

May 26, 2010

**RESOLUTION AUTHORIZING THE GENERAL COUNSEL AND CHIEF OPERATING OFFICER
TO NEGOTIATE AND ACQUIRE AN ACCESS EASEMENT FOR THE NEW WEST RIDGE
ELEMENTARY SCHOOL IN WEST RODGERS PARK**

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; and

WHEREAS, on January 24, 2001, the Board adopted Resolution No. 01-0124-RS14 designating property at Whipple and North Shore Avenue for acquisition and for the construction of a new school to relieve overcrowding at the Boone and Clinton Schools in West Rogers Park; and

WHEREAS, on September 30, 2004, the Board acquired 2.78 acres of land from the Peoples Gas, Light and Coke Company ("Peoples Gas") for a new school to relieve overcrowding at the Boone and Clinton Schools in West Rogers Park; and

WHEREAS, on March 24, 2010, the Board adopted Resolution No. 10-0324-EX8 establishing the attendance boundaries for the new school to be located at 6700 N. Whipple; and

WHEREAS, on April 28, 2010 the Board adopted Resolution No. 10-0428-MS4 naming the new school at 6700 N. Whipple as the West Ridge Elementary School; and

WHEREAS, Kedzie Avenue is the western boundary for the new West Ridge Elementary School; and

WHEREAS, the Board has determined that additional access to the new West Ridge Elementary School from Kedzie Avenue over Peoples Gas property is necessary, desirable, useful and advantageous; and

WHEREAS, it is necessary, desirable, useful, advantageous, and in the best interest of the citizens of the City of Chicago, to acquire an access easement from Kedzie Avenue to the new West Ridge Elementary School over Peoples Gas Property; and

WHEREAS, Section 5/34-20 of the Code authorizes the acquisition of title or such other interest in real estate by purchase, condemnation or otherwise for school purposes, such title or other interest to be held for the use and benefit for the Board in the name of the City of Chicago in Trust for the Use of Schools; and

NOW THEREFORE IT HEREBY RESOLVED by the Board of Trustees of 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 an access easement to the new West Ridge Elementary School from Kedzie Avenue over Peoples Gas property.
2. The Board hereby designates and authorizes the Chief Operating Officer and General Counsel to establish the exact location, width and conditions of the access easement over Peoples Gas property and to obtain a survey and legal description for the access easement on the Board's behalf.

3. The Board authorizes and directs the General Counsel and the Chief Operating Officer or their designee, for and on behalf of the Board to negotiate with Peoples Gas for the acquisition of an access easement from Kedzie Avenue to the new West Ridge Elementary School.
4. The negotiated purchase price for the access easement shall be subject to Board approval.
5. In the event that the negotiations for the purchase of the access easement fail, then General Counsel is authorized, empowered and directed to institute legal proceedings to acquire an access easement pursuant to the Eminent Domain laws and statutes of the State of Illinois upon receipt of the survey and legal description defining the exact location of the access easement.
6. This resolution is effective immediately upon its adoption.