

**AUTHORIZATION TO PAY ATTORNEY FEES, APPRAISAL FEES AND COSTS  
RELATING TO THE ABANDONMENT OF EMINENT DOMAIN PROCEEDINGS  
TO ACQUIRE 201 – 209 W. 103<sup>RD</sup> STREET, CHICAGO, ILLINOIS**

**THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:**

**DESCRIPTION:** On May 25, 2005, the Board adopted Resolution No. 05-0525-RS11 authorizing the abandonment of the eminent domain proceedings to acquire the property at 201-209 W. 103<sup>rd</sup> Street due to the cost of acquiring and remediating the property. 735 ILCS Section 5/7-123 (2004) of the Illinois Code of Civil Procedure and the Illinois Eminent Domain Act require the Board to reimburse the defendants in the condemnation action for the costs, expenses and reasonable attorneys fees paid or incurred by them to defend against the Complaint to Condemn.

**FEE PETITIONS:** Ambrose and Cushing represented Ricky and Stacey Boone, the owners of the property in the condemnation proceedings. Ambrose submitted a revised verified fee petition to the Court requesting \$30,000 for legal fees and \$9,694.05 for appraisal, appearance fees and litigation costs.

Ryan and Ryan represented two commercial tenants, Booker T. Heard d/b/a/ F & R Quality Cleaners and Kwang Ho Choi d/b/a Sky Beauty Supply, in the condemnation proceeding. Ryan submitted a verified fee petition to the Court requesting \$6,000 in attorneys fees and \$455 in costs. General Counsel and Neal and Leroy, LLC outside counsel for the Board have reviewed and approved the fee petitions as being reasonable.

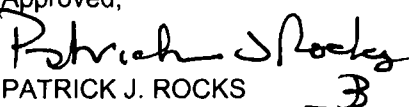
**LSC REVIEW:** LSC approval is not applicable to this Report.

**FINANCIAL:** Charge to Operations Department: \$46,149.05  
Budget Classification No: 47021-436-54105-009531-000000  
Fiscal Year: ~~2006~~ 2005  
Source of Funds: Capital Funds

**AUTHORIZATION:** Authorize the Comptroller to issue two checks as follows:

Ambrose & Cushing, PC,  
221 N. LaSalle Suite 1748  
Chicago, IL. 60601  
Amount: \$39,694.05

Ryan and Ryan  
33 N. Dearborn St. 1530  
Chicago, IL. 60602  
Amount: \$6,455.00

Approved,  
  
PATRICK J. ROCKS  
General Counsel

Within Appropriation:

  
JOHN MAIORCA  
Chief Financial Officer