

ORDINANCE NO. 97-143

AN ORDINANCE AUTHORIZING
ACQUISITION OF AIR RIGHTS OF
REAL ESTATE LOCATED AT 4329
SOUTH PRAIRIE AVENUE, CHICAGO,
ILLINOIS, FOR CONSTRUCTION OF
NEW STATION PLATFORMS FOR THE
43RD STREET RAPID TRANSIT
STATION (GREEN LINE)

WHEREAS, The Chicago Transit Authority ("Authority") is currently completing the construction and renovation of certain stations along the Green Line route; and

WHEREAS, The 43rd Street rapid transit station is located on the north side of East 43rd Street, between South Prairie Avenue and South Calumet Avenue, Chicago, Illinois; and

WHEREAS, The new station platforms will extend across East 43rd Street and must be widened to meet operating guidelines; and

WHEREAS, The Authority's right-of-way at this location is too narrow to accommodate the station platform widening project; and

WHEREAS, Engineering staff has recommended that the Authority acquire air rights over seven parcels of property located on the west side of the Green Line right-of-way to accommodate the extension of the platforms; and

WHEREAS, staff recommends that air rights with approximate dimensions of seven feet by twenty-five feet, as legally described in Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto and incorporated herein by reference, be acquired across the property hereinabove identified; and

WHEREAS, Staff has identified one of the parcels of property as 4329 South Prairie Avenue, owned by Sam Mitchell and Eloise Mitchell; and

WHEREAS, A condemnation action was filed in the Circuit Court of Cook County, Illinois, under case number 97 L 50236, after attempts to negotiate and finalize the purchase of the air rights from Sam Mitchell and Eloise Mitchell were unsuccessful; and

WHEREAS, Pursuant to the Final Judgment Order entered in said action, the sum of two hundred dollars (\$200.00) was established as just compensation for the fee simple title to the air rights of the subject property; and

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WHEREAS, Pursuant to said Judgment Order, the Authority is required to deposit the sum of two hundred dollars (\$200.00) with the Treasurer of Cook County, which sum shall be held for the benefit of the owner or owners of the subject property; and

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

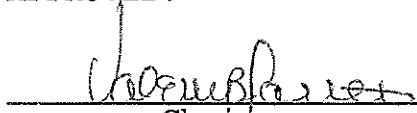
SECTION 1. The Chicago Transit Board of the Chicago Transit Authority hereby approved the acquisition of the fee simple interest in air rights of real estate located at 4329 South Prairie Avenue, Chicago, Illinois, from Sam Mitchell and Eloise Mitchell as legally described in Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto and incorporated herein by reference, at a fee of two hundred dollars (\$200.00).

SECTION 2. That pursuant to the Judgment Order entered in the condemnation action filed in the Circuit Court of Cook County, Illinois, under case numbered 97 L 50236, the Authority shall deposit the sum of hundred dollars (\$200.00) with the Treasurer of Cook County, which sum shall be held for the benefit of the owner or owners of the subject property.

SECTION 3. That the Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute any and all documents necessary to effectuate the conveyance of said air rights to the Chicago Transit Authority.

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

APPROVED:


Chairman

PASSED:


Secretary

December 10, 1997

December 10, 1997