

ORDINANCE NO. 003-50

FOURTH AMENDMENT TO  
ORDINANCE NO. 001-116,  
AUTHORIZING ACQUISITION  
OF ONE ADDITIONAL PARCEL  
OF PROPERTY LOCATED AT,  
NEAR, ABUTTING AND  
ADJACENT TO THE BROWN  
LINE RAPID TRANSIT LINE

WHEREAS, The Metropolitan Transit Authority Act, at 70 ILCS 3605/6, established the Chicago Transit Authority ("Authority") to acquire, construct, own, operate and maintain a public service transportation system in the Metropolitan Area of Cook County; and

WHEREAS, The Metropolitan Transit Authority Act, at 70 ILCS 3605/10, empowers the 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 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 Authority's capital improvement program managers ("CIPM") have recently advised that the construction to be completed at the Wellington Station on the Brown Line will narrow the adjacent public alley; and

WHEREAS, The City of Chicago requires that the Authority acquire an additional parcel, or rights thereto, to replace that portion of the public alley on which a portion of the Brown Line Capacity Expansion Project will be constructed; and

WHEREAS, Pursuant to the aforementioned revisions to plans for the Brown Line Capacity Expansion Project, it will be necessary to acquire rights to one additional parcel of property, or rights therein, at grade level, air levels or subterranean levels, which properties are listed on Exhibit A-4, attached hereto; and

WHEREAS, Ordinance No. 001-116, dated July 11, 2001, set out the process for acquisition of parcels of property, or rights therein, for the Brown Line Capacity Expansion Project, which process will be followed for the acquisition of the property needed to replace a portion of the public alley at the Wellington station; and

WHEREAS, In order to complete the revisions to the Brown Line Capacity Expansion Project, it will be necessary and would be in the best interest of the Chicago Transit

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Authority and the public it serves to amend Ordinance 001-116 to include the additional parcel of property designated on Exhibit A-4; now, therefore:

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

SECTION 1. That the Chicago Transit Board of the Chicago Transit Authority hereby finds and determines that it is necessary, desirable and convenient for the Chicago Transit Authority to acquire rights including, but not limited to, fee simple title to and possession of the parcel of real estate described on Exhibit A-4, and that the acquisition of the parcel of real estate described on Exhibit A-4 will be required and necessary to complete the scheduled construction and renovation of the Brown Line rapid transit line.

SECTION 2. That the Chicago Transit Board of the Chicago Transit Authority hereby amends Ordinance No. 001-116 to add the additional parcel of real estate described on Exhibit A-4, attached hereto and by this reference made a part hereof.

SECTION 3. Except as amended hereby, all of the provisions of Ordinance No. 001-116 shall remain in full force and effect.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

April 2, 2003

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Assistant Secretary

April 2, 2003