

ORDINANCE NO. 005-178

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF REAL ESTATE AT
945 WEST BELMONT, AS REQUIRED
FOR THE BROWN LINE CAPACITY
EXPANSION PROJECT

WHEREAS, The Chicago Transit Authority ("Authority") has undertaken a project to rehabilitate and renovate the Brown Line, including construction of platforms to accommodate the operation of eight-car rapid transit service and extensive repair and renovation of many of the stations ("Brown Line Capacity Expansion Project"); and

WHEREAS, The structure, stations and appurtenances thereto of the rapid transit route of the Brown Line are antiquated and in need of extensive repair and renovation; and

WHEREAS, In the course of construction, reconstruction, renovation and rehabilitation, the Authority will be required to obtain additional property or rights therein, including land at grade level, air levels and subterranean levels for locations and placement of structures, structural supports, columns, stations and related appurtenances; and

WHEREAS, The Metropolitan Transit Authority Act, at 70 ILCS 3605/6, permits the Authority to acquire, construct, own, operate and maintain a public service transportation system in said area; and

WHEREAS, The Metropolitan Transit Authority Act, at 70 ILCS 3605/10, empowers the Chicago Transit Authority with the right of eminent domain to acquire private property and property devoted to any public use which is necessary for the purposes of the Chicago Transit Authority; and

WHEREAS, The Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, set out the procedures the CTA must follow to acquire the parcels required for the Brown Line Capacity Expansion Project; and

WHEREAS, The existing Authority right-of-way property at various locations is inadequate to accommodate the Brown Line Capacity Expansion Project; and

WHEREAS, Engineering staff has recommended that the Authority acquire 945 West Belmont, Chicago, Illinois ("Property"), to accommodate the station reconstruction and widening of station platforms; and

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WHEREAS, The Authority filed a complaint for condemnation for the Property, in the matter of Chicago Transit Authority v. LaSalle National Bank Association T/U/T 0687747-05, No. 03L 51242 ("Litigation"); and

WHEREAS, Trial on this matter is scheduled to begin on or about December 14, 2005, in the Circuit Court of Cook County, Illinois; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. Upon issuance of a judgment order by the Court for the subject Litigation, the Chicago Transit Board approves the acquisition of the fee simple interest in the property located at:

Parcel 17 - 945 West Belmont, Chicago, Illinois
P.I.N. 14-29-204-003

Station: Belmont
Acquisition: Land & Building
Owner: LaSalle National Bank Association T/U/T No. 068 747-05

Purchase Price: Judgment amount entered by the Circuit Court of Cook County.

The acquisition price, but not acquisition of the property, may be appealed to the appropriate forum following entry of any judgment.

SECTION 2. The Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute all documents required to effectuate the acquisition of a portion of the subject property and various easements at the Property by the Authority, subject to receipt of clear and merchantable title.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

December 14, 2005

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