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City Council Document Tracking Sheet

Meeting Date: 1/18/2012
Sponsor(s): Emanuel, Rahm (Mayor)
Type: Ordinance
Title: Transfer of property to Chicago Public Schools
Committee(s) Assignment: Committee on Housing and Real Estate

HSG.



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

January 18, 2012

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 transfer of property to the Chicago Public Schools.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

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 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 on December 15, 2011, has approved the City's conveyance of the City Parcels to the Board by adopting (i) Resolution No. 11-096-21 (as to the Beidler Elementary School parcels); (ii) Resolution No. 11-097-21 (as to the Henson Elementary School parcel); (iii) Resolution No. 11-098-21 (as to the Lawndale Elementary Community Academy parcel); (iv) Resolution No. 11-099-21 (as to the Johnson Elementary School parcel); (v) Resolution No. 11-100-21 (as to Dodge Elementary School parcels); (vi) Resolution No. 11-102-21 (as to Perspectives/IIT Math & Science Academy parcels); (vii) Resolution No. 11-095-21 (as to the Morton Career Academy parcel) and (viii) Resolution No. 11-106-21 (as to the Morgan Elementary School parcel); **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]

School Name	City-Owned Land Address	PIN
Beidler Elementary School	3132 W. Lake St.	16-12-312-014
	3130 W. Lake St.	16-12-312-015
	3126 W. Lake St.	16-12-312-016
	3128 W. Lake St.	16-12-312-017
	3126 W. Lake St.	16-12-312-018
	3124 W. Lake St.	16-12-312-019
	3120 W. Lake St.	16-12-312-020
	3118 W. Lake St.	16-12-312-021
	214 N. Albany Ave.	16-12-312-027
	220 N. Albany Ave.	16-12-312-029
	216 N. Albany Ave.	16-12-312-035
	218 N. Albany Ave.	16-12-312-036
Morgan Elementary School	8363 S Kerfoot Av	20-33-301-023
Morton Career Academy	3109-11 W Franklin Blvd	16-12-110-007
Henson Elementary School	1306 S Avers Av	16-23-109-022
Lawndale Elementary Community Academy	3530 W Douglas Blvd	16-23-208-024
Johnson Elementary School	3122 W 15th St	16-24-104-019
Dodge Elementary School	2667 W Washington Blvd	16-12-422-001
Perspectives/IIT Math & Science Acad.	17 E. 36th Pl.	17-34-306-016
	19 E. 36th Pl.	17-34-306-017
	21 E. 36th Pl.	17-34-306-018
	23 E. 36th Pl.	17-34-306-019
	25 E. 36th Pl.	17-34-306-020
	27 E. 36th Pl.	17-34-306-021
	29 E. 36th Pl.	17-34-306-022

31 E. 36th Pl.	17-34-306-023
33 E. 36th Pl.	17-34-306-024
3638 S Wabash Av	17-34-306-026
3642 S Wabash Av	17-34-306-028
3644 S Wabash Av	17-34-306-029
3648 S Wabash Av	17-34-306-030
3650 S Wabash Av	17-34-306-031
3652 S Wabash Av	17-34-306-032
3656 S Wabash Av	17-34-306-033
3658 S Wabash Av	17-34-306-034
3660 S Wabash Av	17-34-306-035
3662 S Wabash Av	17-34-306-036
3624 E 37th St	17-34-306-037
3664 S Wabash Av	17-34-306-038
3666 S Wabash Av	17-34-306-039
3668 S Wabash Av	17-34-306-040
3670 S Wabash Av	17-34-306-041
3672 S Wabash Av	17-34-306-042
3640 S Wabash Av	17-34-306-043
67 E. 36th Pl.	17-34-307-007
3630 S Wabash Av	17-34-307-023