

**AMEND BOARD REPORT 06-0426-RS10
RESOLUTION DESIGNATING 37.1 ACRES OF 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**

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 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 acquisitions 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; and

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 high 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 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 attorney 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 Attorney for the Board 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 NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THAT PART OF SAID LAND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ AND THE EAST LINE OF SECTION 26 AFORESAID; THENCE WEST ALONG A SOUTH LINE OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼, A DISTANCE OF 50 FEET TO A POINT; THENCE NORTH ALONG A LINE PARALLEL TO THE EAST LINE OF SECTION 26, AFORESAID, A DISTANCE OF 466.83 FEET TO A POINT; THENCE WEST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ AFORESAID, A DISTANCE OF 30 FEET TO A POINT; THENCE NORTH ALONG A LINE PARALLEL TO THE EAST LINE OF SECTION 26 AFORESAID, A DISTANCE OF 861.17 FEET TO A POINT ON THE EAST AND WEST ¼ LINE OF SECTION 26 AFORESAID, THENCE EAST A DISTANCE OF 80 FEET TO A POINT ON THE EAST LINE OF SECTION 26 AFORESAID, TO THE POINT OF BEGINNING, CONDEMNED FOR THE WIDENING OF KEDZIE AVENUE ON A PETITION FILED SEPTEMBER 3, 1936, BY THE COUNTY OF COOK OF THE STATE OF ILLINOIS IN CASE NUMBER 36C10081 CIRCUIT COURT OF COOK COUNTY ILLINOIS AND EXCEPT THE SOUTH 33 FEET OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN TO BE DEDICATED FOR THE WIDENING OF 77TH STREET FROM KEDZIE AVENUE ON THE EAST TO HOMAN AVENUE ON THE WEST AND THE SOUTH 481.87 FEET OF THE WEST 33 FEET OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN TO BE DEDICATED FOR THE WIDENING OF HOMAN AVENUE FROM 77TH STREET ON THE SOUTH TO 76TH PLACE ON THE NORTH ALL IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS:

7600 SOUTH KEDZIE AVENUE, CHICAGO, IL

~~THE WEST 624 FEET 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 ~~49~~ 37.1 ACRES

COMMON ADDRESS/BOUNDARIES:

HOMAN AVENUE ON THE WEST; 77TH STREET ON THE SOUTH; KEDZIE AVENUE ON THE EAST A LINE 624 FEET EAST OF AND PARALLEL TO SOUTH HOMAN AVENUE ON THE EAST; AND THE CHICAGO & WESTERN INDIANA RAILROAD COMPANY RAILROAD RIGHT OF WAY (75TH STREET IF EXTENDED ON THE NORTH).

PERMANENT INDEX NOS.:

19-26-405-001-0000 (Whole 37.1 Acre Tract except that part to be dedicated for the widening of 77th Street from Kedzie to Homan Avenue and the widening of Homan Avenue from 77th Street to 76th Place West 624 Feet of the Tract)

~~The purpose of this amendment is to clearly define the property designated for the future acquisition and construction of a new Southwest High School.~~

The purpose of this amendment is to acquire the whole 37.1 acre parcel (PIN: 19-26-405-001) from Kraft Global Foods pursuant to a settlement agreement in Condemnation Case No. 06 L 051289. The Property is being acquired for the construction of a new Southwest Area High School.