



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

October 16, 2013

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY OF
CHICAGO

Ladies and Gentlemen:

At the request of the Public Building Commission, I transmit herewith an ordinance authorizing an acquisition of property for Lindblom Math and Science Academy.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

ORDINANCE

WHEREAS, pursuant to the provisions of an Act to Authorize the Creation of public building commissions and to define their rights, powers and duties, as amended (the "Act"), the City Council (the "City Council") of the City of Chicago (the "City") created the Public Building Commission of Chicago (the "Commission") for the purpose of facilitating the acquisition, development and construction of public buildings and improvements; and

WHEREAS, pursuant to the Act, the Commission is a municipal corporation and constitutes a body

both corporate and politic separate and apart from the City; and

WHEREAS, the Commission has heretofore undertaken a program involving the acquisition, construction, alteration, repair, renovation, rehabilitation, enlargement and improvement of public elementary schools and related ancillary facilities for use by the City and the Board of Education of the City (the "Board"); and

WHEREAS, the Department of Housing and Economic Development ("DHED") of the City has requested that the Commission designate and acquire certain property located in the 6100 block of South Winchester Avenue, Chicago, Illinois and legally described on Exhibit A hereof (the "Property"), with funds to be provided by or on behalf of the City, for acquisition and development of a parking lot and ancillary improvements (the "Project") to be used in conjunction with the adjacent Lindblom Math and Science Academy; and

WHEREAS, by resolution adopted on September 10, 2013, the Board of Commissioners of the Commission selected, located and designated the Property for acquisition and development of parking improvements for the use and benefit of the adjacent Lindblom Math and Science Academy and the Board; and

WHEREAS, following the acquisition and development of the Property, the Commission at the request of DHED will convey the Property to the City of Chicago in Trust for the Use of Schools; and

WHEREAS, the City is or will become the owner of certain parcels commonly known as 6100 S. Winchester (PIN 20-18-416-023), 6108 S. Winchester (PIN 20-18-416-026) and 6142 S. Winchester Avenue, Chicago, Illinois and legally described on Exhibit B hereof (the "Property") (collectively, the "City-owned Parcels") that are situated within the boundaries of the Property; and

WHEREAS, subsequent to the completion of the development and construction of the Project, the City will convey the City-owned Parcels to the City of Chicago in Trust for the Use of Schools without further authorization by the City Council; and

WHEREAS, the Property lies wholly within the territorial limits of the City, is conveniently located and of sufficient size to accomplish and effectuate the aforesaid purposes and provide appropriate architectural settings and adequate landscaping for such purposes; and

WHEREAS, pursuant to the requirements of Section 14 of the Act, the Commission has requested that the City Council approve the Property, so selected, located and designated by the Commission, as a site to be acquired for development and construction of a parking lot and

ancillary improvements for the use and benefit of Lindblom Math and Science Academy and the Board; and

WHEREAS, pursuant to Section 14(b) of the Act, the Commission has the authority to acquire fee simple title to the Property including, if necessary, through the exercise of the power of eminent domain; and

WHEREAS, the City of Chicago 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 governmental affairs; now, therefore,

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

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council and are incorporated herein by reference.

SECTION 2. It is hereby determined and declared that it is useful, desirable and necessary for the Commission, on behalf of the City, to acquire the Property legally described on Exhibit A for the public purposes set forth in the Recitals. The City hereby approves the selection, location and designation of the Property for acquisition and development of a parking lot and ancillary improvements for the use and benefit of the Lindblom Math and Science Academy and the Board.

SECTION 3. The City approves the Commission's authority to negotiate with the owner(s) for the purchase of the Property. If the Commission and the owner(s) are able to agree on the terms of the purchase, the Commission is authorized to purchase the Property on behalf of the City for the agreed price. If the owner (s) is or are unable to enter into such a transaction or deliver clear and merchantable title to the Commission, or if the owner(s) cannot be located, the Commission, may with the prior written direction of DHED, institute and prosecute condemnation proceedings for the purpose of acquiring fee simple title to the Property under the Commission's power of eminent domain.

SECTION 4. The City approves the conveyance of the City-owned Parcels to the City of Chicago in Trust for the Use of Schools following the completion of the development and construction of the Project.

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 be effective immediately upon its passage.

EXHIBIT A

**LINDBLOM MATH AND SCIENCE ACADEMY PARKING LOT
DEVELOPMENT**

**Property Located at 6100-6158 S. Winchester
Avenue Chicago, Illinois 60636**

(subject to final title commitment and survey)

LOTS 156 TO 179 IN E. A. CUMMINGS AND COMPANY'S 63RD STREET SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ADDRESS: 6100 - 6158 S. WINCHESTER AVENUE, CHICAGO, ILLINOIS

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EXHIBIT B

**LINDBLOM MATH AND SCIENCE ACADEMY PARKING
LOT DEVELOPMENT**

City-Owned Property

**Property Located at 6100, 6108 and 6142 S. Winchester
Avenue Chicago, Illinois 60636**

(subject to final title commitment and survey)

Legal Description:

LOT 179, LOT 176, THE SOUTH 20 FEET OF LOT 163, AND LOT 162 (EXCEPT THE SOUTH 15 FEET THEREOF) IN E. A. CUMMINGS AND COMPANY'S 63RD STREET SUBDIVISION OF THE WEST VI OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN's and Addresses:

20-18-416-023 6100 S. Winchester Avenue

20-18-416-026 6108 S. Winchester Avenue

6142 S. Winchester Avenue