

ORDINANCE NO. 008-17

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF A GRANT OF TWO
PERMANENT AERIAL EASEMENTS FOR
TWO SIGNAL PLATFORMS AT 1144-1152
WEST ROSCOE STREET, CHICAGO,
ILLINOIS, (BROWN LINE)

WHEREAS, The Chicago Transit Authority ("Authority") is undertaking a project to renovate and upgrade the stations of the Brown Line Rapid Transit Line ("Brown Line Capacity Expansion Project"); and

WHEREAS, Chicago Transit Board Ordinances No. 001-116, dated July 11, 2001, and amended by Ordinance No. 002-26, No. 003-11, No. 003-27, No. 003-50, No. 003-121, No. 005-20, No. 006-21, No. 006-83, and No. 007-70 authorized the Authority to negotiate for the purchase of designated parcels of property that are required for the completion of the Brown Line Capacity Expansion Project, subject to Chicago Transit Board approval of the purchase price; 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, As part of the Brown Line Capacity Expansion Project new track-level signal platforms have been installed at various locations determined by safety and operational needs; and

WHEREAS, The signal equipment mounted on the platforms provides critical support to Authority Rail Operations personnel by regulating the movement of trains in a safe manner, preventing collisions and derailments; and

WHEREAS, In order to maintain safe and efficient operations, the signal platforms must be strategically located at certain points along the Brown Line; and

WHEREAS, Two of the signal platforms, located adjacent to 1144-1152 West Roscoe Street ("Property"), are required for a track interlocking; and

WHEREAS, The existing Authority right-of-way property is inadequate to accommodate a signal platform; and

WHEREAS, A portion of the Authority's signal platforms extend over the rear portion of the deck and car port of the Property; and

ORDINANCE NO. 008-17
(Continued) -2

WHEREAS, Engineering staff has recommended that the Authority acquire a grant of two permanent aerial easements over the Property, which includes 149 square feet of air space ("Parcels No. AE3 and AE4") to accommodate the signal platform; and

WHEREAS, The General Counsel has completed negotiations with the owner of the fee simple title of the Property to acquire permanent aerial easements for Parcels No. AE3 and AE4; 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 a grant of permanent aerial easement for Parcels No. AE3 and AE4 legally described and depicted on Exhibits A and B in the amount of thirty six thousand five hundred dollars (\$36,500) from Vita Condominium Association, owner of the Property located at 1144-1152 West Roscoe Street, Chicago, Illinois.

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 a grant of permanent aerial easement for Parcels No. AE3 and AE4.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

February 13, 2008

Assistant Secretary

February 13, 2008