

**PROPERTY TAX APPEAL REFUND—AUTHORIZE SETTLEMENT FOR LAKESIDE PURCHASER LLC/EL PASO CORP.'S PTAB APPEALS REGARDING ITS CERMAK PROPERTY FOR TAX YEARS 2002-2004**

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

Authorized settlement of appeal by Lakeside Purchaser LLC/El Paso Corp. regarding its property at 350 E. Cermak, Chicago, Illinois, for the 2002-2004 tax years. This settlement results in a total refund of \$907,595, plus interest, for the tax year involved. The \$907,595 refund by the Board will be implemented by reductions in the Board's property-tax revenues in calendar year 2009 or thereafter. This settlement does not involve a direct payout of Board funds.

**DESCRIPTION:** The General Counsel has determined that this settlement is in the Board's best interests.

**LSC REVIEW:** Local school council approval is not applicable to this report.

**AFFIRMATIVE ACTION STATUS:** Not applicable.

**FINANCIAL:** There is no charge to any Board account. The refund payment is to be deducted from the Board's tax revenues in calendar year 2009 or thereafter .....\$907,595

**PERSONNEL IMPLICATIONS:** None

**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 5/34-21.1 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, is hereby 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, is hereby 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,



PATRICK J. ROCKS  
General Counsel *WRM*

WITHIN APPROPRIATION:



PEDRO MARTINEZ  
Chief Financial Officer