

ORDINANCE NO. 006-127

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF REAL ESTATE 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, sets out the procedures the Authority 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 certain property to accommodate the station reconstruction and widening of station platforms; and

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WHEREAS, The General Counsel completed negotiations with the owners of the fee simple title of certain property; 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 approves the acquisition of the fee simple interest of property located at:

Parcel 65 - 4634-38 North Damen Avenue P.I.N. 14-18-114-019-0000
Partial Taking
and Air Rights Chicago, Illinois

Station Damen

Owner: Damen Petroleum Real Estate, Inc., et al.

Purchase Price: One Hundred Fifteen Thousand Dollars (\$115,000), for fee simple title to a portion of the property and a permanent aerial easement.

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 properties by the Authority, subject to receipt of clear and merchantable title.

SECTION 3. All relocation expenses, where applicable, will be paid in accordance with the Relocation Payment Process approved by the Chicago Transit Board.

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

APPROVED:

PASSED:

Chairman

Assistant Secretary

September 13, 2006

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