

ORDINANCE NO. 020-59

AN ORDINANCE DESIGNATING
FOR ACQUISITION PROPERTIES
LOCATED AT 260 NORTH
HARDING AVENUE AND 3940
WEST MAYPOLE AVENUE,
CHICAGO, ILLINOIS ADJACENT
TO THE AUTHORITY'S WEST
SHOPS FACILITY

WHEREAS, The Metropolitan Transit Authority Act, 70 ILCS 3605/8, provides that the Chicago Transit Authority ("Authority") has the power to acquire any real property useful for its purposes; and

WHEREAS, The Metropolitan Transit Authority Act, 70 ILCS 3605/10, empowers the 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 Authority; and

WHEREAS, Staff recommends the acquisition of vacant, unimproved land adjacent to the Authority's West Shops facility consisting of approximately 2,700 square feet located at 260 North Harding and 3,000 square feet located at 3940 West Maypole Avenue, Chicago, Illinois (the "Properties"), as shown in Exhibit A attached hereto; and

WHEREAS, The Properties are surrounded by parcels owned by the Authority and the City of Chicago which are used for parking and storage, and acquisition of the Properties will allow the Authority to create a more usable contiguous land assemblage for current or future uses; and

WHEREAS, Staff recommends that the General Counsel, or her designee, be authorized to send an offer to purchase to the owners of the Properties, negotiate the terms of the purchase or bring an action in condemnation for the Properties, if necessary; and

WHEREAS, Staff will obtain separate Board approval of the purchase terms prior to completion of the acquisition of the Properties; now, therefore:

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

SECTION 1. The Chicago Transit Board hereby determines that it is necessary, desirable and convenient for the Chicago Transit Authority to acquire rights, including but not limited to fee simple title to and possession of the Properties located at 260 North Harding Avenue, Chicago, Illinois and 3940 West Maypole Avenue, Chicago Illinois, as shown in Exhibit A hereto, in close proximity to the Authority's West Shops

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facility, and that the Properties are required and necessary. Such rights will include land at grade, air and/or subterranean rights.

SECTION 2. The General Counsel of the Chicago Transit Authority, or her designee, is hereby authorized to send an offer to purchase and to negotiate with the owner or owners of the Properties, with the terms of purchase for the Properties to be approved by the Board prior to completion of the purchase.

SECTION 3. If necessary, the General Counsel, or her designee, is authorized, in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act if federal funds are utilized for the purchase, and other applicable laws, to institute and prosecute condemnation proceedings in the name of the Chicago Transit Authority for the purpose of acquiring title to the Properties or rights therein whether land at grade level, air levels or subterranean levels under the Chicago Transit Authority's right of eminent domain, and said Properties are hereby declared to be useful, advantageous, desirable and necessary to the Chicago Transit Authority for the purposes set forth above.

SECTION 4. In the event condemnation proceedings are instituted, the General Counsel shall not complete the process of acquiring the subject Properties without the prior approval of the terms of acquisition by the Board.

SECTION 5. The Chairman of the Board, or his designee, is further authorized to take such actions and execute such documents as may be necessary to implement the objectives of this ordinance.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

July 15, 2020

Assistant Secretary

July 15, 2020