

ORDINANCE NO. 003-140

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF REAL ESTATE AT
3938-44 SOUTH WENTWORTH
AVENUE, CHICAGO, ILLINOIS,
LOCATED NEAR THE DAN RYAN
BRANCH OF THE RED LINE RAPID
TRANSIT LINE, AS REQUIRED FOR
THE DAN RYAN BRANCH
RECONSTRUCTION PROJECT

WHEREAS, The Chicago Transit Authority ("Authority") has undertaken a project to renovate the Dan Ryan Branch of the Red Line ("Dan Ryan Branch Reconstruction Project"); and

WHEREAS, The infrastructure, facilities and systems of the Dan Ryan Branch of the Red Line are in need of repair and renovation; and

WHEREAS, In the course of renovation and repair, the Authority will be required to obtain additional property, or rights therein, for location and placement of new substations to accommodate the increased electrical power requirements for operation of rapid transit service; and

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

WHEREAS, Construction of one electric substation in close proximity to the Red Line rapid transit line at West Pershing Road and South Wentworth Avenue, Chicago, Illinois, is included in the Dan Ryan Branch Reconstruction Project; and

WHEREAS, The existing Authority right-of-way property near Pershing Road and Wentworth Avenue is inadequate to accommodate the construction of an electric substation; and

WHEREAS, The Authority requires additional property on the west side of South Wentworth Avenue, south of West Pershing Road, to accommodate the construction of an electric substation at this location; and

WHEREAS, Staff has identified the owner of the subject parcels of real estate, which are listed on Exhibit A as Parcel Numbers 2, 3, 4, and 5, and commonly known as 3938-44 South Wentworth Avenue, Chicago, Illinois, as Steve Kontoyannis and Lea Kioutas; and

WHEREAS, The property at 3938-44 South Wentworth Avenue consists of four vacant parcels of land which include approximately 12,239 square feet and are located in close proximity to the Red Line right-of-way; and

WHEREAS, Chicago Transit Board Ordinance No. 002-108 determined that it was necessary, desirable and convenient for the Chicago Transit Authority to acquire rights including but not limited to fee simple title to and possession of some of the various parcels of property, listed on Exhibit A, that are in close proximity to the Dan Ryan Branch of the Red Line rapid transit line and that will be required and necessary to complete the scheduled construction and renovation of substations of the Dan Ryan Branch of Red Line rapid transit line; and

WHEREAS, Pursuant to Ordinance No. 002-108, counsel commenced negotiations and reached a settlement in the amount of one hundred forty thousand dollars (\$140,000) for the acquisition of property located 3938-44 South Wentworth Avenue, Chicago, Illinois, owned by Steve Kontoyannis and Lea Kioutas; now, therefore:

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

SECTION 1. That the Chairman of the Chicago Transit Board, or her designee, is hereby authorized to acquire title to the property located 3938-44 South Wentworth Avenue, Chicago, Illinois, legally described on Exhibit B and depicted on Exhibit C, for the negotiated purchase price of one hundred forty thousand dollars (\$140,000).

SECTION 2. That the Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute all documents required to effectuate the acquisition of the subject 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

October 7, 2003

October 7, 2003