



# Office of the City Clerk

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

## Legislation Text

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**File #:** O2014-1806, **Version:** 1

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### OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

March 5, 2014

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 conferring acquisition authority in the River South TIF Area.

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 an ordinance adopted by the City Council of the City of Chicago ("City Council") on July 30, 1997, and published at pages 49089 and 49091-49193 of the Journal of the Proceedings of the City Council ("Journal") of such date, a certain redevelopment plan and project (as amended, the "Plan") for the River South 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"); and

WHEREAS, pursuant to an ordinance adopted by the City Council on July 30, 1997, and published at pages 49194-49199 of the Journal of such date, one portion of the Area was designated as a "conservation area" redevelopment project area pursuant to the Act (specifically the Northern Built-Up Area as defined in the Plan), another portion of the Area was designated as an improved "blighted area" redevelopment project area pursuant to the Act (specifically the Southern Built-Up Area as defined in the Plan), and a third portion of the Area was designated as a vacant "blighted area" redevelopment project area pursuant to the Act (specifically the Vacated Railyards Area as defined in the Plan); and

WHEREAS, pursuant to an ordinance adopted by the City Council on July 30, 1997, and published at pages 49199-49206 of the Journal of such date, 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, the Plan and the use of tax increment financing provide a mechanism to support new growth through leveraging private investment, and helping to finance land acquisition, demolition, remediation, site preparation and infrastructure for new development in the Area; and

WHEREAS, the City Council finds that it is useful, necessary and desirable to acquire the parcels of property located in the Area identified on Exhibit A attached hereto and made a part hereof (the "Acquisition Parcels") in order to achieve the objectives of the Plan, which include, among other things: reducing or eliminating those conditions that qualify the Area as a conservation area and blighted area; and

WHEREAS, by Resolution No. 13-CDC-22, adopted by the Community Development Commission of the City of Chicago ("Commission") on July 9, 2013, 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

WHEREAS, the City Council further finds that such acquisition and exercise of power of eminent domain shall be in furtherance of the Plan, which was first adopted in 1997 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 \$12,500,000 in property assembly costs as a budget line item in Exhibit I to the

Plan (and \$135,500,000 in total redevelopment project costs), and also described property assembly as a part of the redevelopment project for the Area, including in Sections IV and V 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:**

SECTION 1. The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

SECTION 2. It is hereby determined, declared and found that it is useful, desirable and necessary that the City of Chicago acquire the Acquisition Parcels for public purposes and for purposes of implementing the objectives of the Plan.

SECTION 3. The Corporation Counsel is authorized to negotiate with the owner(s) of the Acquisition Parcels for the purchase of such Acquisition Parcels. If the Corporation Counsel and the owner of an Acquisition Parcel are able to

agree on the terms of the purchase, the Corporation Counsel is authorized to purchase the Acquisition Parcel on behalf of the City for the agreed price. If the Corporation Counsel is unable to agree with the owner(s) of the Acquisition Parcels on the terms of the purchase, or if the owner(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 on behalf of the City for the purpose of acquiring fee simple title to the Acquisition Parcels under the City's power of eminent domain. Such acquisition efforts shall commence with respect to improved property within four (4) years of the date of the publication of this ordinance, and with respect to vacant lots within ten (10) years of the date of the publication of this ordinance. Commencement shall be deemed to have occurred within such periods upon the City's delivery of an offer letter to the owner(s) of the subject Acquisition Parcel(s). The above grant of authority shall be construed to authorize acquisition of fewer than all the Acquisition Parcels and shall also be construed to authorize the acquisition of less than all of any particular Acquisition Parcel.

SECTION 4. The Commissioner of the Department of Planning and Development is 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 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.

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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.

#### **EXHIBIT A**

##### **ACQUISITION PARCELS**

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

##### **PIN**

1. 17-21-202-001
2. 17-21-203-006
3. 17-21-206-001
4. 17-21-208-005
5. 17-21-210-002
6. 17-21-210-005
7. 17-21-210-090
8. 17-21-503-003
9. 17-21-210-098
10. 17-21-502-001
11. 17-21-203-005

- 12. 17-21-204-001
- 13. 17-21-209-007
- 14. 17-21-210-004
- 15. 17-21-210-007
- 16. 17-21-210-086
- 17. 17-21-210-095
- 18. 17-21-210-092
- 19. 17-21-203-004
- 20. 17-21-203-007
- 21. 17-21-207-001
- 22. 17-21-209-006
- 23. 17-21-210-003
- 24. 17-21-210-006
- 25. 17-21-210-062
- 26. 17-21-210-064
- 27. 17-21-208-004

**ADDRESS**

236 West Maxwell Street 241 West Roosevelt Road 236 West 14th Street 1335 South Lumber Street 100 West Roosevelt Road 1332 South Clark Street 1500 South Clark Street 0 West 14th Street 241 West Roosevelt Road 280 West 14th Street 243 West Roosevelt Road 0 South Lumber Street 253 West 14th Street 1322 South Clark Street 1436 South Clark Street 1207 South Clark Street 1550 South Clark Street 1401 South Clark Street 241 West Roosevelt Road 241 West Roosevelt Road 200 West 14th Street 253 West 14th Street 1308 South Clark Street 1344 South Clark Street 1201 West Roosevelt Road 1221 West Roosevelt Road 1331 South Lumber Street

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