



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: O2012-8256, Version: 1

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

December 12, 2012

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

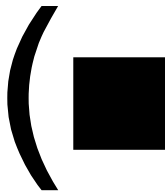
Ladies and Gentlemen:

At the request of the Commissioner of Executive Director of the Public Building Commission, I transmit herewith an ordinance authorizing an acquisition of property for a new Chinatown Public Library.

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, presently codified at 50 ILCS 20/1 et seq. (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 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, at the request of the City, the Commission has heretofore undertaken a program involving the acquisition, construction, alteration, repair, renovation, rehabilitation, enlargement and improvement of branch library facilities for use by the Chicago Public Library (the "Library"); and

WHEREAS, on July 30, 1997, the City Council of the City, at pages 49658 through 49721 of the Journal of Proceedings of the City Council, authorized the execution of an interagency agreement between the Commission and the City which provides for the implementation of various branch library projects; and

WHEREAS, pursuant to such City Council authority, the Commission and the City have entered into that certain Master Intergovernmental Agreement (Branch Library Projects), dated as of October 1, 1997 (such agreement, the "Intergovernmental Agreement"); and

WHEREAS, the Library has requested that the Commission acquire the properties commonly known as 2101-2115 South Archer, 2100-2110 South Wentworth and 2114 South Wentworth, Chicago, Illinois and legally described in Exhibit A to this ordinance (the "Property") for the purpose of acquiring and constructing a new Chinatown Branch Library and ancillary improvements and other public improvements as determined by the City in the Chinatown area of the City (the "Project"); and

WHEREAS, following construction of the Project, the Commission will convey the Property to the City pursuant to the provisions of the Intergovernmental Agreement; and

WHEREAS, the Board of Commissioners (the "Board") of the Commission, by resolution adopted on December 11, 2012, selected, located and designated the Property for acquisition and construction for the aforesaid purposes; 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, the Property, upon being acquired by and conveyed to the Commission and at all times thereafter, shall be under public ownership and control; and

WHEREAS, pursuant to the requirements of Section 14 of the Act, the Board has requested that the City Council approve the Property, so selected, located and designated by the Commission, as a site to be acquired for construction of a new Chinatown Branch Library and ancillary improvements; 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 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; now, therefore,

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

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

SECTION 2. It is hereby determined and declared that it is useful, desirable and necessary for the Commission to acquire the Property for the public use and public purpose set forth in the recitals. The City hereby approves the selection, location and designation of the Property for acquisition, development and construction of branch library and ancillary improvements for a new Chinatown Branch Library and related facilities by the Commission.

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 Commission is unable to agree with the owner(s) of the Property on the terms of the purchase, or if the owner(s) is or are incapable of entering into such a transaction with the Commission, or if the owner(s) cannot be located, the City consents to the Commission's institution and prosecution of condemnation proceedings for the purpose of the Commission's acquiring fee simple title to the Property under the Commission's power of eminent domain.

SECTION 4. The City approves the construction of the Project by the Commission, provided, however, that upon completion of the Project, the Property will be conveyed by the Commission to the City pursuant to the provisions of the Intergovernmental Agreement.

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 upon its passage and approval.

C:\Users\32 <file:///Users/32>122\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.IE5\ID4SR42GX\Ordinance_12072012_(Marked_Up)[1 J.doc

EXHIBIT A

Chinatown Branch Library

**2101-2115 South Archer 2100-2110
South Wentworth and 2114 South
Wentworth Avenues
Chicago, Illinois 60623**

Legal Description

PARCEL 1: LOTS 6 AND 7 (EXCEPT THAT PART OF LOT 6 LYING WEST OF A LINE DRAWN FROM A POINT OF THE NORTHERLY LINE OF SAID LOT 6, 10 FEET NORTHEASTERLY FROM THE NORTHWEST CORNER THEREOF TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 6, 4 FEET NORTHEASTERLY FROM THE SOUTHWEST CORNER THEREOF) TOGETHER WITH THOSE PART OF LOTS 2, 8, 9, AND 10 TAKEN AS A TRACT LYING EAST OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF LOT 4 TO "A" POINT IN THE SOUTH LINE OF LOT 10 AFORESAID 40.0 FEET SOUTHWESTERLY OF THE SOUTHEAST CORNER THEREOF, ALL IN NICHOLS SUBDIVISION OF LOT 1 LINE BLOCK 45 IN CANAL TRUSTEES' SUBDIVISION OF THE EAST FRACTIONAL OF THE SOUTH EAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN,

PARCEL 2: ALL OF LOTS 3 AND 4 AND THOSE PARTS OF LOTS 2, 8, 9 AND 10 (EXCEPT THE WESTERLY 6.0 FEET OF SAID LOT 10) TAKEN AS A TRACT LYING WEST OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF LOT 4 AFORESAID TO A POINT IN THE SOUTH LINE OF LOT 10 AFORESAID 40.0 FEET SOUTHWESTERLY OF THE SOUTHEAST CORNER THEREOF (EXCEPT THAT PART OF SAID LOT 2 LYING WESTERLY OF THE WESTERLY LINE OF LOTS 3, 8 AND 9 EXTENDED SOUTH TO THE SOUTHERLY LINE OF LOT 2) ALL IN NICHOLAS SUBDIVISION OF LOT 1 IN BLOCK 45 IN CANAL TRUSTEES SUBDIVISION OF THE EAST FRACTIONAL OF THE SOUTH EAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 3: SUB LOT 5 AND THAT PART OF SUB LOT 6 IN THE SUBDIVISION OF LOT 1 IN BLOCK 45 IN THE CANAL TRUSTEES SUBDIVISION OF THE EAST FRACTION OF THE SOUTH EAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEASTERLY CORNER OF SUBDIVISION LOT 5; THENCE RUNNING EAST ON ARCHER ROAD 10 FEET; THENCE SOUTHERLY IN A STRAIGHT LINE TO A POINT IN THE SOUTH LINE OF LOT 6, 4 FEET FROM THE EAST LINE OF SUBDIVISION LOT 5; THENCE WEST ON THE SOUTH LINE OF SAID SUBDIVISION LOT 6, 4 FEET TO THE EAST LINE OF SUBDIVISION LOT 5; THENCE NORTH ALONG THE EAST LINE OF SUBDIVISION LOT 5 TO THE SOUTH LINE OF ARCHER ROAD TO THE POINT OF BEGINNING ALL IN COOK COUNTY, ILLINOIS

PARCEL 4: LOTS 1 AND 2 IN SUBDIVISION OF LOT 1 IN BLOCK 45 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN EAST FRACTION OF THE SOUTH EAST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF LOTS 1, 2, 10, 11, 12 AND 13 LYING WESTERLY OF A LINE 2 INCHES EASTERLY OF, MEASURED AT RIGHT ANGLES TO, THE WESTERLY LINES OF LOTS 1, 10, 11, 12, 13, AND 14, ALL IN THE SUBDIVISION OF LOT 1 IN BLOCK 45 IN CANAL TRUSTEE'S SUBDIVISION OF BLOCKS IN THE EAST FRACTIONAL QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO EXCEPT THAT PART OF LOT 2 LYING EASTERLY OF THE WESTERLY LINE OF LOTS 3, 8, AND 9 EXTENDED SOUTHERLY TO THE SOUTHERLY LINE OF SAID LOT 2, ALL IN THE SUBDIVISION OF LOT 1 IN BLOCK 45 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN THE EAST FRACTIONAL QUARTER OF

SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 IN COOK COUNTY, ILLINOIS

PARCEL 5: LOTS 11, 12, 13 AND 14 IN SUBDIVISION OF LOT 1 IN BLOCK 45 OF CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN THE EAST FRACTIONAL QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

C:\Users\32122\AppData\Local\Microsoft\Windows\Temporary
ID4SR42GX\Ordinance_12072012_(Marked_Up)[1].doc

<file:///C:/Users/32122/AppData/Local/Microsoft/Windows/Temporary>

Internet

Files\Content\IE5

17-21-420-063 17-21-420-076 17-21-420-077

DISCLOSURE AFFIDAVIT

RE: Ordinance approving designation and acquisition of properties commonly known as 2101-2115 South Archer Avenue, 2100-2110 South Wentworth Avenue and 2114 South Wentworth Avenue, Chicago, Illinois 60623 for acquisition and construction of the new Chinatown Branch Library

At the request of the Chicago Public Library, the Public Building Commission of Chicago has designated certain property commonly known as 2101-2115 South Archer Avenue, 2100-2110 South Wentworth Avenue and 2114 South Wentworth Avenue, Chicago, Illinois 60623 for acquisition and construction of the new Chinatown Branch Library.

In lieu of an economic disclosure affidavit, the public records indicate that the owners and/or tax assesses for the subject property are as follows:

ADDRESS

2101-2115 South Archer Avenue

2100-2110 South Wentworth Avenue

2114 South Wentworth Avenue
PERM. INDEX NO.

17-21-420-077

17-21-420-076

17-21-420-063

OWNER/ASSESSEE

Chicago Title Land Trust Co. as successor Trustee to American National Bank & Trust Co. of Chicago as Trustee under Trust Agreement dated October 15, 1979 known as Trust No. 47929; Stephen Quan and Chuck F. Quan.

Chicago Title Land Trust Co. as successor Trustee to American National Bank & Trust Co. of Chicago under Trust No. 47929 dated October 15, 1979; Stephen Quan and Chuck F. Quan.

First National Bank of Oak Park, as Trustee Under Trust Agreement dated July 23, 1979 known as Trust Number 11753; Susan Fong, Stephen Quan and Chuck F. Quan.

We request that this ordinance proceed based upon the foregoing information.

PUBLIC BUILDING COMMISSION OF CHICAGO

C:\Users\32122\AppData\Local\Microsoft\Windows\Temporary <file:///C:/Users/32122/AppData/Local/Microsoft/Windows/Temporary> Internet Filcs\Content\IE5D4SR42GX\Ordinance_12072012_(Markcd_Up)[1].doc

By:

Erin Lavin Cabonargi, Executive Director

Date:

C:\Users\32122\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.IE5\D4SR42GX\Ordinance_12072012_(Marked_Up)[1].doc