



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

October 5, 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 an ordinance authorizing a transfer of property from the Board of Education to the Chicago Park District.

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 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 owns the vacant real estate on the west side of Vanderpoel Avenue between 91st Place and 93rd Street in Chicago, Illinois, approximately 44,000 square feet in size 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 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 Ordinance dated August 10, 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 Exhibit 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-Where 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:

9200 SOUTH VANDERPOEL AVENUE, CHICAGO, IL.

(WEST SIDE OF VANDERPOEL AVENUE BETWEEN 91st PLACE AND 93rd STREET) LEGAL

DESCRIPTION:

LOTS 1 TO 14, BOTH INCLUSIVE, IN BLOCK 1 IN BEVERLY HILLS, BEING A SUBDIVISION OF BLOCKS 22, 23, 24, 25, 31, AND 32 OF HILLIARD & DOBBINS SUBDIVISION, AND BLOCKS 1 TO 5 OF A. BOOTH'S SUBDIVISION OF BLOCKS 10, 11 AND 12 OF SAID HILLIARD & DOBBINS SUBDIVISION IN SECTION 6, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE PITTSBURGH, CINCINNATI AND ST. LOUIS RAILROAD (EXCEPT THE WEST V_2 OF THE NORTHWEST 7_4 AND THE WEST V_2 OF THE SOUTHWEST 7_4 OF SAID SECTION 6), IN COOK COUNTY, ILLINOIS.

PINs: 25-06-405-027-0000, 25-06-405-013-0000, 25-06-405-014-0000