

ORDINANCE NO. 019-38

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF A CONSTRUCTION
EASEMENT AND A TAKEN PARCEL
ON PROPERTY LOCATED AT 4723
NORTH CLIFTON AVENUE,
CHICAGO, ILLINOIS FOR THE RED
AND PURPLE MODERNIZATION
PROJECT

WHEREAS, The Chicago Transit Authority ("Authority") has identified a need for additional land for the construction of the Red and Purple Modernization Project (the "Project"); and

WHEREAS, The Authority has received a Finding of No Significant Impact ("FONSI") from the Federal Transit Administration ("FTA") for the Project; and

WHEREAS, On November 18, 2015, the Board approved Ordinance No. 015-117, designating the acquisition of twenty-three (23) parcels of property ("Designated Parcels of Property") as necessary for the location and placement of structures, structural supports, columns, facilities and related appurtenances for the Project and authorizing negotiations for the purchase of the properties; and

WHEREAS, One of the Designated Parcels of Property, located at 4723 North Clifton Avenue, Chicago, Illinois ("Parcel 18"), consists of a surface parking lot containing approximately 30,095 square feet; and

WHEREAS, Parcel 18 is owned by Broadway Clark Building Corporation, an Illinois corporation ("Owner"), and is legally described and depicted in Exhibit A hereto; and

WHEREAS, The Authority seeks to acquire a seven (7) year construction easement totaling 4,300 square feet ("Easement Parcel") and a permanent interest of an additional 3,440 square feet ("Taken Parcel") of Parcel 18, legally described and depicted in Exhibit A; and

WHEREAS, The parties have agreed to a purchase price of One Million Six Hundred Fifty Thousand Dollars (\$1,650,000.00) for the Easement Parcel and the Taken Parcel and the Authority has obtained FTA concurrence to acquire both the Easement Parcel and the Taken Parcel for this purchase price; and

WHEREAS, The Metropolitan Transit Authority Act, 70 ILCS 3605/8, provides that the Authority has the power to acquire any real property useful for its purposes; now, therefore:

ORDINANCE NO. 019-38
(Continued) -2

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

SECTION 1. The Chicago Transit Board hereby approves the acquisition of a construction easement (Easement Parcel) for a term of seven (7) years and the acquisition of real property (Taken Parcel) from the Owner of real property located at 4723 North Clifton Avenue, Chicago, Illinois, legally described and depicted in Exhibit A hereto, for the purchase price of One Million Six Hundred Fifty Thousand Dollars (\$1,650,000.00).

SECTION 2. The Chairman of the Board, or his designee, is hereby authorized to execute all documents required to effectuate the acquisition of both the Easement Parcel and the Taken Parcel by the Authority, subject to receipt of clear and merchantable title on the Taken Parcel.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

May 8, 2019

Assistant Secretary

May 8, 2019