigan Plan; and

WHEREAS, the Subject Property is a component of an acquisition plan and project to facilitate redevelopment along the Cermak Avenue corridor, adjacent to the McCormick Place Convention Center, that requires property assembly within adjacent and surrounding Tax Increment Allocation Redevelopment Areas (the “Cermak Corridor Project”); and

WHEREAS, the assembly of property, including the Subject Property, requires urgency to meet deadlines that will facilitate the Cermak Corridor Project, and will not be feasible without accomplishing the assembly of all property, including the Subject Property, by December 31, 2013; and

Exhibit A.

Address: 2206, 2222 and 2258 S. Indiana Avenue

PIN: 17-27-102-013, 025, 026

Legal Description:

PARCEL 1:

THE EAST ½ OF BLOCK 4 (EXCEPT THAT PART TAKEN FOR 22ND STREET AND FOR ALLEY), IN CANAL TRUSTEES' SUBDIVISION OF THE WEST ½ OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1 TO 7 IN BLOCK 1 IN SUPERIOR COURT COMMISSIONER'S SUBDIVISION OF THE EAST ½ OF BLOCK 9 (EXCEPT THAT PART TAKEN FOR ALLEY), IN CANAL TRUSTEE'S SUBDIVISION OF THE WEST ½ OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 1 AND 2 (EXCEPT THAT PART TAKEN FOR ALLEY), IN ASSESSOR'S DIVISION OF THE EAST ½ OF BLOCK 18 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST ½ OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

WHEREAS, pursuant to its home rule power, the City Council finds such acquisition to be for the same purposes as those set forth in Divisions 74.2 and 74.3 of the Illinois Municipal Code (65 ILCS 5/11-74.2 and 74.3); and

WHEREAS, the Corporation Counsel has been authorized to negotiate for the purchase of parcels contained within the 24th/Michigan Plan area, and, in the event of inability to acquire same through negotiation, to institute eminent domain proceedings, including the use of "Quick-Take," to acquire such parcels; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The recitals set forth above are hereby incorporated into this ordinance by this reference as the findings of the City Council.

SECTION 2. The City Council hereby finds, pursuant to its home rule power and the 24th/Michigan Plan, that it is useful, necessary, desirable and in the best interests of the City of Chicago to acquire the Subject Property, legally described on attached Exhibit A, for the purposes set forth herein.

SECTION 3. The authority of the Corporation Counsel to issue offers and negotiate to acquire the Subject Property, and in the event of inability to agree with the owner or owners of such property, to institute condemnation proceedings to acquire title to and possession of such property in accordance with the eminent domain laws of the State and in the manner provided by Act 30 of the Code of Civil Procedure (the "Eminent Domain Act"), including the exercise of "Quick Take" pursuant to Articles 20 and 25 of the Eminent Domain Act, is hereby ratified, provided, and confirmed.

SECTION 4. The City Council further finds that it is useful, necessary, desirable and in the best interests of the City of Chicago to utilize "Quick-Take" pursuant to Articles 20 and 25 of the Eminent Domain Act to meet the schedule established pursuant to the 24th/Michigan Plan.

SECTION 5. This ordinance shall take effect immediately upon its passage and approval.

Exhibit A referred to in this Ordinance reads as follows:



HSG.

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

June 26, 2013

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 ordinances authorizing acquisitions of property in the 2200 south blocks of Michigan and Indiana Avenues.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Mayor



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July 24, 2013
CHICAGO, ILLINOIS

TO THE PRESIDENT AND MEMBERS OF THE CITY COUNCIL:

Your Committee on Housing and Real Estate which was referred from the Department of Housing and Economic Development approving the authority to acquire the property located at **2206, 2222 and 2258 S. Indiana Ave.** in the *24th/Michigan TIF Redevelopment Project.* **3RD WARD**
(O2013-4935)

Having the same under advisement, begs leave to report and recommend that Your Honorable Body **Pass** the proposed ordinance transmitted herewith.

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

(signed)

Ray Suarez, Chairman
Committee on Housing & Real Estate

APPROVED

Stephen R. Holt

CORPORATION COUNSEL

APPROVED

Robert Edmund

Mayor

7/31/13