



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

March 16, 2016

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

Ladies and Gentlemen:

At the request of the Commissioner of Fleet and Facility Management, I transmit herewith ordinances authorizing the acceptance of property from the Board of Education and property transfers on its behalf.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

ORDINANCE

WHEREAS, the City of Chicago (the "City"), is a home rule unit of government under Article VII, Section 6(a) of the Constitution of the State of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Board of Education of the City of Chicago (the "Board") is a body corporate and politic, organized under and existing pursuant to Article 34 of the School Code of the State of Illinois, 105 ILCS 5/1-1, et seq. (the "School Code"); and

WHEREAS, the Board is the owner of real estate located at 11625 South Oakley Avenue Chicago, Illinois, which consists of approximately 7.34 acres of green open space and legally described on Exhibit A, attached hereto ("Property"); and

WHEREAS, title to the Property is currently held by the City, as Trustee, in Trust for the Use of Schools pursuant to Section 105 ILCS 5/34-20 of the School Code; and

WHEREAS, the Chicago Park District is a body corporate and politic, organized under and existing pursuant to the Chicago Park District Act, 70 ILCS 1505/1, et. seq. (the "Chicago Park District Act"); and

WHEREAS, pursuant to Resolution Number 16-0127-0P1 adopted by the Board by a vote of not less than two-thirds of its full membership at its meeting on January 27, 2016 the Board determined that the Property described on Exhibit A is not needed for school purposes; and

WHEREAS, the Local Governmental Property Transfer Act, 50 ILCS 605/.01 ("LGPTA") authorizes municipalities to convey, grant, or transfer real estate held by one municipality to another municipality upon the agreement of the their corporate authorities;

WHEREAS, pursuant to the LGPTA the Chicago Park District desires to acquire the Property for open space, recreational and park purposes and has agreed by Chicago Park District Ordinance Number 16-2514-0309 dated March 9, 2016, to accept and use the Property for said purposes; and

WHEREAS, the Board and the Park District request that the City, as Trustee, convey the Property to the Chicago Park District for open space, recreational and park purposes; subject to the terms below, now therefore,

Be It Ordained by the City Council of the City of Chicago.

Section 1. The Mayor or his proxy is authorized to execute, and the City Clerk or Deputy City Clerk is authorized to attest, a deed conveying to the Chicago Park District all rights of the City in Trust for the Use of Schools in and to the Property described on A.

Section 2. The conveyance of the Property is subject to the condition that the Property is to be used for open space, recreational and park purposes. In the event the Property is not used for these purposes, the Board may re-enter the Property and title shall revert in Grantor. The Property shall be conveyed in "as is" condition. The Board and City shall be released and discharged from any future responsibility or liability with respect to the Property's physical or environmental condition.

Section 3. This Ordinance shall take effect upon its passage and approval.

EXHIBIT A

(Subject to final title commitment and survey)

PROPERTY ADDRESS:

11625 SOUTH OAKLEY AVENUE, CHICAGO, ILLINOIS LEGAL

DESCRIPTION:

LOTS 1 THROUGH 30 IN WALKER'S RESUBDIVISION OF BLOCKS A, B AND D IN RESUBDIVISION OF BLOCKS A, B, C, D, E, F, I, K, L, M, N, O, Q, R, S, T, U, V AND LOTS 1 TO 10 INCLUSIVE, AND LOTS 17 TO 24, INCLUSIVE, IN BLOCKS G; LOTS 1 TO 17, INCLUSIVE AND 24 TO 32, INCLUSIVE, IN BLOCK 11, ALL IN MORGAN PARK WASHINGTON HEIGHTS, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 14 WEST OF PROSPECT AVENUE, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 25-19-309-001-0000