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HARRY OSTERMAN 48TH WARD
CHAIRMAN OF THE COMMITTEE ON HOUSING AND REAL ESTATE

December 14, 2022

TO THE PRESIDENT AND MEMBERS OF CITY COUNCIL:

Your Committee on Housing and Real Estate, for which a virtual meeting was held on December 5, 2022 was referred a Substitute Ordinance from the Department of Planning and Development for the City acquisition of improved or vacant parcels or portions of lots commonly known as 518-522 E 47th Street and 526 E 47th Street.

(02022-3577)

Having the same under advisement, begs leave to report and recommend that Your Honorable Body, Pass the proposed communication transmitted herewith.

The recommendation was Passed by the same roll call as was used to determine quorum in Committee.

Sincerely,

Harry Osterman Chairman, Committee on Housing and Real Estate

SUBSTITUTE ORDINANCE

WHEREAS, the City of Chicago ("Citv") is a home rule unit of government by virtue of the provisions ofthe Constitution ofthe 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 ("City Council") on March 27, 2002, and published at pages 81231-81457 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 47th/King Drive Redevelopment Project Area ("Area") was approved 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 March 27, 2002, and published at pages 81458-81465 of the Journal of such date, the Area was designated as a "conservation area" redevelopment project area pursuant to the Act; and

WHEREAS, pursuant to an ordinance adopted by the City Council on March 27, 2002, and published at pages 81466-81472 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, rehabilitation work and infrastructure improvements for new development in the Area; and

WHEREAS, the City Council finds that it is useful, necessary and desirable to acquire the parcel of real property located in the Area identified on Exhibit A attached hereto and made a part hereof (the "Acquisition Parcel") in order to achieve the goals and objectives of the Plan, which include, among other things, reducing or eliminating those conditions that qualify the Area as a conservation area; creating a successful and vibrant community in the Area; encouraging private investment in new development; facilitating the development of vacant lots; and encouraging the development of new commercial uses; and

WHEREAS, by Resolution No. 22-CDC-54, adopted by the Community Development Commission of the City of Chicago ("Commission") on September 13, 2022, the Commission recommended the acquisition of the Acquisition Parcel; 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 2002 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 $15,000,000 in property assembly costs as a budget line item in Table 1 to the Plan, and also described property assembly as a part of the redevelopment project for the Area, including in Section V.E.3 of the Plan; and

WHEREAS, the City Council further finds that the Acquisition Parcel was 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 Parcel is not located in an industrial park conservation area; and

WHEREAS, the City Council further finds such acquisition to be for the same purposes as those set forth in Divisions 74.2 and 74.4 of the Illinois Municipal Code; 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 Parcel 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 for the purchase of such Acquisition Parcel. 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 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 the 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 ofthe 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. The above grant of authority shall be construed to authorize acquisition of less than all of the 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.

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 PARCEL

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

THE EAST 18.75 FEET OF LOT 12 AND ALL OF LOT 13 IN SNOW AND DICKINSON'S SUBDIVISION OF LOTS 5 AND 6 AND PART OF LOT 7 WHITCOMB & WARNER'S SUBDIVISION OF THE SOUTH 1/2 OF THE

SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ADDRESS: 518-522 East 47th Street Chicago, IL 60653

PINS: 20-03-424-020-0000 20-03-424-021-0000

VACANT LAND OR IMPROVED: IMPROVED