

**RESOLUTION DESIGNATING CONTIGUOUS PROPERTIES ON THE EAST SIDE
OF ST. LOUIS AVENUE BETWEEN 38TH STREET ON THE SOUTH AND THE
AT & SF RAILROAD RIGHT OF WAY ON THE NORTH
FOR THE CONSTRUCTION OF A NEW ELEMENTARY SCHOOL
TO RELIEVE OVERCROWDING IN BRIGHTON PARK AND
REQUEST THE PUBLIC BUILDING COMMISSION TO ACQUIRE THE DESIGNATED SITE
ON BEHALF OF THE BOARD OF EDUCATION OF THE CITY OF CHICAGO**

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 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, educational and recreational facilities of the Board; and

WHEREAS, the Board has determined that the property described in Exhibit A ("Property") is required and more desirable for school, educational and recreational purposes; 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, educational and recreational purposes; and

WHEREAS, on July 12, 1956, the Board joined in the organization of the Public Building Commission of Chicago ("PBC"); and

WHEREAS, the PBC provides a means of facilitating the acquisition, construction and improvement of public buildings and facilities for use by various governmental agencies in the furnishing of essential governmental, educational, health, safety and welfare services; and

WHEREAS, the PBC has, at the request of the Board, previously acquired property for new schools and constructed new schools and other educational and recreational facilities for the Board; and

WHEREAS, on December 20, 2006, the Board adopted Resolution 06-1220-RS6, authorizing Intergovernmental Agreements between the Board, the City of Chicago and the PBC for the acquisition of property, the design and construction of new schools, the rehabilitation and renovation of existing schools and the financing thereof; and

WHEREAS, on February 1, 2007 the Board entered into an Intergovernmental Agreement with the PBC ("IGA") which provides for the PBC's acquisition of property designated by the Board for the construction of new schools.

WHEREAS, the Board has determined that it is advisable, necessary and in the best interests of the Board and the residents of the School District to construct, acquire and equip a new elementary school, all in accordance with the estimates of cost, including the Board's Capital Improvement Program, approved by the Board and on file in the office of the Secretary of the Board. The Board has paid within 60 days prior to the date hereof and/or intends to pay on or after the date hereof certain project costs, as herein described (hereinafter sometimes called "Original Expenditures"), and to reimburse the payment of such Original Expenditures with the proceeds of bonds or other evidence of borrowing (the "Bonds") to be issued subsequent to the payment of such Original Expenditures. The Board has determined that the funds to be advanced to pay Original Expenditures will be available only on a temporary basis and that it is necessary and desirable to declare the "official intent" of the Board to reimburse Original Expenditures with the proceeds of Bonds and otherwise to meet the requirements of Treasury Regulations § 1.150-2 (or successor provisions) promulgated under the Internal Revenue Code of 1986, as amended.

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

1. The preambles of this Resolution are hereby incorporated into this text as if set out in full herein.
2. The Board hereby designates the property described hereafter for the construction of a new elementary school.
3. The Board finds that 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, educational and recreational purposes.
4. The Board hereby selects, designates and approves for acquisition, title to the Property described in Exhibit A for school, educational and recreational purposes.
5. The Board hereby requests the PBC designate for acquisition the Property described on Exhibit A for the construction of a new elementary school and to submit the site to the City Council for its approval.
6. The PBC is hereby authorized to acquire title to the Property in its name, by deed or by eminent domain, for the benefit of the Board.
7. The purchase price for the Property and the legal terms and conditions relating thereto shall be subject to approval by the Board.
8. The PBC shall convey the Property to the City of Chicago in Trust for Use of Schools at the Board's request or within thirty (30) days after substantial completion of construction of the school as defined in Article II, Section 6 of the IGA dated February 1, 2007, whichever event occurs first.
9. This resolution is effective immediately upon its adoption.

LEGAL DESCRIPTION

PARCEL #1

THE SOUTH 66.46 FEET OF LOT 3, ALL IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF J.H. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN REFERENCE BEING HAD TO PLAT RECORDED MARCH 10, 1923 AS DOCUMENT NO. 7834571.

PIN 16-35-403-046

ADDRESS: 3400 W. 38TH STREET, CHICAGO

PARCEL #2

LOT 4 IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF J.H. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN REFERENCE BEING HAD TO PLAT RECORDED MARCH 10, 1923 AS DOCUMENT NO. 7834571,

PIN 16-35-403-003

ADDRESS: 3715 S. ST. LOUIS AVENUE, CHICAGO

PARCEL #3

LOTS 5, 6, AND THE NORTH 10 FEET OF LOT 7 IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF J.H. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN REFERENCE BEING HAD TO PLAT RECORDED MARCH 10, 1923 AS DOCUMENT NO. 7834571.

PIN 16-35-403-043

ADDRESS: 3721 S. ST. LOUIS AVENUE, CHICAGO

PARCEL #4

LOT 7 (EXCEPT THE NORTH 10 FEET THEREOF) IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF J.H. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN REFERENCE BEING HAD TO PLAT RECORDED MARCH 10, 1923 AS DOCUMENT NUMBER 7834571.

PIN 16-35-403-044

ADDRESS: 3747 S. ST. LOUIS AVENUE, CHICAGO

PARCEL #5

LOT 1 IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF J.H. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN REFERENCE BEING HAD TO PLAT RECORDED MARCH 10, 1923 AS DOCUMENT NO. 7834571 AND ALL THAT PART OF WEST 37TH PLACE LYING NORTH OF AND ADJOINING SOUTH LINE OF LOT 1 PRODUCED EAST TO ITS INTERSECTION WITH THE EAST LINE OF SAID LOT 1 PRODUCED SOUTH TO ITS INTERSECTION WITH SOUTH LINE OF SAID LOT 1 PRODUCED EAST IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF J.H. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING FURTHER DESCRIBED AS NORTH 31.14 FEET MORE OR LESS OF WEST 20.45 FEET MORE OR LESS OF EAST 317.62 FEET MORE OR LESS OF THAT PART OF WEST 37TH PLACE LYING WEST OF SOUTH HOMAN AVENUE.

08-0123-RS10

PIN 16-35-403-007

ADDRESS: 3429 W 37TH STREET, CHICAGO

PARCEL #6

LOT 8 IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF JH. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN REFERENCE BEING HAD TO PLAT RECORDED MARCH 10, 1923 AS DOCUMENT NO. 7834571.

PIN 16-35-403-008

ADDRESS: 3434 W. 38TH STREET, CHICAGO

PARCEL #7

LOT 1 IN THE RESUBDIVISION OF LOTS 1 TO 15 INCLUSIVE, LOTS 40 TO 45 INCLUSIVE AND LOTS 16 AND 39 (EXCEPT THE WEST 4.3 FEET OF SAID LOTS 16 AND 39) IN BLOCK 7 IN ADAM SMITH'S SUBDIVISION OF LOT 1 IN BLOCK 11 AND LOT 1 IN BLOCK 12 AND ALL OF BLOCK 17 IN J.H. REES' SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 35 LYING SOUTH OF ILLINOIS AND MICHIGAN CANAL ALL IN TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN.

PIN: 16-35-403-009

ADDRESS: 3401 W. 317TH STREET, CHICAGO

PARCEL #8

THAT PART OF THE VACATED WEST 37TH STREET LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF THE RIGHT OF WAY OF THE CHICAGO AND ALTON RAILROAD AND LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOT 1 IN THE RESUBDIVISION OF LOTS 1 TO 15 INCLUSIVE AND LOTS 16 AND 39 (EXCEPT THE WEST 4.3 FEET OF LOTS 16 AND 39) IN BLOCK 7 IN ADAM SMITH'S SUBDIVISION OF LOT 1 IN BLOCK 11 AND LOT 1 IN BLOCK 12 AND ALL OF BLOCK 17 IN JAMES H. REES' SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF ILLINOIS AND MICHIGAN CANAL.

PIN: 16-35-403-009

ADDRESS: 3401 W 37TH STREET, CHICAGO

PARCEL #9

LOT 3 (EXCEPT THE SOUTH 66.46 FEET THEREOF) AND ALL OF LOT 2 IN WARREN'S SUBDIVISION OF PART OF ADAM SMITH'S SUBDIVISION OF PART OF J.H. REES' SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PIN: 16-35-403-001 AND 045

ADDRESS: 3701-3705 S. ST. LOUIS, CHICAGO

ALSO KNOWN AS:

EAST SIDE OF ST. LOUIS AVENUE BETWEEN 38TH STREET ON THE SOUTH AND THE AT & SF RAILROAD RIGHT OF WAY (FORMERLY GM&O RAILROAD) ON THE NORTH.