

ORDINANCE NO. 006-4

AN ORDINANCE AUTHORIZING AN
AMENDMENT TO ORDINANCE NO. 005-96
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, Pursuant to Transit Board Ordinance No. 005-96, dated July 13, 2005, the Chicago Transit Board authorized the acquisition of eight separate parcels of real estate needed for the Brown Line Capacity Expansion Project; and

WHEREAS, Two of the parcels of real estate to be acquired by the Authority authorized by Ordinance No. 005-96 were (a) a permanent aerial easement over property located at 2014 West Eastwood Avenue, Chicago, Illinois ("Parcel 59"), from Kristen K. Killackey for the purchase price of \$24,832, and (b) a permanent aerial easement over property located at 2010 West Eastwood Avenue, Chicago, Illinois ("Parcel 64"), from Ann H. Wiens and Michael J. Maszk, for the purchase price of \$19,494 (collectively with Kristen K. Killackey referred to herein as "Property Owners"); and

WHEREAS, After adoption of Ordinance No. 005-96, the Property Owners reassessed their initial acceptance of the acquisition prices for air rights over their respective properties, and, therefore, the transactions contemplated by Ordinance No. 005-96 could not be completed; and

WHEREAS, After court-supervised settlement hearings, orders were entered recommending increasing just compensation for the acquisition of a permanent aerial easement over Parcel 59 to thirty thousand dollars (\$30,000) and acquisition of a permanent aerial easement over Parcel 64 to twenty-one thousand dollars (\$21,000); and

WHEREAS, The Authority still requires permanent aerial easements over Parcel 59 and Parcel 64 for the Brown Line Capacity Expansion Project; and

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WHEREAS, The remaining terms and conditions of Ordinance No. 005-96 shall remain unchanged; now, therefore:

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

SECTION 1. That Chicago Transit Board Ordinance No. 005-96, dated July 13, 2005, is hereby amended.

SECTION 2. That the Chicago Transit Board of the Chicago Transit Authority authorizes the acquisition of the following permanent aerial easements:

Parcel 59 -	2014 West Eastwood Avenue	P.I.N. 14-18-114-012-0000
Air Rights	Chicago, Illinois	
Station:	Damen	

Owner: Kristen K. Killackey.

Purchase Price: Thirty Thousand Dollars (\$30,000), for a permanent aerial easement.

Parcel 64 -	2010 West Eastwood Avenue	P.I.N. 14-18-114-018-0000
Air Rights	Chicago, Illinois	
Station:	Damen	

Owner: Ann H. Wiens and Michael J. Maszk.

Purchase Price: Twenty-One Thousand Dollars (\$21,000), for a permanent aerial easement.

SECTION 3. All provisions of Ordinance No. 005-96 not in conflict with this Ordinance shall remain in full force and effect.

SECTION 4. 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 property by the Authority, subject to receipt of clear and merchantable title.

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SECTION 5. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

January 11, 2006

January 11, 2006