

February 28, 2007

**AUTHORIZATION TO PAY FINAL JUDGMENT AWARD FOR THE ACQUISITION  
OF 2200 SOUTH DEARBORN FOR THE NATIONAL TEACHER'S ACADEMY**

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

**DESCRIPTION:** On March 28, 2001, the Board adopted Resolution No. 01-0328-RS3 requesting the Public Building Commission of Chicago ("PBC") acquire land and construct the National Teacher's Academy ("NTA") for the Board at Cermak and Federal Streets. The PBC filed condemnation to acquire the property at 2200 S. Federal PIN 17-28-205-001 ("Property") for the construction of NTA. To expedite construction, the PBC and the owner of the Property agreed that the PBC would pay a preliminary sum of \$628,590.00 to obtain immediate title and possession of the Property. If the parties could not settle the matter, then the final amount to be paid for the Property would be determined by jury trial. The owner initially agreed to waive interest on any difference between \$628,590 and the final jury award.

The parties could not settle and a jury trial was held in August, 2004. The jury awarded the owner of the Property \$1,990,400. This amount was \$1,361,810 over the preliminary award (\$628,590) paid by the PBC. The owner then asked for interest on the award despite its prior agreement to waive interest. The PBC objected to the payment of interest, however the Court ruled in favor of the owners. The PBC appealed the jury verdict as well as the Court's decision to award 6% compounded interest on the difference between the preliminary award and the jury verdict. The Appellate Court affirmed the Trial Court's decision. The PBC filed a Petition for Leave to Appeal to the Illinois Supreme Court. On January 24, 2007 the Illinois Supreme Court denied the PBC's Petition. The PBC has exhausted the appeal process, the judgment is now final.

The PBC built NTA on the Property; the school is in full operation. The Board must pay the verdict as well as the 6% compounded interest awarded thereon. Interest is \$336.60 per day compounded from November 19, 2006. The amount of the award plus interest through March 15, 2007 is \$2,086,704.49. General Counsel is requesting a check in the amount of \$2,086,704.49 which will cover interest through March 15, 2007. Any surplus interest will be refunded to the Board of Education.

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

**FINANCIAL:** Charge to Operations Department:  
Budget Classification No.: 32031-458-54105-009546-2004 \$1,831,397.43  
32031-448-54105-009546-2004 \$255,307.06  
Fiscal Year: 2004  
Source of Funds: Capital Funds

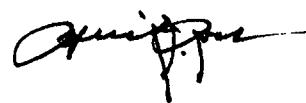
**AUTHORIZATION:** Authorize the Comptroller to issue a check as follows:

Cook County Treasurer's Office  
Case 99 L 50504  
PIN: 17-28-205-001  
Amount: \$2,086,704.49

Within Appropriation:

  
John Maiorca  
Chief Financial Officer

Approved: 

  
Patrick J. Rocks  
General Counsel