

ORDINANCE NO. 003-11

SECOND AMENDMENT TO ORDINANCE
NO. 001-116 AUTHORIZING ACQUISITION
OF AN 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, On July 11, 2001, the Chicago Transit Board passed Ordinance No. 001-116, whereby the Board found and determined that it is necessary, desirable and convenient for the Authority to acquire rights, including but not limited to, fee simple title to and possession of the various parcels of property, that abut or lie near, adjacent or in close proximity to the Brown Line rapid transit line, and that will be required and necessary to complete the scheduled construction and renovation of the Brown Line rapid transit line. Such rights include land at grade, air and/or subterranean levels; and

WHEREAS, Ordinance No. 001-116 designated 62 parcels of real estate as required for the Brown Line Capacity Expansion Project, which properties were listed on Exhibit A attached thereto; and

WHEREAS, On February 7, 2002, the Chicago Transit Board passed Ordinance No. 002-26, amending Ordinance No. 001-116, to substitute a revised Exhibit A containing a revised list of parcels of real estate, or interests therein, designated for acquisition for the Brown Line Capacity Expansion Project, and to add Exhibit A-1

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listing additional parcels of real estate, or interests therein, designated for acquisition for the Brown Line Capacity Expansion Project; and

WHEREAS, As part of the Brown Line Capacity Expansion Project, the Authority must acquire land on which to construct the Grace substation; and

WHEREAS, The Authority proposed acquisition of 1822 West Grace Street, Parcel Number 58 on Exhibit A, for the Grace substation; and

WHEREAS, Staff has located an alternative parcel of real estate, having the common address of 1801 West Grace Street, which is not currently occupied and which meets the Authority's requirements for a substation and which does not impact the business community; and

WHEREAS, Staff recommends acquisition of 1801 West Grace Street, as described on Exhibit A-2, instead of Parcel Number 58 for the Brown Line Capacity Expansion Project; 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-2, and that the acquisition of the parcel of real estate described on Exhibit A-2 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 delete Parcel Number 58 from the list of properties on Exhibit A and to add the additional parcel of real estate described on Exhibit A-2, attached hereto and by this reference made a part hereof.

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SECTION 3. Except as amended hereby, all of the provisions of Ordinance No. 001-116 and Ordinance No. 002-26 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:

Chairman

January 8, 2003

Assistant Secretary

January 8, 2003