

RESOLUTION DESIGNATING PROPERTY AT THE NORTHEAST CORNER OF HOMAN AND 77TH STREET FOR THE CONSTRUCTION OF A NEW HIGH SCHOOL TO RELIEVE OVERCROWDING ON THE SOUTHWEST SIDE OF CHICAGO (REGION 5)

WHEREAS, the Board of Education of the City of Chicago (the "Board") is a body corporate and politic organized and existing under and by virtue of the provisions of the Illinois School Code, 105 ILCS 5/34-1 *et seq.*, as amended (the "Code"); and

WHEREAS, the Board exercises general supervision and jurisdiction over the establishment and maintenance of public schools and other educational facilities of the Board including playgrounds and other recreational facilities; and

WHEREAS, the Board has determined that the property described in Exhibit A is required for school and other educational and recreational purposes; and

WHEREAS, Section 5/34-20 of the Code authorizes the acquisition of title to real estate, by purchase, condemnation or otherwise, for school purposes, such title to be held for the use and benefit of the Board in the name of the City of Chicago in Trust for the Use of Schools; and

WHEREAS, it is necessary, desirable, useful and advantageous, and in the best interests of the citizens of the City of Chicago, to acquire the property more fully described in Exhibit A for school and other educational and recreational purposes.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Education of the City of Chicago as follows:

1. It is necessary, desirable, useful and advantageous, and in the public interest to acquire fee simple title to, and possession of, the property described in Exhibit A for school and other educational and recreational purposes.
2. The Board hereby approves the acquisition of title to the real property described in Exhibit A for school and other educational and recreational purposes.
3. The Board further authorizes and directs the General Counsel or her designee, for and on behalf of the Board, to negotiate with the owner or owners of such property for the purchase of the real property as described in Exhibit A.
4. If an agreement can be reached with the owner or owners of such property regarding the purchase price to be paid, authorization is hereby granted to purchase such property, subject however, to final approval by the Board.
5. In the event that the negotiations for the purchase of such real property do not result in a mutually agreed amount of compensation to be paid therefore, then title to and possession of such real property may be acquired by the Board through condemnation, and the General Counsel is hereby authorized, empowered and directed to institute or direct institution of proceedings in a court of competent jurisdiction to acquire title to and possession of such real property by the Board in accordance with the eminent domain laws and procedures of the State and in the manner provided by Article VII of the Code of Civil Procedure.
6. This resolution is effective immediately upon its adoption.

EXHIBIT A

LEGAL DESCRIPTION:

THE WEST HALF OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, (EXCEPT THAT PART TAKEN FOR KEDZIE AVENUE).

SAID PARCEL IS APPROXIMATELY 19 ACRES

COMMON ADDRESS/BOUNDARIES:

HOMAN AVENUE ON THE WEST, 77TH STREET ON THE SOUTH; SPAULDING AVENUE (AS EXTENDED) ON THE EAST, AND THE CHICAGO & WESTERN INDIANA RAILROAD COMPANY RAILROAD RIGHT OF WAY ON THE NORTH.

PERMANENT INDEX NOS.:

19-26-405-001-0000 (West ½ of 38 Acre Tract)