

July 23, 2008

APPROVE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CHICAGO PARK DISTRICT FOR THE CONVEYANCE OF LAND AND THE USE OF CERTAIN ATHLETIC FACILITIES TO BE CONSTRUCTED AS PART OF THE NEW SOUTH SHORE SCHOOL NORTH CAMPUS

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve the conveyance of certain land to the Chicago Park District (CPD) in exchange for the conveyance of other certain land from CPD for the construction of the new South Shore School North Campus (School), and approve entering into an Intergovernmental Agreement (IGA) with CPD regarding these conveyances and the use of certain athletic facilities (Athletic Facilities) to be constructed as part of the School. The Board shall cause the Public Building Commission (PBC), which is the legal title holder of record, to convey to the CPD approximately 2.39 acres of land, more or less. The CPD shall convey to the City of Chicago, in Trust for Use of Schools, approximately 4.11 acres of land, more or less. A written IGA regarding these conveyances and the use of the Athletic Facilities is currently being negotiated. The authority granted herein shall automatically rescind in the event an IGA is not executed within 120 days of the date of this Board Report. Information pertinent to this IGA is stated below.

PARTIES:	Board of Education 125 S. Clark Street Chicago, IL 60603 Contact: Chief Operating Officer Phone: 773-553-1522	Chicago Park District 541 N. Fairbanks Chicago, IL 60611 Contact: General Superintendent Phone: 312-742-4500
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PROPERTY TO BE CONVEYED TO THE CITY OF CHICAGO, IN TRUST FOR USE OF SCHOOLS BY THE CPD: Approximately 4.11 acres of land, more or less, as more fully described in Exhibit A attached hereto, shall be conveyed to the City of Chicago, in Trust for use of Schools, by CPD.

PROPERTY TO BE CONVEYED TO THE CPD BY THE PBC: Approximately 2.39 acres of land, more or less, more fully described in Exhibit B attached hereto shall be conveyed to CPD by the PBC.

DISPOSITION TYPE: The conveyances described herein shall be in accordance with the Local Government Property Transfer Act. Upon acceptance of the property herein being conveyed to the CPD, the CPD will use such property for public park purposes. Upon acceptance of the property herein being conveyed to the City of Chicago, in Trust for Use of Schools, the Board will use such property for public school purposes.

TERM: The IGA shall commence upon the date the agreement is signed and shall end fifty (50) years from the date a certificate of occupancy is issued for the Athletic Field, which term shall automatically renew for two (2) successive ten (10) year periods.

BASIC TERMS OF THE IGA: The IGA will provide for the use of the Athletic Facilities at the School after construction by the Board. CPD shall receive exclusive usage of some of the Athletic Facilities and shared usage of some of the Athletic Facilities. The parties shall designate in the IGA those Athletic Facilities which shall be exclusive and/or shared and shall formulate a schedule as to the usage of the shared Athletic Facilities. In no event shall CPD have any right to change, alter or reconfigure the Athletic Facilities at the School without the express written consent of the Board. Additionally the Board shall also redevelop the park adjacent to the new school site (Rosenblum Park) including a new playground, ball fields and basketball courts, all at the Board's expense

AUTHORIZATION: Authorize the General Counsel to execute any and all conveyance documents required to effectuate the conveyance of the property. Authorize the General Counsel to include other relevant terms and conditions in the IGA. Authorize the President and Secretary to execute the IGA. Authorize the PBC to convey the Board's interest in the property described in Exhibit B directly to the CPD. Authorize the Chief Operating Officer to designate and schedule the exclusive and/or shared usage facilities for the IGA and to execute any and all ancillary documents related to this IGA.

AFFIRMATIVE ACTION: Exempt

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

FINANCIAL: No cost to the Board.

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:



M. Hill Hammock
Chief Operating Officer

Within Appropriation:



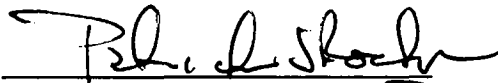
Pedro Martinez
Chief Financial Officer

Approved:



Arne Duncan
Chief Executive Officer

Approved as to legal form:



Patrick J. Rocks
General Counsel

**EXHIBIT A
TO CITY OF CHICAGO, IN TRUST FOR USE OF SCHOOLS**

LOTS 1 THROUGH 44 INCLUDING THE VACATED ALLEYS IN BLOCK 1 AND THE VACATED PORTION OF THE R.R. LINE RUNNING THROUGH LOT 25 AND THE PORTION 33 FEET IN WIDTH ABUTTING LOT 25, AND THE EAST 33 FEET OF THE VACATED EUCLID AVENUE (PER DOCUMENT 16005726) IN JAMES STINSON'S SUBDIVISION OF EAST GRAND CROSSING IN THE SOUTHWEST QUARTER (1/4) OF SECTION 25, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

PIN #s: 20-25-307-018
20-25-501-009 (partial)

AREA: 179,154 sq.ft. / 4.11 acres

(Legal description subject to actual title commitment and final survey)

**EXHIBIT B
TO CHICAGO PARK DISTRICT**

LOTS 1 THROUGH 15 IN BLOCK 3 IN THE RESUBDIVISION OF LOTS 7 TO 25 INCLUSIVE IN BLOCK 3 AND THE WEST 1 FOOT OF LOTS 26 TO 40 BOTH INCLUSIVE IN BLOCK 3 AND ALL THAT PART OF LOTS 39 AND 40 (EXCEPT THE WEST 1 FOOT) IN BLOCK 3 LYING NORTHEASTERLY OF A LINE WHICH IS 16 FEET SOUTHWESTERLY OF AND PARALLEL TO THE SOUTH WESTERLY RIGHT-OF-WAY LINE OF THE B. & O. RR ALSO LOTS 1 TO 50, BOTH INCLUSIVE OF BLOCK 14, ALL IN JAMES STINSON'S SUBDIVISION OF EAST GRAND CROSSING IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND VACATED ALLEY VACATED BY ORDINANCE KNOWN AS DOCUMENT NUMBER 16005726 AND RECORDED ON SEPTEMBER 2, 1954 AND VACATED ALLEY VACATED BY ORDINANCE KNOWN AS DOCUMENT NUMBER 19892178 AND RECORDED ON JULY 21, 1966, ALL IN COOK COUNTY, ILLINOIS

PIN #s: 20-25-305-005 THROUGH 007
20-25-305-011 THROUGH 014
20-25-305-019 THROUGH 023
20-25-305-025 THROUGH 026
20-25-305-016 (partial)

AREA: 71,871 sq.ft./ 1.650 acres

ALSO

LOTS 1 TO 11 IN BLOCK 4 IN JAMES STINSON'S SUBDIVISION OF EAST GRAND CROSSING IN THE SOUTHWEST ¼ OF SECTION 25, TWP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN #s: 20-25-304-001 THROUGH 008
20-25-304-038

AREA: 34,358 sq.ft./ 0.79 acres

(legal description subject to actual title commitment and final survey)