

APPROVE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CHICAGO PARK DISTRICT FOR THE CONVEYANCE OF LAND AND THE SHARED USE OF THE MURRAY SCHOOL ATHLETIC FACILITIES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve the conveyance of land to the Chicago Park District (CPD) in exchange for the conveyance of land from the CPD for the construction of the Murray School addition, and approve entering into an Intergovernmental Agreement with the CPD regarding these conveyances and the shared use of the Murray School Athletic Facilities. The Board shall cause the Public Building Commission (PBC) to convey to the CPD approximately 9,797 square feet or 0.2249 acres, more or less. The CPD shall convey to the PBC, on behalf of the Board, approximately 9,797 square feet or 0.2249 acres, more or less. The Board agrees, once the school addition is constructed, to share the use of the Athletic Facilities with the CPD, including a gymnasium and locker rooms as well as other facilities. A written Intergovernmental Agreement (IGA) regarding these conveyances and the shared use of the facilities is currently being negotiated. The authority granted herein shall automatically rescind in the event an IGA is not executed within 120 days of the date of this Board Report. Information pertinent to this IGA is stated below.

PARTIES:	Board of Education	Chicago Park District
	125 S. Clark St.	541 North Fairbanks
	Chicago, IL. 60603	Chicago, IL. 60611
	Contact: Chief Operating Officer	Contact: General Superintendent
	Phone: 773-553-2900	Phone: 312-742-4500

PROPERTY TO BE CONVEYED TO THE PBC: Approximately 9,797 square feet or 0.2249 acres, more or less, as more fully described in Exhibit A attached hereto.

PROPERTY TO BE CONVEYED TO THE CHICAGO PARK DISTRICT: Approximately 9,797 square feet or 0.2249 acres, more or less, as more described in Exhibit B attached hereto.

CONSIDERATION: In consideration of the conveyance and the use of facilities the CPD shall contribute to the Board the sum of \$1,500,000 toward the construction of the improvements to Murray School. The contribution shall be remitted in equal installments of \$500,000 payable: (i) upon execution of the IGA; (ii) at 50% completion of the gymnasium, and (iii) upon issuance of the Certificate of Occupancy for the improvements.

BASIC TERMS OF THE IGA: The IGA will provide for the use of the Athletic facilities after construction by the Board. The CPD shall receive exclusive usage of i) entrance fronting S. Kenwood; ii) two (2) recreational rooms; iii) 1 office; iv) one (1) conference room; five (5) Storage rooms; vi) a pantry, vii) and men's and women's locker rooms with toilets. In addition, pursuant to an annual usage schedule, the Board and the CPD shall share the usage of the following improvements: i) Gymnasium; ii) One (1) janitor's room and iii) and emergency exit/link. The operation and maintenance of the Athletic facilities will be shared between the Board and the CPD. The Program shall run from January 1 through December 31 of each year, except as otherwise agreed to by the parties. At all times during the Program Period and during Program Hours, the scheduled activities upon the Board's Athletic Facilities shall have first priority over all other activities. The Board shall provide the CPD with its scheduled activities at least six (6) weeks in advance of such activities. The Board reserves the right to make every determination with regard to the use of the Board's Athletic Facilities in the best interests of the Board. In no event shall the CPD have any right to change, alter or reconfigure the Athletic Facilities without the express written consent of the Board.

AUTHORIZATION: Authorize the General Counsel to execute any and all conveyance documents required to effectuate the conveyance of the property. Authorize the General Counsel to include other relevant terms and conditions in the IGA. Authorize the President and Secretary to execute the IGA.

AFFIRMATIVE ACTION: Not applicable

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: No cost to the Board.

GENERAL CONDITIONS:

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EXiii), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted September 27, 1995 (95-0927-RUiii), as amended from time to time, shall be incorporated into and made a part of the agreement.

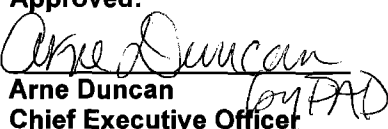
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



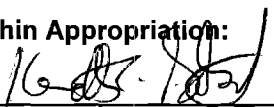
Timothy Martin
Chief Operating Officer

Approved:



Arne Duncan
Chief Executive Officer

Within Appropriation:



Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:



Marilyn F. Johnson
General Counsel

EXHIBIT A
DESIGNATED BOARD PROPERTY

CHICAGO PARK DISTRICT TO PUBLIC BUILDING COMMISSION

That part of Lots 5, 6, 7 and 8, bounded by a line described as follows:

Beginning at a point on the South line of said lots which is 56.0 feet East of the Southwest corner of said Lot 8; thence North along a line drawn parallel with the West line of said Lot 8, 40.0 feet; thence East along a line drawn parallel with the South line of said lots, 40.43 feet to a point on the line between Lots 6 and 7, aforesaid; thence North along said lot line, 53.0 feet; thence East along a line drawn parallel with the South line of said lots, 63.0 feet; thence South along a line drawn parallel with the East line of Lot 5, aforesaid, 23.60 feet; thence East along a line drawn parallel with the South line of said lots, 33.43 feet to a point on the East line of said Lot 5; thence South along the East line of said Lot 5, 69.40 feet to the Southeast corner of said lot; thence West along the South line of said Lots 5, 6, and 7, 136.88 feet to the place of beginning,

All in Block 28 in KIMBARK'S ADDITION to HYDE PARK, being a subdivision of part of the West ½ of the Southeast ¼ of Section 11, Township 38 North, Range 14 East of the 3rd Principal Meridian, in Cook County, Illinois.

Area within Survey = 9797.2 sq. ft. or 0.2249 acres

EXHIBIT B**DESIGNATED DISTRICT PROPERTY****PUBLIC BUILDING COMMISSION TO CHICAGO PARK DISTRICT**

The North 25.0 feet of the West 56.0 feet of Lot 9 in Block 28 in KIMBARK'S ADDITION to HYDE PARK, being a subdivision of part of the West ½ of the Southeast ¼ of Section 11, Township 38 North, Range 14 East of the 3rd Principal Meridian, in Cook County, Illinois.

Together with –

The East ½ of that part of the vacated 54.0 foot right of way of S. Kenwood Avenue, lying West of and adjoining Block 28 and East of and adjoining Block 27, both in KIMBARK'S ADDITION to HYDE PARK, being a subdivision of part of the West ½ of the Southeast ¼ of Section 11, Township 38 North, Range 14 East of the 3rd Principal Meridian, as vacated by Ordinance of the City of Chicago dated 19 December 1962 and recorded 19 February 1963 as Document No. 18724599, which lies South of the North line of Lot 9 in said Block 28 extended 54.0 feet West and which lies North of a line drawn 10.0 feet South of and parallel with the South line of Lot 12 in said Block 28 and said parallel line extended 54.0 feet West.

Together with –

The East ½ of that part of the vacated 54.0 foot right of way of S. Kenwood Avenue, lying West of and adjoining Block 28 and East of and adjoining Block 27, both in KIMBARK'S ADDITION to HYDE PARK, being a subdivision of part of part of the West ½ of the Southeast ¼ of Section 11, Township 38 North, Range 14 East of the 3rd Principal Meridian, as vacated by Ordinance of the City of Chicago dated 22 December 1958 and recorded 6 March 1959 as Document No. 17473436, which lies South of a line drawn 10.0 feet South of and parallel with the South line of Lot 12 in said Block 28 and said line extended 54.0 feet West, and which lies North of the North line of E. 54th Street.

Area within Survey = 9797.2 sq. feet or 0.2249 acres