



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

File #: O2011-5539, Version: 1

### ***L QuA UL*** **ORDINANCE**

WHEREAS, on Wednesday, March 2, 2011, the Committee on Housing and Real Estate of the City Council of the City of Chicago met to consider an ordinance authorizing the transfer of over 40 vacant parcels of land (approximately 3.5 acres) located adjacent to existing parks in various wards throughout the City (the "Adjacent Park Parcels") and approximately 650 acres of land in the Calumet area (the "Calumet Property") to the Chicago Park District; and

WHEREAS, at that committee meeting, a substitute ordinance was offered and accepted by the committee in lieu of the original ordinance, and the committee considered and recommended passage of the substitute ordinance; and

WHEREAS, the substitute ordinance eliminated one of the Adjacent Park Parcels from the transfer, but otherwise made no changes to the original ordinance; and

WHEREAS, because of an administrative error, the document that was reported out of committee to the City Council during the City Council meeting of March 9, 2011, then transmitted to the City Clerk and published in the Journal of the Proceedings of the City Council of the City of Chicago ("Journal") for that date at pages 113584 through 113631, was a working draft of the original ordinance instead of the substitute ordinance; and

WHEREAS, the printed ordinance erroneously omits approximately 10 acres of the Calumet Property, the future site of the Ford Calumet Environmental Center, from the transfer; and

WHEREAS, it is necessary and appropriate to correct the Journal to accurately show the ordinance that was considered and passed by the Committee on Housing and Real Estate and the City Council; now, therefore,

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

SECTION 1. The Journal of March 9, 2011, is hereby corrected by amending the recitals on pages 113584 through 113589 and the exhibit on page 113609 of said Journal by adding the language underscored and deleting the language struck-through, as shown on Exhibit A attached hereto and incorporated herein.

SECTION 2. This ordinance shall be in force and effect upon passage and approval.

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John A. Pope Alderman, 10<sup>th</sup> Ward

#### **EXHIBIT A** **CORRECTIONS**

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 owns 41 vacant parcels of land (approximately 3.5 acres) adjacent to 14 existing parks in various wards throughout the City, as identified by tax parcel identification number ("PIN") on Exhibit A attached hereto and depicted on Exhibit B attached hereto (collectively, the "Expansion Property"); and

WHEREAS, the Park District is interested in acquiring the Expansion Property from the City for the expansion

of the adjacent parks to better serve community residents; and  
WHEREAS, by ordinance adopted by the City Council of the City ("City Council") on May 20, 1998, and published at pages 69309-69311 in the Journal of the Proceedings of the City Council of the City of Chicago (the "Journal") of such date, 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 Expansion Property for parkland is consistent with the purposes and objectives of the CitySpace Plan; and .

WHEREAS, the City owns four sites containing a total of approximately 650 acres in the Calumet area, commonly known as Hegewisch Marsh (approximately 117 acres), Big Marsh (approximately 278 acres), Indian Ridge Marsh (approximately 141 acres) and Van Vlissingen Prairie (approximately 117 acres), as depicted on Exhibit C attached hereto and identified by PIN on Exhibit D attached hereto (collectively, the "Calumet Property"); and

~~WHEREAS, the four Calumet area sites, excluding the Environmental Center Parcel (as hereinafter defined), are collectively referred to herein as the "Calumet Property" and identified by PIN on Exhibit D attached hereto; and~~

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WHEREAS, the Calumet Property is designated for open space preservation in the Calumet Area Land Use Plan adopted by the Chicago Plan Commission on February 14, 2002, and is included in the Calumet Open Space Reserve, a proposed 3,900-acre urban nature preserve first proposed in the Calumet Area Land Use Plan and further described in the Calumet Open Space Reserve Plan dated December 2005; and

WHEREAS, by ordinance adopted on November 19, 2008, and published at pages 49395-49401 in the Journal of such date, the City Council authorized the transfer of approximately 107 acres of Hegewisch Marsh to the Park District (the "107-Acre Parcel"); and

WHEREAS, the City has not yet transferred the 107-Acre Parcel to the Park District; and

WHEREAS, the remaining City-owned acreage in Hegewisch Marsh (approximately 10 acres) is the future site of the Ford Calumet Environmental Center, a proposed research and teaching center that will focus on the environmental, industrial and cultural history of the area (the "Environmental Center Parcel Site"); and

WHEREAS, the City desires to convey all of the land comprising the Calumet Property (which includes the 107-Acre Parcel) to the Park District by quitclaim deed, and the Park District desires to accept such conveyance in order to ensure its long-term protection; and

WHEREAS, the City also leases approximately 10 acres of land in Hegewisch Marsh from the Metropolitan Water Reclamation District (the "City's Leasehold Interest"<sup>1</sup>) but this leasehold interest is not a part of the transfer described herein; and

~~WHEREAS, the City's Leasehold Interest and the Environmental Center Parcel are not a part of the transfer described herein; and~~

WHEREAS, the Calumet Property is contaminated from historic industrial operations, illegal dumping and releases from adjacent or nearby landfills; and

WHEREAS, the City has a number of environmental reports in its possession pertaining to the condition of the Calumet Property; and

WHEREAS, the Calumet Property includes wetlands and open water that provide excellent habitat for a variety of state-listed and other marsh-dependent nesting and migratory birds; and

WHEREAS, the City has been actively restoring the wetlands and other natural features of the Calumet Property, and has re-graded existing trails within Hegewisch Marsh for use by community members, scientists, students and other visitors; and

WHEREAS, the City acquired portions of the Calumet Property with federal wildlife conservation and restoration grant funds and state open lands funds and, as a condition of these grants, recorded conservation easements and use restrictions against the land in order to protect it in perpetuity in its natural, scenic and open space condition; and

WHEREAS, the Park District and the City are committed to restoring the ecosystem in the Calumet area and providing public access to natural resources, and desire to work together to achieve these mutual goals; and

WHEREAS, the City, acting by and through its Department of Environment ("DOE") and other departments,

has been awarded several grants and has applied for other grants to restore, manage or otherwise use the Calumet Property and to plan and develop the Ford Calumet Environmental Center (collectively, "Grants"); and WHEREAS, the Grants have been made or will be made pursuant to grant agreements between the City and the applicable grantors (collectively, "Grant Agreements"); and WHEREAS, the City, acting by and through DOE and other departments, has been issued permits in connection with certain restoration and management activities on the Calumet Property ("Permits"); and WHEREAS, the City may wish to assign the Grant Agreements and Permits to the Park District, the Public Building Commission of Chicago, an Illinois municipal corporation (the "PBC"), and/or Chicago's Environmental Fund, an Illinois not-for-profit corporation ("CEF"), or subgrant funds awarded under the Grant Agreements to the Park District, the PBC and/or CEF; and WHEREAS, prior to transferring title to the Calumet Property, or assigning the Permits and Grant Agreements or subgranting funds as contemplated under this ordinance, the City may need to obtain the consent or approval of the permitting authorities or grantors under the applicable Permits and Grant Agreements (collectively, "Consents"); and WHEREAS, to the extent the City does not assign such Permits and Grant Agreements or subgrant such funds, the City will need access to the Calumet Property, or portions thereof, in order to fulfill its obligations under the Permits and Grant Agreements; and WHEREAS, the City has been temporarily storing clay fill material ("Clay Fill") on Big Marsh and intends to remove the Clay Fill and use it on other projects; and WHEREAS, the City Council finds that the establishment of additional public open space and parkland is essential to the general health, safety and welfare of the City; and WHEREAS, the transfer of the Calumet Property and the Expansion Property to the Park District will increase the Park District's land holdings by approximately 8%; 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, Article VII, Section 10 of the 1970 Constitution of the State of Illinois authorizes and encourages cooperative agreements between units of state and local government; and WHEREAS, by ordinances adopted on January 12, 2011, the Board of Commissioners of the Park District authorized the acceptance of the Expansion Property and the Calumet Property from the City; and **WHEREAS, by Resolution Nos. ,11-007-21, 11-008-21, 11-009-21, 11-010-21, 11-011-21, 11-013-21, 11-014-21 and 11-015-21 adopted on January 20, 2011, the Chicago Plan Commission recommended the transfer of the Calumet Property and the Expansion Property to the Park District; now, therefore,** (Omitted text is unaffected by this ordinance.)

**SUB-EXHIBIT D IDENTIFICATION OF CALUMET PROPERTY**

**SITE NAME**

**ADDRESS**

**PERMANENT INDEX NUMBER**

Van Vlissingen Prairie

9857 10210 10212 1735 1737 1801

S S S E E E

Stony Island

Paxton

Paxton

96th

96th

97th

Hegewisch Marsh (107-Acre Parcel) 13350 S Torrence

■ Environmental Center Site

■ 107-Acre Parcel

Av 25-12-100-023

Av 25-12-400-006

Av 25-12-400-007

St 25-12-100-034

St 25-12-100-035

St 25-12-100-037

Av 25 36 100 013

~~25-36-100-019 (Portion) 25-36-100-019 (Portion) 25-36-500-002 25-36-100-013 25-36-100-019 (Portion)~~

(Omitted text is unaffected by this ordinance.)

**SUB-EXHIBIT D**

**IDENTIFICATION OF CALUMET PROPERTY**

**SITE NAME**

Van Vlissingen Prairie

**ADDRESS**

9857 10210 10212 1735 1737 1801

S S S E E E

Stony Island

Paxton

Paxton

96th

96th

97th

Hegewisch Marsh (107-Acre Parcel) 13350 S Torrence

■ Environmental Center Site

■ 107-Acre Parcel

**PERMANENT INDEX NUMBER**

Av 25-12-100-023

Av 25-12-400-006

Av 25-12-400-007

St 25-12-100-034

St 25-12-100-035

St 25-12-100-037

Av ~~25-36-100-013~~

~~25-36-100-019 (Portion) 25-36-100-019 (Portion) 25-36-500-002 , 25-36-100-013 25-36-100-019 (Portion)~~

(Omitted text is unaffected by this ordinance.)