



Office of the City Clerk

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Legislation Text

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

May 23, 2018

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 a conveyance of city-owned property to the Chicago Park District.

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 November 13, 2002, and published in Journal of the Proceedings of the City Council of the City of Chicago (the, "Journal") for such date at pages 97254 to 97439, the City Council: (i) approved and adopted a redevelopment plan and project (the "Commercial Avenue Redevelopment Plan") for a portion of the City known as the Commercial Avenue Project Area (the "Commercial Avenue Redevelopment Area"); (ii) designated the Commercial Avenue Redevelopment Area as a redevelopment project area; and (iii) adopted tax increment allocation financing for the Commercial Avenue Redevelopment Area, all in accordance with the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1, etseq.) (the "TIF Act"); and

WHEREAS, pursuant to ordinances adopted by the City Council on April 2, 2014, and published in the journal for such date at pages 76816 to 76952, the City Council: (i) approved and adopted a redevelopment plan and project (the "107th/Halsted Redevelopment Plan") for a portion of the City known as the 107th/Halsted Redevelopment Project Area (the "107th/Halsted Redevelopment Area"); (ii) designated the 107th/Halsted Redevelopment Area as a redevelopment project area; and (iii) adopted tax increment allocation financing for the 107th/Halsted Redevelopment Area, all in accordance with the TIF Act; and

WHEREAS, the City is the owner of the real estate commonly known as 2501-05 E. 83rd Street and legally described on Exhibit A-1 attached hereto and depicted on Exhibit A-2 attached hereto (the "Essex Park Property"), which is comprised of one contiguous parcel of land with a square footage of approximately 15,882 square feet (0.36 acres) and is currently improved with an existing park; and

WHEREAS, the City acquired the Essex Park Property pursuant to that certain gift agreement by and between the City and Amoco Oil Company, dated as of October 6, 2000 and as amended as of January 23, 2001 (the "Gift Agreement"), whereby the City covenanted for itself, its successors and assigns that the Essex Park Property be used solely as a public park; and

WHEREAS, the City is the owner of the real estate commonly known as 223-227 W. 110th Place and legally described on Exhibit B-1 attached hereto and depicted on Exhibit B-2 attached hereto (the "Proposed Park Property" and together with the Essex Park Property, the

1

"Park Property"), which is comprised of two contiguous parcels of land with a combined square footage of approximately 10,965 square feet (0.25 acres) and is currently vacant; and

WHEREAS, the Essex Park Property is located in the Commercial Avenue Redevelopment Area and

the Proposed Park Property is located in the 107th/Halsted Redevelopment Area; and

WHEREAS, the City desires to convey to the Park District: (a) the Essex Park Property for the preservation and management of the Essex Park Property as a public park; and (b) the Proposed Park Property for the creation of a new park, and the Park District desires to accept title to the Park Property for park purposes; and

WHEREAS, by ordinance adopted 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 Park Property for parkland is consistent with the purposes and objectives of the CitySpace Plan; and

WHEREAS, the continued use of the Essex Park Property as a public park is consistent with the purposes and objectives of the Commercial Avenue Redevelopment Plan and the use of the Proposed Park Property for parkland is consistent with the purposes and objectives of the 107th/Halsted Redevelopment 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 Park 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 etseq.; and

WHEREAS, by ordinance adopted on February 2, 2018, the Board of Commissioners of the Park District authorized the acceptance of the Park Property from the City; and

WHEREAS, by Resolution No. 18-CDC-5, adopted on March 13, 2018, 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 Park Property and to request alternative proposals for redevelopment, and recommended the sale of the Park 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 DPD 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 DPD's intent to enter into a negotiated sale of the Park Property with the Park District and requesting alternative proposals appeared in the Chicago Sun-Times on March 21, April 6 and April 18, 2018; and

WHEREAS, no other responsive proposals were received by the deadline indicated in the

2

aforesaid notices; and

WHEREAS, by Resolution Nos. 18-029-21 and 18-031-021, adopted on April 19, 2018, the

Chicago Plan Commission approved the transfer of the Park Property to the Park District; 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 Park Property in "as is" condition to the Park District for the sum of \$1.00 per parcel.

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 or deeds conveying the Park Property to the Park District. Such quitclaim deed(s) shall include a covenant obligating the Park District to: (a) use the Essex Park Property only for a use consistent with the land uses permitted under the Commercial Avenue Redevelopment Plan; and (b) use the Proposed Park Property only for a use consistent with the land uses permitted under the 107th /Halsted Redevelopment Plan. Pursuant to the Gift Agreement, such quitclaim deed(s) shall also include a covenant that the Park District, its successors and assigns shall use the Essex Park Property solely as a public park. The Park District's acceptance of the quitclaim deed(s) shall constitute the Park District's agreement to such covenants.

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-1 - Legal Description of Essex Park Property
Exhibit A-2 - Aerial Photo and Street View of Essex Park Property
Exhibit B-1- Legal Description of Proposed Park Property
Exhibit B-2 - Aerial Photo and Street View of Proposed Park Property

EXHIBIT A-2

AERIAL PHOTO AND STREET VIEW OF ESSEX PARK PROPERTY

(ATTACHED)

**Proposed Land Transfer to the Chicago Park District
Essex Park
2501-2515 E. 83rd Street (PIN 21-31-302-060)**

LEGEND

City-Owned Parcel

City of Chicago

Rahm Emanuel, Mayor

Department of Planning and Development

David L. Reifman, Commissioner

**Proposed Land Transfer to the Chicago Park District
Essex Park
2501-2515 E. 83rd Street (PIN 21-31-302-060)**

Site Photograph Source: Google Earth

City of Chicago

Rahm Emanuel, Mayor

Department of Planning and Development

David L. Reifman, Commissioner

04/26/18 MAR

Commissioner

DPD-BZP/SDD

EXHIBIT B-1

LEGAL DESCRIPTION OF PROPOSED PARK PROPERTY

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

Parcel 1:

THE WEST 1/2 OF LOT 11 AND ALL OF LOT 12 IN SUBDIVISION OF BLOCK 63 IN SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Commonly known as: 227 W. 110th Street, Chicago, Illinois

Property Index Number: 25-16-428-012-0000

Parcel 2:

LOTS 9 AND 10 AND THE EAST 1/2 OF LOT 11 IN SUBDIVISION OF BLOCK 63 IN SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Commonly known as: 223 W. 110th Street, Chicago, Illinois

Property Index Number: 25-16-428-013-0000

6

EXHIBIT B-2

AERIAL PHOTO AND STREET VIEW OF PROPOSED PARK PROPERTY

(ATTACHED)

7

**Proposed Land Transfer to the Chicago Park
District 110th Place & Wentworth Park
223-227 W. 11 Oth Place (PINs 25-16-428-012/-013)**

LEGEND

City-Owned Parcel

City of Chicago
Rahm Emanuel, Mayor
Department of Planning and Development
David L. Reifman, Commissioner

**Proposed Land Transfer to the Chicago Park
District 110th Place & Wentworth Park
223-227 W.110th Place (PINs 25-16-428-012/-013)**