Legislation Details (With Text)

File #:	O2015-5354		
Type:	Ordinance	**Status:**	Passed
File created:	7/29/2015	**In control:**	City Council
		Final action:	9/24/2015
Title:	Acquisition of property at 902, 927 W 18th St; 936, 919 W 19th St; 933, 947 W Cullerton St; 1426 S Sangamon St and 919 W 20th Pl for benefit of Pilsen Industrial Corridor Tax Increment Financing (TIF) Redevelopment Project Area		
Sponsors:	Emanuel, Rahm		
Indexes:	Acquisition		
Attachments:	1. O2015-5354.pdf		

Date	Ver.	Action By	Action	Result
9/24/2015	1	City Council	Passed	Pass
9/16/2015	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
7/29/2015	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

July 29, 2015

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 ordinance authorizing an acquisition of property from the Burlington Northern Santa Fe Railroad.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

ORDINANCE

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, pursuant to ordinances adopted by the City Council of the City (the "City Council") on June 10, 1998, and published in the Journal of the Proceedings of the City Council (the "Journal") of such date, (i) a certain redevelopment plan and project (the "Initial Redevelopment Plan") for the Pilsen Industrial Corridor Tax Increment Financing Redevelopment Project Area (the "Redevelopment Area"), was approved pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seq.) (the "Act"); (ii) the Redevelopment Area was designated as a redevelopment project area pursuant to the Act; and (iii) tax increment financing was adopted pursuant to the Act as a means of financing certain Redevelopment Area redevelopment project costs (as defined in the Act) incurred pursuant to the Initial Redevelopment Plan; and

WHEREAS, pursuant to ordinances adopted by the City Council on November 12, 2003, and on September 1, 2004, and published in the Journal for such dates, the City Council adopted amendments to the Initial Redevelopment Plan (the Initial Redevelopment Plan, as amended, the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan and the use of tax increment financing provide a mechanism to support new growth through leveraging private investment, and help to finance land acquisition, demolition, remediation, site preparation and infrastructure for new development in the Redevelopment Area; and

WHEREAS, the Department of Planning and Development ("Department") has identified nine (9) parcels of real property in the Redevelopment Area that the City may acquire in furtherance of the redevelopment objectives set forth in the Redevelopment Plan, either through negotiated sale or by exercise of the City's eminent domain power and authority; and

WHEREAS, it is necessary to acquire the nine (9) parcels of property, located in the Redevelopment Area and listed on the attached Exhibit A (the "Acquisition Parcels"), in order to achieve the objectives of the Redevelopment Plan, which include, among other things, reducing or eliminating conditions that qualify the Redevelopment Area as a redevelopment area; and

WHEREAS, by Resolution No. 15-CDC-18, adopted by the Community Development Commission of the City of Chicago ("Commission") on June 9, 2015, the Commission recommended the acquisition of the Acquisition Parcels; and

WHEREAS, the City Council finds such acquisitions to be for the same purposes as those set forth in Divisions 74.2 and 74.4 of the Illinois Municipal Code; and

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WHEREAS, the City Council further finds that such acquisition and exercise of power of eminent domain shall be in furtherance of the Redevelopment Plan, which was first adopted in 1998 in accordance with the Act, as recited above, and was in existence prior to April 15, 2006; and

WHEREAS, the City Council further finds that prior to April 15, 2006, the Redevelopment Plan included an estimated $29,000,000 in property assembly costs as a budget line item in Exhibit II to the Redevelopment Plan, and also described property assembly as a part of the redevelopment project for the Redevelopment Area, including in Section V. of the Redevelopment Plan; and

WHEREAS, the City Council further finds that the Acquisition Parcels were included in the Redevelopment Area prior to April 15, 2006, that there has been no extension in the completion date of the Redevelopment Plan and that the Acquisition Parcels are not located in an industrial park conservation area; and

WHEREAS, the City Council further finds that it is useful, necessary and advantageous for the City to acquire the Acquisition Parcels for municipal purposes, public ownership, and control for the establishment of public open space (i.e., the Sangamon Paseo walking trail); and

WHEREAS, the Commissioner of the Department also has determined that the acquisition of the Property is useful, desirable, and necessary for the ownership and use thereof by the City; 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.

SECTION 2. It is hereby determined and declared that it is useful, desirable and necessary that the City of Chicago acquire the Acquisition Parcels for public ownership and control, for the purpose of establishing public open space or other lawful municipal uses, and for the purposes of implementing the objectives of the Redevelopment Plan for the Department.

SECTION 3. The Corporation Counsel and the Department are authorized to negotiate, on behalf of the City, with the owner(s) for the purchase of the Acquisition Parcels, subject to approval of the purchase price by the City Council.

SECTION 4. If the Corporation Counsel and the Department are unable to agree with the owner(s) of the Acquisition Parcels on the terms of the purchase, or if the owncr(s) is or are incapable of entering into such a transaction with the City, or if the owner(s) cannot be located, then the Corporation Counsel is authorized to institute and prosecute condemnation proceedings

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on behalf of the City for the purpose of acquiring fee simple title to the Acquisition Parcels as listed on Exhibit A under the City's power of eminent domain. Such acquisition efforts shall commence within ten (10) years of the date of the publication of this ordinance. For each of the Acquisition Parcels, commencement shall be deemed to have occurred upon the City's delivery of an offer letter to the owner(s) of such Acquisition Parcels.

SECTION 5. The Corporation Counsel and Commissioner of the Department are authorized to execute such documents as may be necessary to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.

SECTION 6. 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 7. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall be effective upon its passage and approval.

EXHIBIT A

Acquisition Parcels (Subject to Final Survey and Title Commitment)

Address	Property Identification Number (PIN)	Vacant or Improved
902 W. 18th Street	17-20-404-026	vacant
927 W. 18.h Street	17-20-414-001	vacant
936 W. 19th Street	17-20-415-001	vacant
919 W. 19th Street	17-20-425-001	vacant
919 W. 19th Place	17-20-426-001	vacant
933 W. Cullcrton Street	17-20-434-001	vacant
1426 S. Sangamon Street	17-20-443-001	vacant
919 W. 20th Place	17-20-435-001	vacant
947 W. Cullerton	17-20-433-003	vacant

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