Legislation Details (With Text)

File #:	O2015-5383		
Type:	Ordinance	**Status:**	Passed
File created:	7/29/2015	**In control:**	City Council
		Final action:	9/24/2015
Title:	Intergovernmental agreement with Chicago Park District regarding conveyance of property at 4323-4329 S Calumet Ave for Hadiya Pendleton Park expansion		
Sponsors:	Emanuel, Rahm		
Indexes:	Intergovernmental		
Attachments:	1. O2015-5383.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 an ordinance authorizing the execution of an intergovernmental agreement with the Chicago Park District regarding a conveyance of property for Hadiya Pendleton Park.

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 ef 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 March 27, 2002, and published in the Journal of the Proceedings of the City Council of the City of Chicago (the "Journal") for said date at pages 81232 to 81472, the City Council: (i) approved and adopted a redevelopment plan and project (the "TIF Plan") for a portion of the City known as the 47tl7King Drive Redevelopment Project Area (the "47th/King Drive Redevelopment Area"); (ii) designated the 47th/King Drive Redevelopment Area as a "conservation area" redevelopment project area; and (iii) adopted tax increment allocation financing for the 47th/King Drive Redevelopment Area, all in accordance with the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1, etseq.); 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 four contiguous parcels of land with a combined square footage of approximately 10,664 square feet (0.24 acres); and

WHEREAS, the Property is located in the 47th/King Drive Redevelopment Area on the same block as the Hadiya Pendleton Park (formerly known as Buckthorn Park); and

WHEREAS, the City desires to convey the Property to the Park District for the expansion of Hadiya Pendleton Park, and the Park District desires to accept title to the Property for park purposes; and

WHEREAS, by ordinance adopted on March 9, 2011, and published in the Journal for said date at pages 113584 to 113631, the City Council approved the conveyance of eighteen additional parcels of land adjacent to or across the street from the Hadiya Pendleton Park, as identified on Exhibit C attached hereto and shown on Exhibit B attached hereto (the "Additional Park Expansion Parcels," and collectively with the Property, the "Park Expansion Parcels"), to the Park District for the expansion of the park; and

WHEREAS, the Park District has submitted, or intends to submit, an application to the Chicago

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Department of Transportation to close a portion of South Calumet Avenue between 43rd Street and 44th Street to connect the Park Expansion Parcels located on the east and west sides of the street; and

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WHEREAS, by ordinance adopted on March 18, 2015, and published in the Journal for said date at pages 102873 to 102894, the City Council approved the expenditure of tax increment funds collected from the 47th/King Drive Redevelopment Area for the rehabilitation and improvement of the Hadiya Pendleton Park; and

WHEREAS, by ordinance adopted on June 25, 2014, and published in the Journal for said date at pages 83761 to 83766, the City Council approved the expenditure of Open Space Impact Fee funds for the redevelopment of the Hadiya Pendleton Park; 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 Property for parkland is consistent with the purposes and objectives of the TIF Plan 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 January 12, 2011, the Board of Commissioners of the Park District authorized the acceptance of the Park Expansion Parcels from the City for the expansion of Hadiya Pendleton (then Buckthorn) Park; and

WHEREAS, on June 18, 2015, the Chicago Plan Commission approved the transfer of the Property to the Park District; and

WHEREAS, by Resolution No. 15-CDC-16, adopted on June 9, 2015, 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 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 Property with the Park District and requesting alternative proposals appeared in the Chicago Sun-Times on June 12, June 26 and July 10, 2015; and

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

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

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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 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 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
Photo of Property
Exhibit C - Identification of Additional Park Expansion Parcels

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EXHIBIT A LEGAL DESCRIPTION

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

LOT 15 IN H. HONORE'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF THE NORTHEAST % OF THE SOUTHWEST % OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AND

LOT 5 IN BAILEY'S CALUMET AVENUE ADDITION, A SUBDIVISION OF LOTS 1 AND 2 OF A. E. KENT'S SUBDIVISION OF LOT 12 OF COUNTY CLERK'S SUBDIVISION OF UNSUBDIVIDED LANDS IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE NORTH 6 INCHES OF LOT 1 OF J.C. BEIFELD'S SUBDIVISION OF LOTS 3, 4, 5, AND 6 IN A. E. KENT'S SUBDIVISION AND LOTS 13 AND 14 OF H. HONORE'S SUBDIVISION IN THE NORTHEAST % OF THE NORTHEAST % OF THE SOUTHWEST 1/4, ALL IN COOK COUNTY, ILLINOIS.

AND

LOT 4 IN BAILEY'S CALUMET AVENUE ADDITION, BEING A SUBDIVISION OF LOTS 1 AND 2 OF A. KENT'S SUBDIVISION OF LOT 12 OF COUNTY CLERK'S SUBDIVISION OF UNSUBDIVIDED LANDS IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE NORTH 6 INCHES OF LOT 1 OF J. C. BEIFELD'S SUBDIVISION OF LOTS 3, 4, 5, AND 6 IN A. E. KENT'S SUBDIVISION AND LOTS 13 AND 14 OF H. HONORE'S SUBDIVISION IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN COOK COUNTY, ILLINOIS .

AND

LOT 3 IN BAILY'S CALUMET AVENUE ADDITION, A SUBDIVISION OF LOTS 1 AND 2 OF A. E. KENT'S SUBDIVISION OF LOT 12 OF COUNTY CLERK'S SUBDIVISION OF UNSUBDIVIDED LANDS IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THE NORTH 6 INCHES OF LOT 1 OF J. C. BEIFELD'S SUBDIVISION OF LOTS 3, 4, 5, AND 6 IN A. E. KENT'S SUBDIVISION AND LOTS 13 AND 14 OF H. HONORE'S SUBDIVISION IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 4323-29 SOUTH CALUMET AVENUE
CHICAGO, ILLINOIS 60609

PROPERTY INDEX NO. 20-03-305-006
20-03-305-007 20-03-305-008 20-03-305-009

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EXHIBIT B AERIAL PHOTO OF PROPERTY

(ATTACHED)

Proposed Negotiated Sale of City Land to the Chicago Park District HADIYA PENDLETON PARK EXPANSION

2323-29 S. Calumet Avenue (20-30-305-006/-007/-008/-009)

Enhanced Aerial Photograph

LEGEND

1 I Proposed Disposition Parcels

^fHH Public Owner-City of Chicago

Sillii Public Owner - Chicago Park District

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

EXHIBIT C

IDENTIFICATION OF ADDITIONALPARK EXPANSION PARCELS

ADDRESS	PIN
4330 S. Calumet Avenue	20-03-304-033
4332 S. Calumet Avenue	20-03-304-034
4334 S. Calumet Avenue	20-03-304-035
4336 S. Calumet Avenue	20-03-304-036
4338 S. Calumet Avenue	20-03-304-037
4340 S. Calumet Avenue	20-03-304-038
4344 S. Calumet Avenue	20-03-304-039
4346 S. Calumet Avenue	20-03-304-040
4348 S. Calumet Avenue	20-03-304-041
4352 S. Calumet Avenue	20-03-304-042
4356 S. Calumet Avenue	20-03-304-043
4331 S. Calumet Avenue	20-03-305-010
4333 S. Calumet Avenue	20-03-305-011

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4335 S. Calumet Avenue	20-03-305-012
4337 S. Calumet Avenue	20-03-305-013
4339 S. Calumet Avenue	20-03-305-014
4341 S. Calumet Avenue	20-03-305-015
4343 S. Calumet Avenue	20-03-305-016

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