



# Office of the City Clerk

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## Legislation Text

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**File #:** O2021-412, **Version:** 1

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OFFICE OF THE MAYOR

CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

January 27, 2021

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 an ordinance authorizing the acquisition of city-owned property located at 3410 West Ogden Avenue.

Your favorable consideration of this ordinance will be appreciated.

### **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 ordinances adopted by the City Council of the City (the "City Council") on April 9, 2008, and published at pages 24221-24477 in the Journal of the Proceedings (the "Journal") of such date, a certain redevelopment plan and project (the "Plan") for the Ogden/Pulaski Redevelopment Project Area (the "Redevelopment 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"), the Redevelopment Area was designated as a redevelopment project area pursuant to the Act and 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 Plan; and

WHEREAS, the Plan and the use of tax increment financing provide a mechanism to support new growth through leveraging private investment, and help to finance land acquisition, demolition, remediation, site preparation and infrastructure for new development in the Redevelopment Area; and

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

WHEREAS, the City has established the Community Development Commission (the "Commission") to, among other things, designate redevelopment areas and approve redevelopment plans, and recommend the acquisition of parcels located in redevelopment areas, subject to the approval of the City Council; and

WHEREAS, by Resolution No. 20-CDC-15, adopted by the Commission on November 10, 2020, the Commission recommended acquisition of the Acquisition Parcel(s); 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 is primarily for the purpose of eliminating blight conditions, and shall be in furtherance of the Plan; 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 acquire the Acquisition Parcel(s) 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 Parcel(s) for the purchase of such Acquisition Parcel(s). If the Corporation Counsel and the owner(s) of an Acquisition Parcel are able to agree on the terms of the purchase of such Acquisition Parcel, the Corporation Counsel is authorized to purchase such Acquisition Parcel on behalf of the City for the agreed price. If the Corporation Counsel is unable to agree with the owner(s) of any Acquisition Parcel 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 such Acquisition Parcel 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 Parcel(s) 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, or the designee of the Commissioner, is each hereby 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.

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)**

	<b>PIN</b>	<b>ADDRESS</b>	<b>VACANT OR IMPROVED</b>
1.	16-23-410-012-0000	3410 W. Ogden Avenue	Vacant