

ORDINANCE NO. 001-88

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF REAL ESTATE AT 1717
WEST 17th STREET, CHICAGO, ILLINOIS,
LOCATED ADJACENT TO THE DOUGLAS
BRANCH OF THE BLUE LINE RAPID TRANSIT
LINE AS REQUIRED FOR THE DOUGLAS
BRANCH RECONSTRUCTION PROJECT

WHEREAS, The Chicago Transit Authority (the "Authority") has undertaken a project to completely rehabilitate and renovate the Douglas branch of the Blue Line ("Douglas Branch Reconstruction Project"); and

WHEREAS, The structure, stations and appurtenances thereto of the rapid transit route of the Douglas branch of the Blue 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 location 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 Douglas Branch Reconstruction Project includes the construction of electric substations at certain locations along the Blue Line; and

WHEREAS, The 18th Street Station design provides for the installation of an electric substation in close proximity to the station to provide power for the Authority's rapid transit operations; and

WHEREAS, The existing Authority right-of-way property near the 18th Street Station is inadequate to accommodate the construction of an electric substation; and

WHEREAS, Engineering staff has recommended that the Authority acquire additional property on the south side of West 17th Street, west of South Paulina Street, to accommodate the construction of an electric substation at this location; and

ORDINANCE NO. 001-88

(Continued) -2

WHEREAS, Staff has identified the owner of the subject parcel of real estate, which is listed on Exhibit A as Parcel Number 1 and commonly known as 1717 West 17th Street, Chicago, Illinois, as Pilsen Joint Venture; and

WHEREAS, The property at 1717 West 17th Street is a vacant Parcel of land which includes approximately 3,000 square feet and is located immediately adjacent to the Blue Line right-of-way; and

WHEREAS, Chicago Transit Board Ordinance No. 000-68 determined that it was necessary, desirable and convenient for the Authority to acquire title to and possession of various parcels of property, or rights therein, at grade level, air levels and subterranean levels that either lie near, abut, lie adjacent to or in close proximity to the Douglas branch of the Blue Line rapid transit route as listed on Exhibit A, and that will be required and necessary to complete the scheduled reconstruction, renovation and rehabilitation of the Douglas branch of the Blue Line rapid transit line; and

WHEREAS, Ordinance No. 000-68 also provided that in the event that attempts to negotiate and finalize the purchase of said property were unsuccessful, the General Counsel, or his designee, was authorized to commence condemnation proceedings to acquire said property subject to Board approval of the terms of purchase; and

WHEREAS, The General Counsel commenced negotiations with Pilsen Joint Venture to acquire fee simple title of the subject property; and

WHEREAS, A condemnation action was filed in the Circuit Court of Cook County, Illinois, under case number 00 L 51070, after attempts to negotiate and finalize the purchase of property from Pilsen Joint Venture were unsuccessful; and

WHEREAS, During condemnation proceedings, a negotiated settlement of fifteen thousand (\$15,000) dollars was reached by the Authority and Pilsen Joint Venture for the purchase of the subject property; and

WHEREAS, Pursuant to the agreed Final Judgement Order, which shall be entered in said action, the Authority will be required to deposit the sum of fifteen thousand (\$15,000) dollars with the Treasurer of Cook County, which sum shall be held for the benefit of the owner of the subject property; now, therefore:

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

ORDINANCE NO. 001-88

(Continued) -3

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 1717 West 17th Street, Chicago, Illinois, legally described on Exhibit B and depicted on Exhibit C, for the negotiated settlement amount of fifteen thousand (\$15,000) dollars.

SECTION 2. That pursuant to the agreed Final Judgement Order which shall be entered in the condemnation action filed in the Circuit Court of Cook County, Illinois, under case number 00 L 51070, which is substantially in the form attached hereto and incorporated herein by reference as Exhibit D, the Authority shall be required to deposit the sum of fifteen thousand (\$15,000) dollars with the Treasurer of Cook County, which sum shall be held for the benefit of the owner of the subject property.

SECTION 3. 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 property by the Authority, subject to receipt of clear and merchantable title.

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

APPROVED:

PASSED:

Chairman

Assistant Secretary

June 6, 2001

June 6, 2001