



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Details (With Text)

File #: O2022-401
Type: Ordinance
File created: 1/26/2022
Status: Passed
In control: City Council
Final action: 2/23/2022
Title: Acquisition of improved parcels at 3811 W Madison St, 3831 W Madison St and 3841 W Madison St
Sponsors: Lightfoot, Lori E.
Indexes: Acquisition
Attachments: 1. O2022-401.pdf

Date	Ver.	Action By	Action	Result
2/23/2022	1	City Council	Passed	Pass
2/15/2022	1	Committee on Housing and Real Estate	Recommended to Pass	
1/26/2022	1	City Council	Referred	

OFFICE OF THE MAYOR

CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

January 26, 2022

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 ordinances authorizing the acquisition of property.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours

A

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 ("City Council") on September 29, 1999: (i) a certain redevelopment plan and project (the "Plan") for the Madison/Austin Redevelopment Project Area (the "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 Area was designated as a redevelopment project area pursuant to the Act; and (iii) tax increment allocation financing was adopted pursuant to the Act as a means of financing certain Area redevelopment project costs (as defined in the Act) incurred pursuant to the Plan; and

WHEREAS, it is necessary to acquire that certain real property which is located in the Area and identified on the attached Exhibit A (collectively, the "Acquisition Parcels"), in order to achieve the objectives of the Plan, which include, among other things: reducing or eliminating conditions that qualify the Area as a redevelopment area (achieving the objectives of Plan shall be known herein as the "Project"); and

WHEREAS, by Resolution No. 21-CDC-39 adopted by the Community Development Commission of the City (the "CDC") on December 14, 2021, the CDC recommended the acquisition of the Acquisition Parcels; and

WHEREAS, by Resolution No. 21-040-21 adopted by the Chicago Plan Commission (the "Plan Commission") on December 16, 2021, the Plan Commission approved the City's proposed 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

WHEREAS, the City Council further finds that such acquisition and exercise of power of eminent domain shall be in furtherance of the Project, and of the Plan, which was first adopted in 1999 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 Plan included an estimated \$8,100,000 in property assembly costs as a budget line item in Table 2 to the Plan, and also described property assembly as a part of the redevelopment project for the Area, including in Section 4 of the Plan; and

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

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

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Section 1. The above recitals are hereby incorporated by reference as if fully set forth in this ordinance and are 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 acquire the Acquisition Parcels for the purposes of implementing the Project.

Section 3. The City's Corporation Counsel ("Corporation Counsel") is authorized to negotiate with the owner(s) of the Acquisition Parcels for the purchase of the Acquisition Parcels.

Section 4. If the Corporation Counsel is able to agree with the owner(s) of the Acquisition Parcels upon the price to be paid for such Acquisition Parcels, or a portion thereof, the Corporation Counsel is authorized to purchase the Acquisition Parcels, or a portion thereof, in the name of and on behalf of the City for the agreed price, with such purchase price to be paid out of any legally available funds of the City, including, without limitation, proceeds of any grants or other funds received by the City. If the Corporation Counsel is unable to agree with the owner(s) of the Acquisition Parcels on the purchase price, or if an owner is incapable of consenting to the sale, or if an owner cannot be located or cannot deliver fee simple title, then the Corporation Counsel may institute and prosecute condemnation proceedings in the name of and on behalf of the City for the purpose of acquiring fee simple title or other property interest(s) in the Acquisition Parcels, or a portion thereof, under the City's power of eminent domain. Such acquisition efforts shall commence with respect to the Acquisition Parcels within four (4) years of the date of the publication of this ordinance. Commencement shall be deemed to have occurred within such period upon the City's delivery of an offer letter to the owner(s) of the Acquisition Parcels.

Section 5. The Commissioner of the City's Department of Planning and Development, and any successor department (the "Commissioner"), or a designee of the Commissioner, is authorized to (1) execute such documentation as may be necessary to implement the provisions of this ordinance, and (2) determine whether the acquisition of the Acquisition Parcels, or a portion thereof, or less than fee simple title is necessary to implement the Project, all 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 validity or enforceability 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	PIN	Vacant or Improved
3811 West Madison Street	16-14-101-004	Improved
3831 West Madison Street	16-14-101-003	Improved
3841 West Madison Street	16-14-101-002	Improved