

ORDINANCE NO. 006-154

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF REAL ESTATE AT
919 WEST WELLINGTON, 924 WEST
WELLINGTON AVENUE, AND 3025
NORTH SHEFFIELD 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 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 is 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, 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, Staff has recommended that the Authority acquire certain property located at 919 West Wellington, 924 West Wellington, and 3025 North

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Sheffield, Chicago, Illinois ("Property"), to accommodate the station reconstruction and widening of station platforms; and

WHEREAS, The Authority filed a complaint for condemnation for the Property, in the matter of *Chicago Transit Authority v. Advocate North Side Health Systems, Inc.*, Case No. 06L050015 ("Litigation"); and

WHEREAS, The parties have reached settlement on the Litigation; now therefore:

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

SECTION 1. The Chicago Transit Board of the Chicago Transit Authority hereby approves the court-directed settlement reached in the subject Litigation and the acquisition of the fee simple title to a portion of the property and an aerial easement located at:

Parcel 67 - 919 W. Wellington P.I.N. 14-29-217-003
Partial Taking Chicago, Illinois
Station Wellington
Amount: One Hundred Seventy Five Thousand Dollars (\$175,000)

Owner: Advocate North Side Health Systems, Inc.

Parcel 68 - 924 W. Wellington P.I.N. 14-29-211-032
Partial Taking Chicago, Illinois
& Aerial
Easement
Station Wellington
Amount: One Hundred Fifty Five Thousand Dollars (\$155,000)

Owner: Advocate North Side Health Systems, Inc.

Parcel 68A - 3025 N. Sheffield P.I.N. 14-29-211-012
Partial Taking Chicago, Illinois
Station Wellington
Amount: One Hundred Seventeen Thousand Dollars (\$117,000)

Owner: Advocate North Side Health Systems, Inc.

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Total Purchase Price: Four Hundred Forty Seven Thousand Dollars (\$447,000), for fee simple title to a portion of the property and the aerial easement (inclusive of damages to the remainder).

SECTION 2. 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 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

October 18, 2006

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