OFFICE OF THE MAYOR

CITY OF CHICAGO

LORI E. LIGHTFOOT MAYOR

May 20, 2020

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

Ladies and Gentlemen:

At the request ofthe Commissioner of Planning and Development, I transmit herewith an ordinance authorizing an acquisition of property at 1635 South Canal.

Your favorable consideration of this ordinance will be appreciated.

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, the Department of Planning and Development (the "Department") has proposed the replacement of the Department of Streets and Sanitation facility located at 18"[1] Street and Clark Street (the "Existing Facility") and relocation of the Existing Facility to land owned by the City at 1616 South Stewart (the "City Land"); and

WHEREAS, the Department has identified seven (7) parcels of real property adjacent to the City Land, located in the Redevelopment Area (as defined below) and listed on the attached Exhibit A (the "Acquisition

Parcels"), that the City may acquire in furtherance of the redevelopment objectives set forth in the Redevelopment Plan (as defined below), either through negotiated sale or by exercise of the City's eminent domain power and authority; and

WHEREAS, the Acquisition Parcels will be assembled with the City Land in order to enable the City to construct a replacement facility for the Existing Facility, which will provide a more efficient layout (the "Project"); and

WHEREAS, pursuant to an ordinance adopted by the City Council of the City ("City Council") on June 10, 1998, and published at pages 70700-70712 of the Journal of the Proceedings of the Chy Council (the "Journal") of such date, a certain redevelopment plan and project (the "Initial Redevelopment Plan") for the Pilsen Tax Increment Financing Redevelopment Project Area (the "Redevelopment Area") was authorized pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seg.) (the "Act"); and

WHEREAS, pursuant to an ordinance adopted by the City Council on June 10, 1998, and published at pages 70685, 70687-70699 of the Journal of such date, the Redevelopment Area was designated as a "Tax Increment Financing District" redevelopment project area pursuant to the Act; and

WHEREAS, pursuant to an ordinance adopted by the City Council on June 10, 1998, and published at pages 70700-70712 of the Journal of such date, tax increment allocation financing was adopted pursuant to the Act as a means of financing certain Redevelopment Area redevelopment project costs (as defined in the Act) incurred pursuant to the Redevelopment Plan; and

WHEREAS, pursuant to ordinances adopted by the City Council on November 12, 2003, and on September I, 2004, and published in the Journal for such dates, the City Council adopted amendments to the Initial Redevelopment Plan (the Initial Redevelopment Plan, as amended, the "Redevelopment Plan"): and

WHEREAS, the Redevelopment Plan and the use of tax increment financing provide a mechanism to further the goals of the Redevelopment Plan, including eliminating the influences and manifestations of physical and economic deterioration and obsolescence within the Redevelopment Area and establishing an environment which will contribute more positively to the health, safety and general welfare ofthe Redevelopment Area; and

WHEREAS, it is necessary to acquire the Acquisition Parcels in order to achieve the objectives of the Redevelopment Plan; and

WHEREAS, pursuant to Resolution No. 20-CDC-l adopted on March 10, 2020, the Community Development Commission approved the City's acquisition of the Acquisition Parcels; and

WHEREAS, the City Council finds that the acquisition of the Acquisition Parcels 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

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domain shall be in furtherance of the Redevelopment Plan, which was first adopted in 1998 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 Redevelopment Plan included an estimated $12,000,000 in property assembly costs as a budget line item in Exhibit II to the Redevelopment Plan, and also described property assembly as'a part of the redevelopment project for the Redevelopment Area, including Section V of the Redevelopment Plan; and

WHEREAS, the City Council has determined that the acquisition of the Acquisition Parcels is useful, desirable and necessary for the ownership and use thereof by the City; now, therefore,

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

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

SECTION 2. It is hereby determined and declared that it is useful, desirable and necessary that the City of Chicago acquire fee interest, permanent easements or other property interests in the Acquisition Parcels ("Property Interests") for the municipal purpose of construction or implementation of the Project, or for any other lawful municipal uses.

SECTION 3. The Corporation Counsel is hereby authorized to negotiate on behalf of the City for the acquisition of the Property Interests with the respective owners of each of the Property Interests ("Owners").

SECTION 4. If the Corporation Counsel is able to agree with any Owner upon the price to be paid for the Owner's Property Interests, or a portion thereof ("Purchase Price"), then the Commissioner of the Department or a designee of the Commissioner of the Department (together, the "Commissioner"), is authorized to purchase the respective Property* Interests, or a portion

thereof, in the name and on behalf of the City with the purchase price for such Property Interests to be paid out of any funds of the City that are legally available for the Project ("Available Funding"), including, without limitation, proceeds of any grants or other funds received by the City. If the Corporation Counsel is unable to agree with any Owner as to the purchase price for such Owner's Property Interests, or if any such Owner is unable to convey clear title to such Property Interest, or if the Owner cannot be found, then the Corporation Counsel may institute and prosecute condemnation proceedings in the name of and on behalf of the City for the purpose of acquiring the respective Property Interest, or a portion thereof or interests therein, under the City's power of eminent domain, with compensation to be paid from Available Funding. Such acquisition efforts shall commence with respect to those improved Acquisition Parcels identified in Exhibit A within four (4) years of the date of the publication of this ordinance and no later than ten (10) years with respect to those vacant Acquisition Parcels identified in Exhibit A. For each Acquisition Parcel, commencement shall be deemed to have occurred upon the City's delivery of an offer letter to the owners of such an Acquisition Parcel.

SECTION 5. The Commissioner of the Department 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 6. 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 7. All ordinances, resolutions, motions or orders inconsistent with this ordinance are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall take effect upon its passage and approval.

- Legal Description of Acquisition Parcels

EXHIBIT A

LEGAL DESCRIPTION OF ACQUISITION PARCELS

PIN:
COMMONLY KNOWN AS:
17-21-309-008-0000
1619 SOUTH CANAL STREET

PIN:
COMMONLY KNOWN AS:
17-21-309-009-0000
1621 SOUTH CANAL STREET

PIN:
COMMONLY KNOWN AS:
17-21-309-010-0000
1625 SOUTH CANAL STREET

PIN:
COMMONLY KNOWN AS:
17-21-309-011-0000
1627 SOUTH CANAL STREET

PIN:
COMMONLY KNOWN AS:
17-21-309-012-0000
1631 SOUTH CANAL STREET

PIN:
COMMONLY KNOWN AS:
17-21-309-013-0000
1633 SOUTH CANAL STREET

PIN: %
COMMONLY KNOWN AS:
17-21-309-014-0000
1635 SOUTH CANAL STREET

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