

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 Chicago Department of Transportation ("CDOT") proposes to construct a public way bridge and viaduct for Taylor Street between Canal Street and Wells Street crossing the adjacent railyards and the South Branch of the Chicago River (the "River"), in order to improve pedestrian and vehicular access and relieve congestion in the area, including on adjacent bridges crossing the River ("Project"); and

WHEREAS, pursuant to an ordinance passed by the City Council of the City (the "City Council") on March 23, 1914 (CJ pp. 4536 - 4562, the "Original Ordinance"), the City authorized the Union Station Company, a corporation, its successors and assigns (currently, "Amtrak"), the right to construct, maintain, and operate certain railroad tracks and facilities, including viaducts and bridges, in connection therewith within certain City limits; and

WHEREAS, pursuant Chapter 2-102-030 of the Municipal Code of the City, the Commissioner of CDOT ("Commissioner") has the authority to manage the preparation, planning, development and monitoring of transportation system projects within the City, including the acquisition of rights of way for such projects; and

WHEREAS, the City has determined that it is useful, desirable, and necessary that the City acquire for the Project those parcels of real property as listed on the attached Exhibit A or portions thereof (the "Acquisition Parcels"); and

WHEREAS, the General Assembly, in 735 ILCS 30/25-7-103.12, has authorized the use of quick-take eminent domain proceedings by municipalities for the purposes set forth in Division 74.2 and 74.3 of Article 2 of the Illinois Municipal Code, said purposes being the redevelopment of commercial or business areas by removing commercial blight for redevelopment purposes, and for the same purposes when established pursuant to home rule powers; and

WHEREAS, the City Council hereby finds that the Project will further and assist in the eradication and elimination of commercial blight or conservation areas containing buildings and structures that are detrimental to the health, safety and welfare of the occupants and the welfare of the urban community, consistent with Division 74.2 of Article 11 of the Illinois Municipal Code; and

WHEREAS, the City Council hereby finds that the Project will further and assist in the creation, development, improvement, maintenance, and redevelopment of business districts and involves further creation of new and lasting infrastructure consistent with Division 74.3 of Article 11 of the Illinois Municipal Code; and

WHEREAS, the City under its home rule power finds that it useful and necessary to use quick take to acquire the Acquisition Parcels for these purposes; and

WHEREAS, the City Council, by ordinance adopted on April 10, 2019, approved a redevelopment plan (the "Plan") for the Roosevelt/Clark TIF Redevelopment Project Area (the "Project Area"); and

WHEREAS, pursuant to Resolution No. 24-CDC-39 adopted on October 8, 2024, the Community Development Commission (the "Commission") recommended that CDOT acquire two parcels of the Acquisition Parcels that are located in the Project Area; **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. It is hereby determined and declared that it is useful, desirable and necessary that the City acquire the Acquisition Parcels for public purposes, including implementing the objectives of the Project.

SECTION 3. The schedule for the Project, including the acquisition of the Acquisition Parcels or portions thereof, is set forth in Exhibit B attached hereto and incorporated herein, and is hereby adopted by the City Council ("Schedule").

SECTION 4. The Commissioner of CDOT ("Commissioner") is authorized to negotiate on behalf of the City with the owners of any interest in the Acquisition Parcels for the purchase of the Acquisition Parcels or portions thereof or interests therein. If the Commissioner and any owner are able to agree on the terms of the purchase, including the price or interests therein, the Commissioner is authorized, subject to the approval of the Corporation Counsel as to form and legality, to purchase the Acquisition Parcels or portions thereof or interests therein on behalf of the City for the agreed price with such purchase price to be paid out of legally available funds of the City, including, without limitation, the proceeds of any grants or other funds received by the City. If the Commissioner is unable to agree with any owner of an Acquisition Parcel or portions thereof or interests therein on the terms of the purchase, or if an owner is unwilling or unable to enter into such a transaction with the City, or if an owner cannot be located, then the commissioner may report such to the Corporation Counsel who is hereby authorized to institute and prosecute eminent domain proceedings, including a motion for immediate vesting of title, on behalf of the City for the purpose of acquiring the Acquisition Parcel or portion thereof or interest therein.

SECTION 5. The Commissioner is authorized to (1) execute such agreements and other documents, including an indemnity, as may be necessary to implement the intent of this ordinance, including an amendment of the Original Ordinance consistent with the provisions herein, and an agreement with any property or facility owner, utility company, railroad or other party whose

properties or facilities are impacted by the Project; (2) amend, modify, or change the Schedule for the Project including the acquisition of the Acquisition Parcels adopted above; and (3) determine, from time to time, whether the acquisition of the each of the Acquisition Parcels, or a portion thereof, or an interest therein remains necessary or appropriate to implement the Project, all subject to the approval of the Corporation Counsel.

SECTION 6. 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 7. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall be effective upon its passage and approval.