

ORDINANCE NO. 006-23

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; and 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 44 -	1822 West Addison Street	P.I.N. 14-19-228-019-0000
Partial Taking	Chicago, Illinois	
Station	Addison	

Owner: Stojan and Sofija Ristov, et al.

Purchase Price: Two Hundred Twenty-Six Thousand Eight Hundred Seventy-Five Dollars (\$226,875), for fee simple title to a portion of the property.

Parcel 66 -	4646 North Damen Avenue	P.I.N. 14-18-114-015-0000
Partial Taking	Chicago, Illinois	
And Air Rights		
Station	Damen	

Owner: George Figueroa and Marienne Perry, et al.

Purchase Price: Forty Thousand Dollars (\$40,000), for fee simple title to a portion of the property and a permanent aerial easement.

Parcel 72 -	2740 North Wilton Avenue	P.I.N. 14-29-404-024-0000
Full Taking	Chicago, Illinois	
Station:	Diversey	

Owners: Jeff Yoshimura and Judy Yoshimura.

Purchase Price: Five Hundred Twenty-Nine Thousand Dollars (\$529,000), for fee simple title to the property.

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Parcel 73 - Air Rights Station	2738 North Wilton Avenue Chicago, Illinois Diversey	P.I.N. 14-29-404-025-0000
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Owner: Raymond Macika and Tracy Heilman, et al.

Purchase Price: One Hundred Twenty-Five Thousand Dollars (\$125,000), for 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:

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Chairman

February 15, 2006

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Assistant Secretary

February 15, 2006