

**AUTHORIZATION TO NEGOTIATE AND EXECUTE A
CONTRACT FOR THE PURCHASE OF 3213-37 N. MILWAUKEE AVENUE,
3223-3247 N. SPRINGFIELD AND 3224 N. AVERS
FOR THE CONSTRUCTION OF A NEW AVONDALE/IRVING PARK
ELEMENTARY SCHOOL AND TO FILE CONDEMNATION**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize the negotiation and execution of a contract to purchase 3213-37 N. Milwaukee Avenue, 3223-3247 N. Springfield and 3224 N. Avers, Chicago Illinois for the construction of a new Avondale/Irving Park Elementary School. General Counsel is authorized and directed to file condemnation in the event a written agreement to purchase the property is not executed within 120 days of this Board Report. Information pertinent to the purchase is as follows:

SELLER: Spring Mill Investments, LLC, an Illinois Limited Liability Company
c/o Jeffrey S. Gumbiner
400 Skokie Boulevard, Suite 405
Northbrook, Illinois 60062

DESCRIPTION: 83,357 square foot commercial site located on the north side of Milwaukee Avenue between Avers and Springfield. The site is zoned C1-2. It is improved with a 23,062 square foot, one story plus mezzanine commercial building built in 1968. The property is currently leased to CVS Pharmacies. CVS is going to terminate its lease and move its inventory and equipment before the Board acquires the site in January, 2008. CVS' moving and relocation costs will be submitted to the Chief Operating Officer for approval after inventory is taken and relocation and moving costs are received and reviewed. PINS: 13-23-327-012 through 022 and 026 and 13-23-328-032.

PURCHASE PRICE: \$5,750,000 + CVS' moving and relocation costs as approved by the Chief Operating Officer

BASED ON: Board of Education Appraisal:
Gibbons & Gibbons \$5,750,000

PURPOSE/USE: The property will be used for the construction of a new Avondale/Irving Park Elementary School.

AUTHORIZATION: Authorize the General Counsel or his designee to: (1) negotiate and include other relevant terms and conditions in the written agreement as he deems necessary, (2) execute all ancillary documents required to administer or effectuate the acquisition of the property for an amount not to exceed \$5,750,000 + CVS' moving and relocation costs, and (3) institute condemnation proceedings in the event a written agreement is not executed within 120 days or the Seller is unable to deliver clear title to the Property. Authorize the Chief Operating Officer to approve and pay CVS' moving and relocation costs. The Chief Operating Officer shall report the amount of the relocation and moving payment to the Board.

AFFIRMATIVE ACTION: Exempt.

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

FINANCIAL: Charge to Operations Dept: \$5,750,000 +moving and relocation costs TBD
Budget Classification No: 27001-476-54105-253506-000000-2008
Fiscal Year: 2008
Source of Funds: Capital Improvement

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.

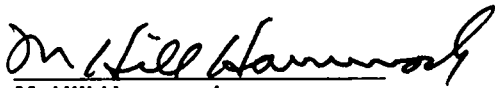
Indebtedness – The Board’s Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board’s Ethics Code adopted June 23, 2004 (04-0623-PO4), 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:

Approved:

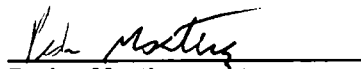


**M. Hill Hammock
Chief Operating Officer**



**Arne Duncan
Chief Executive Officer**

Within Appropriation:



**Pedro Martinez
Chief Financial Officer**

Approved as to legal form: 



**Patrick J. Rocks
General Counsel**