

ORDINANCE NO. 007-73

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF A GRANT OF
PERMANENT AERIAL EASEMENT
FOR A SIGNAL PLATFORM AT 1300
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 Ordinance No. 001-116, dated July 11, 2001, and amended by Ordinances No. 002-26, No. 003-11, No. 003-27, No. 003-50, No. 003-121, No. 005-20, No. 006-21, and No. 006-83, authorized the CTA 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, One of the signal platforms, located adjacent to 1300 West Roscoe Street ("Property"), is required for a track crossover at that location; and

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

WHEREAS, A portion of the Authority's signal platform extends over the rear portion of the Property; and

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WHEREAS, Engineering staff has recommended that the Authority acquire a grant of permanent aerial easement over the Property, which has dimensions of 5' x 17' and includes 85 square feet of air space ("Parcel No. AE 7") 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 a permanent aerial easement for Parcel No. AE 7; 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 Parcel No. AE 7, legally described and depicted on Exhibit A, in the amount of nineteen thousand four hundred sixty-seven dollars (\$19,467), from Anthony D. Loperena, owner of the Property located at 1300 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 Parcel No. AE 7, in substantially the form attached hereto as Exhibit B.

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

APPROVED:

PASSED:

Chairman

July 11, 2007

Assistant Secretary

July 11, 2007