

ORDINANCE

WHEREAS, the City of Chicago ("**City**") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970 and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City is the owner of the property located at 6021 South Rhodes Avenue, Chicago, Illinois, 60637, as legally described on Exhibit A attached hereto (the "**City Property**"); and

WHEREAS, Margaret S. Rainey ("**Homeowner**") is the owner of the property located at 6025 South Rhodes Avenue, as legally described on Exhibit A attached hereto (the "**Residential Property**"), which lies north of and adjoins the City Property; and

WHEREAS, the Residential Property is improved with a single-family home (the "**Home**"), which sits at the rear of the Residential Property on the alley between South Rhodes Avenue to the west and S. Lawrence Avenue to the east (the "**Alley**"); and

WHEREAS, the front of the Home and its large front yard face west toward South Rhodes Avenue, and the back of the Home faces east toward the Alley; and

WHEREAS, on the north and south, the Home is built from lot line to lot line; and

WHEREAS, the private property to the south of the Home is fenced and the City Property to the north of the Home is vacant and unfenced; and

WHEREAS, there is no way for the Homeowner to get from the front yard on the west side of the Home to the alley on the east side of the Home without either going through the Home or crossing the City Property; and

WHEREAS, the Homeowner wishes to obtain an easement (the "**Easement**") over, upon and across a certain portion of the City Property consisting of approximately 5 feet in width by 30 feet in length (150 square feet), as depicted on Exhibit B attached hereto (the "**Easement Area**"), for the purpose of accessing the Alley from the Residential Property without going through the Home; and

WHEREAS, the Easement will terminate upon the demolition or reconstruction of the Home; and

WHEREAS, the City, through its Department of Planning and Development (the "**Department**"), which manages the City's vacant land inventory, has agreed to grant the Easement to the Homeowner for \$1,500.00 (the "**Purchase Price**"), which is the value established by CBRE based on a market valuation dated November 11, 2024; *now, therefore*,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

SECTION 2. The City is authorized to grant the Easement to the Homeowner for the Purchase Price.

SECTION 3. The Commissioner of the Department, or a designee of the Commissioner, is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver an easement agreement with the Homeowner (the "**Pedestrian Access Easement Agreement**") with such terms and provisions as the Commissioner or the Commissioner's designee deems appropriate, including indemnification by the City. The Commissioner, or the Commissioner's designee, is further authorized to negotiate, execute and deliver such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of this ordinance and the Pedestrian Access Easement Agreement, with such changes, deletions and insertions as shall be approved by the Commissioner or the Commissioner's designee. Such documents may contain terms and provisions that the Commissioner or the Commissioner's designee deems appropriate, including indemnification, releases, affidavits and other documents as may be reasonably necessary to remove exceptions from title to the City Property or otherwise may be reasonably necessary or appropriate to consummate the transaction contemplated hereby

SECTION 4. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 5. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6. This ordinance shall take effect immediately upon its passage and approval.