

ORDINANCE NO. 007-104

AN ORDINANCE AUTHORIZING A SECOND
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, and as amended by Ordinance 006-4, dated January 11, 2006, the Chicago Transit Board authorized the acquisition of eight parcels of real estate needed for the Brown Line Capacity Expansion Project; and

WHEREAS, One of the parcels of real estate acquired by the Authority was a permanent aerial easement over property located at 3624-3630 North Lincoln Avenue, Chicago, Illinois ("Parcel 45"), from Dupli-Graphic Processors, Inc. ("Property Owner"), for the purchase price of \$102,000; and

WHEREAS, Staff recently determined that the permanent aerial easement acquired over Parcel 45 is inadequate to accommodate the station reconstruction and widening of platforms for the Addison Station; and

WHEREAS, Engineering staff recommended that the Authority acquire additional air rights over Parcel 45, which includes approximately 166.80 square feet of air space, to accommodate the station reconstruction project; and

WHEREAS, Staff has completed negotiations with the Property Owner to acquire an expanded permanent aerial easement over Parcel 45 and to increase the amount of just compensation to the Property Owner from \$102,000 to \$121,044 for the Brown Line Capacity Expansion Project; and

WHEREAS, By acquiring the additional space the aerial easement over Parcel 45 would increase from 893.40 square feet to 1,060.20 square feet; and

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:

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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 expanded permanent aerial easement:

Parcel 45 - 3624-3630 North Lincoln Avenue P.I.N. 14-19-228-024-0000
Air Rights Chicago, Illinois
Station: Addison

Owner: Dupli-Graphic Processors, Inc.

Purchase Price: One hundred twenty-one thousand and forty-four dollars (\$121,044), for an expanded permanent aerial easement.

SECTION 3. All provisions of Ordinance Nos. 005-96 and 006-4 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.

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

APPROVED:

PASSED:

Chairman

Assistant Secretary

September 12, 2007

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