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City Council Document Tracking Sheet

Meeting Date:	11/16/2011
Sponsor(s):	Emanuel, Rahm (Mayor)
Type:	Ordinance
Title:	Conveyance of city property to Chicago Board of Education at various addresses
Committee(s) Assignment:	Committee on Housing and Real Estate

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

November 16, 2011

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 an ordinance authorizing a conveyance of property to the Board of Education.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

ORDINANCE

WHEREAS, Article 7, Section 8 of the 1970 Constitution of the State of Illinois authorizes units of local government and school districts to contract among themselves to share services and to exercise, combine and transfer functions in any manner not prohibited by law or by ordinance; and

WHEREAS, the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., similarly authorizes public agencies, including units of local government and school districts, to contract with one another to perform any governmental service, activity or undertaking; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq. (the "LGPTA"), authorizes a municipality (including units of local government and school districts) (a "transferee municipality"), whose territory is wholly or partly within the corporate limits of another municipality, to by ordinance declare that it is necessary or convenient for it to use, occupy or improve real estate held by another municipality (a "transferor municipality") for the making of any public improvement or for any public purpose, in which case the corporate authorities of the transferor municipality shall have the power to transfer all of the right, title and interest of the transferor municipality in such real estate to the transferee municipality upon such terms as may be agreed to the by municipalities; and

WHEREAS, the City of Chicago ("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 City is the owner of the parcels of real property identified on Exhibit A to this ordinance (the "City Parcels"), which are adjacent to the public schools and public charter school identified on Exhibit A;

WHEREAS, the City has no present municipal use for the City Parcels; and

WHEREAS, the Board of Education of the City of Chicago (the "Board"), is a body corporate and politic, organized under and existing pursuant to Article 34 of the School Code of the State of Illinois, 105 ILCS 5/1-1 et seq. (2007) (the "School Code"); and

WHEREAS, pursuant to its power and authority under the School Code and pursuant to the LGPTA, the Board, at its meeting of September 28, 2011, pursuant to Resolution 11-0928-OP3 (the "September 2011 Resolution") has determined that it is necessary or convenient for it to use, occupy or improve the City Parcels for green space, campus parks, open space or parking appurtenant to such public schools; and

WHEREAS, the City has agreed to convey the City Parcels to the Board for such public school and public purposes; and

WHEREAS, the Chicago Plan Commission, by (i) Resolution No. 11-018-21 adopted on January 20, 2011 (as to the Ross Elementary School parcels); (ii) Resolution No. 11-019-21 adopted on January 20, 2011 (as to the University of Chicago Charter High School - Woodlawn parcels); Resolution No. 11-021-21 adopted on January 20, 2011 (as to the Nicholson Elementary School parcels); and Resolution No. 11-031-21 adopted on March 17, 2011 (as to the Morgan Park High School parcels) has approved the City's conveyance of the City Parcels to the Board; **now, therefore,**

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

SECTION 1. The above recitals, and the statements of fact and findings made therein, are incorporated herein and made a material part of this ordinance.

SECTION 2. The City's conveyance of the City Parcels to the Board for in consideration of the Board's payment to the City of One and No/100 Dollars for each parcel is hereby approved. The Mayor or his proxy is authorized to execute, and the City Clerk is authorized to attest, a quitclaim deed (or quitclaim deeds) conveying the City Parcels to the Board. Such deed(s) shall include a restriction requiring that such property be solely used for school purposes or another public purpose and shall further provide that if such school or public purpose is not complied with, title to the City Parcels shall revert to the City of Chicago.

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 be in full force and effect immediately upon its passage and approval.

Exhibit A: List of City Parcels

EXHIBIT A

List of City Parcels

[SEE ATTACHMENT]

EXHIBIT A
List of City Parcels
(Subject to Title Commitment and Survey)

Chicago Public School	School Address	Address	PIN	Ward	CA No.	Community Area	Total Square Feet
Ross Elementary School	6059 S Wabash Av	6001 S Wabash Av	20-15-307-001	20	40	Washington Park	33,696
		6006 S Michigan Av	20-15-307-011				
		6014 S Michigan Av	20-15-307-012				
Nicholson Elementary School	6006 S Peoria Av	6009 S Peoria St	20-17-414-005	16	68	Englewood	34,375
		6013 S Peoria St	20-17-414-006				
		6013 S Peoria St	20-17-414-007				
		6015 S Peoria St	20-17-414-008				
		6019 S Peoria St	20-17-414-009				
U of Chicago Charter HS - Woodlawn	6420 S University Av	6405 S University Av	20-23-110-003	20	42	Woodlawn	16,335
		6407 S University Av	20-23-110-004				
		6428 S Minerva Av	20-23-110-028				
Morgan Park High School	1744 W Pryor Av	1816 W Monterey Av	25-19-200-016 (a part of)	19	75	Morgan Park	23,708
		1812 W Monterey Av	25-19-200-017				
		1814 W Monterey Av	25-19-200-018				
		1814 W Monterey Av	25-19-200-019				
		1816 W Monterey Av	25-19-200-020				
		1818 W Monterey Av	25-19-200-021				
Total Square Feet							108,114
Total Acres							2.48