



# 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

February 5, 2014

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

Ladies and Gentlemen:

At the request of the Commissioner of Water Management, I transmit herewith an ordinance authorizing an acquisition of property from the Illinois Department of Transportation.

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 under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois and may exercise any power and perform any function pertaining to its local government and affairs; and

WHEREAS, pursuant to Section 4-409 of the Illinois Highway Code (605 ILCS 5/4-409), the State of Illinois, through the Illinois Department of Transportation (the "State"), is authorized to enter into written agreements with the City for the jurisdiction, maintenance, administration, engineering or improvement of any highway or portion thereof; and

WHEREAS, pursuant to Section 2-101 of the Illinois Highway Code (605 ILCS 5/2-201), the State has authority to make changes in the State Highway System; and

WHEREAS, pursuant to Section 7-101 of the Illinois Highway Code (605 ILCS 5/7-101), municipalities are authorized to add streets or portions thereof to their municipal street system; and

WHEREAS, in 1955, the City acquired certain property, including a parcel 40 feet by approximately 140 feet and located immediately to the south of the City's Cermak Avenue Pumping Station (the "Station"), which parcel is depicted in Exhibit A attached hereto (such parcel, the "Parcel"); and

WHEREAS, the State has jurisdictional authority over the Parcel for highway purposes; and

WHEREAS, the State does not use the Parcel; and

WHEREAS, the City desires to utilize the Parcel for City home-rule unit of government purposes, including but not limited to, the installation of permanent standby generators, as part of the improvement plans for the Station; and

WHEREAS, it is necessary, desirable and in the best interests of the City and the State that the jurisdiction of the Parcel be transferred from the State to the City; now therefore,

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The Commissioners of the City's Department of Water Management and the Department of Transportation (together, the "Commissioners", or individually the "Commissioner") or a designee of the respective Commissioners are each authorized to execute, subject to the approval of the Corporation Counsel

as to form and legality, one or more agreements with the State for the jurisdictional transfer of the Parcel from the State to the City and adding the Parcel to the municipal street system.

SECTION 3. This ordinance shall take effect upon its passage and approval.