

ORDINANCE NO. 005-113

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; 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 31 -	3408 North Southport Avenue	P.I.N. 14-20-311-031-0000
Full Taking	Chicago, Illinois	
Station:	Southport	

Owner: Macon Construction Group, Inc.; Matt Wilbur, principal owner and President.

Purchase Price: one million one hundred thirty-five thousand dollars (\$1,135,000), plus interest at the legal rate from April 1, 2005, to the date of entry of judgment, for fee simple title to the property.

Parcel 37 -	3413-17 North Paulina Street	14-19-416-019-0000
Partial Taking	Chicago, Illinois	
Station:	Paulina	

Owners: Donald J. Haderlein and Doloris R. Haderlein.

Purchase Price: ninety-one thousand four hundred fifty dollars (\$91,450), for fee simple title to a portion of the property.

Parcel 49A -	1815 West Irving Park Road	P.I.N. 14-19-201-032-0000
Air Rights	Chicago, Illinois	
Station:	Irving Park Station	

Owner: KAMP Partnership, an Illinois General Partnership; Kent Ijichi, Allen Shimizv, Michael Kudo and Paul Doi, General Partners.

Purchase Price: eighty-Six thousand eight hundred ninety-eight dollars (\$86,898), which includes \$53,015 for a permanent aerial easement and \$33,883 for the replacement of the access door to the building.

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Parcel 52 - 1800-16 West Irving Park Road P.I.N. 14-18-424-025-0000
Partial Taking Chicago, Illinois
Station: Irving Park Station

Owner: LaSalle National Bank, t/u/t number 30098, and Youssef Arman
a/k/a Ozzie Arman, as beneficiary of the Trust.

Purchase Price: one hundred seventy-nine thousand dollars (\$179,000), for
fee simple title to a portion of the property.

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:

Chairman

Assistant Secretary

August 18, 2005

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