

ORDINANCE NO. 014-117

AN ORDINANCE AUTHORIZING THE ACQUISITION OF A LEASEHOLD INTEREST AND THE SETTLEMENT OF A NON-RESIDENTIAL RELOCATION CLAIM OF A COMMERCIAL TENANT AT 9411-9413 SOUTH STATE STREET, CHICAGO, ILLINOIS FOR THE 95TH STREET / DAN RYAN TERMINAL IMPROVEMENT PROJECT (RED LINE)

WHEREAS, The Authority has previously identified a need for additional land for the construction of the 95th Street / Dan Ryan Terminal Improvement Project (the "Project"); and

WHEREAS, On September 12, 2012, the Transit Board adopted Ordinance No. 012-113, which authorized the acquisition of nine parcels required and necessary to complete the Project; and

WHEREAS, Ordinance No. 012-113 also established a relocation payment process which includes relocation payments for displaced businesses and which requires that relocation payments in excess of \$75,000.00 be approved by the Transit Board; and

WHEREAS, One of the parcels, which is located at 9411-9413 South State Street (the "Property"), was acquired by the Authority pursuant to Ordinance No. 014-47 following a condemnation action filed by the Authority; and

WHEREAS, Learn Together Grow Together Child Development Center, Inc. (the "Tenant") is the sole tenant of the Property and possesses a leasehold interest in the Property; and

WHEREAS, It is necessary and convenient to acquire and terminate all leasehold interests in the Property; and

WHEREAS, The Authority and Tenant have agreed to a court-directed settlement of the condemnation action related to the Property pursuant to which the Authority will acquire Tenant's leasehold interest in exchange for \$119,000.00 (One Hundred and Nineteen Thousand Dollars); and

WHEREAS, Tenant has submitted a relocation claim of \$166,049.00 (One Hundred Sixty-six Thousand Forty-nine Dollars) to the Authority for actual moving and related expenses, which Staff has reviewed and has determined are reasonable, justified, and eligible under the Uniform Relocation Act; and

ORDINANCE NO. 014-117
(Continued) -2

WHEREAS, Pursuant to the Authority's relocation payment process, Staff recommends approval of payment of relocation expenses to Tenant in the amount of \$166,049.00 (One Hundred Sixty-six Thousand Forty-nine Dollars); now, therefore:

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

SECTION 1. The Chicago Transit Board hereby approves the court-directed settlement reached in the condemnation action and the acquisition of the leasehold interest in property located at 9411 - 9413 South State Street, Chicago, Illinois, legally described and depicted on Exhibit A, for the price of \$119,000.00 (One Hundred Nineteen Thousand Dollars) from Learn Together Grow Together Child Development Center, Inc.

SECTION 2. That the Chairman of the Chicago Transit Board, or his designee, is hereby authorized to execute all documents required to effectuate the acquisition of the leasehold interest in the Property held by Tenant.

SECTION 3. That the Chicago Transit Board hereby authorizes the payment of relocation expenses to Learn Together Grow Together Child Development Center, Inc., a commercial business located at 9411-9413 South State Street, Chicago, Illinois, in the amount of \$166,049.00 (One Hundred Sixty-six Thousand and Forty-nine Dollars).

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

APPROVED:

PASSED:

Chairman

Assistant Secretary

October 15, 2014

October 15, 2014