



Office of the City Clerk

City Hall
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Legislation Details (With Text)

File #: O2014-4761
Type: Ordinance **Status:** Passed
File created: 5/28/2014 **In control:** City Council
Final action: 6/25/2014

Title: Intergovernmental agreement with Chicago Park District for conveyance of City-owned property at 8917-8919 S Dauphin Ave for incorporation into Lorraine Dixon Park

Sponsors: Emanuel, Rahm

Indexes: Intergovernmental

Attachments: 1. O2014-4761.pdf

Date	Ver.	Action By	Action	Result
6/25/2014	1	City Council	Passed	Pass
6/18/2014	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
5/28/2014	1	City Council	Referred	

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

May 28, 2014

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 the execution of an intergovernmental agreement with the Chicago Park District regarding a property conveyance.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

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, the Chicago Park District (the "Park District") is a body politic and corporate organized and existing under the Chicago Park District Act, 70 ILCS 1505/0.01 et seq., with authority to exercise control over and supervise the operation of all parks within the corporate limits of the City; and

WHEREAS, the City has established the Community Development Commission ("CDC") to, among other things, designate redevelopment areas, approve redevelopment plans, and recommend the sale or lease of parcels located in redevelopment areas, subject to the approval of the City Council of the City ("City Council"); and

WHEREAS, pursuant to ordinances adopted by the City Council on June 10, 1998, the City Council: (i) approved and adopted a redevelopment plan and project (the "TIF Plan") for a portion of the City known as the Stony Island Avenue Commercial and Burnside Industrial Corridors Redevelopment Project Area (the "TIF Area"); (ii) designated the TIF Area as a redevelopment project area; and (iii) adopted tax increment allocation financing for the TIF Area, all in accordance with the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1, et seq.); and

WHEREAS, pursuant to an ordinance adopted by the City Council on June 9, 2010, the City Council approved a first amendment to the TIF Plan; and

WHEREAS, the City is the owner of the real estate legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto (subject to final title commitment and survey, the "Property"), which is comprised of approximately 13,900 square feet (0.32 acres) and is located in the TIF Area immediately adjacent to Lorraine Dixon Park; and

WHEREAS, the Property is improved with a playground and the playground is presently managed by the Park District; and

WHEREAS, the City desires to convey the Property to the Park District to own and maintain as part of Lorraine Dixon Park, and the Park District desires to accept title to the Property for park purposes; and

WHEREAS, by ordinance adopted by the City Council on May 20, 1998, the City Council approved CitySpace: An Open Space Plan For Chicago (the "CitySpace Plan"), a comprehensive plan which sets forth goals for increasing open space in the City and recommends that vacant, tax delinquent and City-owned property be redeveloped for parkland; and

WHEREAS, the use of the Property for parkland is consistent with the purposes and objectives of the TIF Plan, as amended, and the CitySpace Plan; and

WHEREAS, the City Council finds that the establishment and preservation of public open space and parkland is essential to the general health, safety and welfare of the City, and that the Park District is the appropriate entity to own and maintain the Property; and

WHEREAS, the City is authorized to convey title to or other interests in City-owned real estate to other municipalities in accordance with the provisions of the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq.; and

WHEREAS, by ordinance adopted on April 9, 2014, the Board of Commissioners of the Park District authorized the acceptance of title to the Property from the City; and

WHEREAS, on February 20, 2014, the Chicago Plan Commission approved the sale of the Property to the Park District; and

WHEREAS, by Resolution No. 14-CDC-7, adopted on February 11, 2014, the CDC authorized the Department of Planning and Development ("DPD") to advertise its intent to negotiate a sale with the Park District for disposition of the Property and to request alternative proposals for redevelopment, and recommended the sale of the Property to the Park District if no responsive alternative proposals were received at the conclusion of the advertising period, or, if alternative proposals were received, if the Department determined in its sole discretion that it was in the best interest of the City to proceed with the Park District's proposal; and

WHEREAS, public notices advertising the Department's intent to enter into a negotiated sale of the Property with the Park District and requesting alternative proposals appeared in the Chicago Sun-Times on February 15, February 23 and March 15, 2014; and

WHEREAS, no other responsive proposals were received by the deadline indicated in the aforesaid notices; now, therefore,

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

SECTION 1. The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

SECTION 2. The City hereby approves the conveyance of the Property in "as is" condition to the Park District for the sum of \$1.00.

SECTION 3. The Mayor or his proxy is authorized to execute, and the City Clerk or the Deputy City Clerk is authorized to attest, a quitclaim deed conveying the Property to the Park District.

SECTION 4. The Commissioner of DPD (the "DPD Commissioner"), and a designee of the DPD Commissioner, are each hereby authorized to negotiate, execute and deliver such documents as may be necessary or appropriate to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel. Such documents may contain terms and provisions that the DPD Commissioner or his designee deem appropriate.

SECTION 5. 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 6. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall take effect immediately upon its passage and approval.

Attachments: Exhibit A - Legal Description of Property Exhibit B - Aerial Photos of Property

EXHIBIT A

LEGAL DESCRIPTION

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

PARCEL A:

THAT PART OF OUTLOT 2, LYING NORTH OF THE CENTER LINE OF AN EASEMENT FOR WALKWAY OVER AND ACROSS A STRIP OF LAND 8 FT. WIDE, BEING 4 FT. IN WIDTH ON EACH SIDE OF THE CENTER LINE EXTENDED OF ITS PRESENT PASSENGER SUBWAY AND EXTENDING WESTERLY FROM ILLINOIS CENTRAL RAILROAD COMPANY'S WESTERLY RIGHT OF WAY LINE TO THE EASTERLY LINE OF DAUPHIN AVENUE, AS RESERVED IN WARRENTY DEED RECORDED MARCH 9, 1961, AS DOCUMENT 18104911 (EXCEPT THE SOUTHERLY 100 FT. OF SAID PART OF OUTLOT 2 AS MEASURED ALONG THE EASTERLY AND WESTERLY LINES OF SAID OUTLOT 2) IN DAUPHIN PARK, A SUBDIVISION OF THAT PART OF THE NORTH ³A OF THE WEST ¹/₂ OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WEST OF THE ILLINOIS CENTRAL RAILROAD RIGHT OF WAY IN COOK COUNTY, ILLINOIS.

PARCEL B:

THAT PART OF OUTLOT 2, LYING SOUTH OF THE CENTER LINE OF AN EASEMENT FOR WALKWAY OVER AND ACROSS A STRIP OF LAND 8 FT. WIDE, BEING 4 FT. IN WIDTH ON EACH SIDE OF THE CENTER LINE EXTENDED OF ITS PRESENT PASSENGER SUBWAY AND EXTENDING WESTERLY FROM ILLINOIS CENTRAL RAILROAD COMPANY'S WESTERLY RIGHT OF WAY LINE TO THE EASTERLY LINE OF DAUPHIN AVENUE, AS RESERVED IN WARRANTY DEED RECORDED MARCH 9, 1961, AS DOCUMENT 18104911 (EXCEPT THE NORTHERLY 100 FT. OF SAID PART OF OUTLOT 2 AS MEASURED ALONG THE EASTERLY AND WESTERLY LINES OF SAID OUTLOT 2) IN DAUPHIN PARK, A SUBDIVISION OF THAT PART OF THE NORTH V* OF THE WEST ¹/₂ OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WEST OF THE ILLINOIS CENTRAL RAILROAD RIGHT OF WAY IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 8917-19 SOUTH DAUPHIN AVENUE
CHICAGO, ILLINOIS 60619

PROPERTY INDEX NO.

EXHIBIT B AERIAL PHOTO OF PROPERTY

(ATTACHED)

Proposed Negotiated Sale of City Land to the Chicago Park District
LORRAINE DIXON PARK
8917-23 S. Dauphin Avenue (PIN 25-02-108-002)

LEGEND

City-Owned Parcel Chicago Park District

DPD-BZLU/SDD 01/08/14 MAR

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City of Chicago
Rahm Emanuel, Mayor
Department of Planning and Development
Andrew J. Mooney, Commissioner