

**AUTHORIZATION TO PURCHASE ACCESS EASEMENT FOR THE
NEW WEST RIDGE ELEMENTARY SCHOOL IN WEST RODGERS PARK**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize the purchase of a permanent easement over Peoples Gas Property to provide access to the New West Ridge Elementary School from Kedzie Avenue. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 120 days of the date of this Board Report. Information pertinent to the purchase is as follows:

- GRANTOR:** Peoples Gas Light & Coke Co.
C/o Peoples Energy
130 East Randolph Drive
Chicago, Il. 60601
- DESCRIPTION:** The new West Ridge Elementary School is located at 6700 N. Whipple. The 36,074 square foot perpetual non-exclusive easement over Peoples Gas property will provide a second means of access to the school from Kedzie Avenue. The legal description for the easement is attached as Exhibit A. The easement will encumber part of PIN:10-36-300-055-0000. The legal description may be modified upon receipt of the final survey and title report.
- PURCHASE PRICE:** \$540,000 for the purchase of the permanent easement from Peoples Gas plus relocation costs required to accommodate the access road and easement over Peoples Gas' Property.
- APPRAISAL:** Terrence O'Brien: \$540,000
- PURPOSE/USE:** To acquire an access easement to the new school from Kedzie Avenue. The new school is located on Whipple Avenue, a one way southbound street. The additional access from Kedzie will reduce traffic congestion on Whipple and provide a safe drop off point for children arriving by bus or by car.
- AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions in the written easement agreement, including reciprocal indemnification provisions, and to execute all ancillary documents required to administer or effectuate this agreement. Authorize the President and Secretary to execute the Easement Agreement. Authorize the Comptroller to issue a check to Peoples Gas Light & Coke Company for \$540,000 for the purchase of the easement. Authorize the Chief Operating Officer to negotiate with the Public Building Commission and Peoples Gas Light & Coke Co. to establish relocation costs required to accommodate the easement and new access road over Peoples Gas' property. Payment of relocation costs shall be subject to applicable Board rules and policies.
- AFFIRMATIVE ACTION:** Exempt.
- LSC REVIEW:** None. Local School Council is not applicable to this report.

FINANCIAL:

Charge to Operations Department: \$540,000 + relocation costs
Budget Classification No.: 27021-480-56205-009446-620000-2010- \$520,000
27021-477-56205-009446-610000-2010- \$20,000
Fiscal Year: 2010
Source of Funds: Capital Improvement

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.

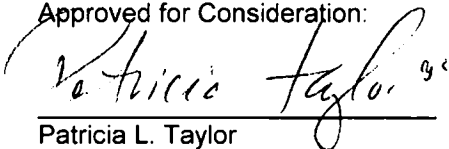
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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:



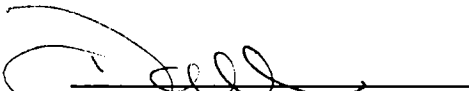
Patricia L. Taylor
Chief Operating Officer

Approved:



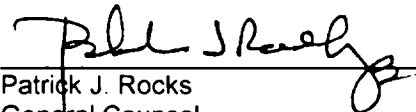
Ron Huberman
Chief Executive Officer

Within Appropriation:



Diana S. Ferguson
Chief Financial Officer

Approved as to legal form.



Patrick J. Rocks
General Counsel

EXHIBIT A

Legal Description For Easement

THAT PART OF LOT 2 IN THE SUBDIVISION OF THE WEST Y. (IN AREA) OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 89°51'56" WEST, 103.03 FEET; THENCE NORTH 02°40'47" EAST, 359.60 FEET TO THE POINT OF BEGINNING; THENCE NORTH 43°40'42" WEST, 27.61 FEET; THENCE SOUTH 89°51'56" WEST, 124.14 FEET; THENCE NORTH 02°39'40" EAST, 70.09 FEET; THENCE SOUTH 89°51'56" WEST, 500.12 FEET TO THE EAST LINE OF KEDZIE AVENUE; THENCE NORTH 01°35'45" EAST ALONG THE EAST LINE OF KEDZIE AVENUE, 40.01 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE NORTH 89°51'56" EAST ALONG SAID NORTH LINE OF LOT 2, 645.04 FEET; THENCE SOUTH 02°40'47" WEST, 130.17 FEET TO THE POINT OF BEGINNING.

PIN: 10-36-300-055 (PART OF)

(May be modified upon receipt of final survey and title report)