

**AUTHORIZE THE PUBLIC BUILDING COMMISSION OF CHICAGO TO PURCHASE
THE PROPERTY AT 10436 SOUTH INDIANAPOLIS BOULEVARD
FOR THE CONSTRUCTION OF A NEW SOUTHEAST AREA ELEMENTARY SCHOOL**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

On April 22, 2009, the Board adopted Resolution Number 09-0422-RS24 requesting the Public Building Commission of Chicago ("PBC") acquire for the Chicago Board of Education approximately 3 acres of property at the southwest corner of 104th Street and South Indianapolis Boulevard ("Site") for the construction of a new elementary school to relieve overcrowding in the Southeast Area Community. The site consists of seven (7) separate parcels. On June 23, 2010, the Board adopted Resolution Number 10-0623-RS31 providing funding to the PBC to acquire land for the Southeast Area Elementary School ("Project").

The purpose of this Board Report is to authorize the PBC to acquire by condemnation the property at 10436 S. Indianapolis Boulevard for \$10,500. The authorization granted herein will automatically rescind in the event the settlement agreement and final judgment order are not executed and entered within 120 days of this Board Report. Information pertinent to the acquisition is as follows:

OWNERS: East Side Bank & Trust Co. Richard Linn, Beneficiary
Trustee u/t/a dated April 28, 1997 11125 Avenue G
and known as Trust No. 1759 Chicago, Illinois 60617
10635 S. Ewing Avenue
Chicago, Illinois 60617

PROPERTY: Vacant 1,449 square foot interior parcel zoned M-1 Limited Manufacturing Business District. Property is located within the block bounded by Indianapolis Boulevard on the east, 104th Street on the north and 105th Street on the south. The legal description is attached as Exhibit A. Common address 10436 S. Indianapolis Boulevard, also known as rear of 3936-3930 E. 105th Street, Chicago.

PIN: 26-08-404-026

USE: For the construction of the new Southeast Area Elementary School.

PURCHASER: Public Building Commission of Chicago for the Chicago Board of Education.

APPRAISALS: For BOE and PBC: For Owner:
Gibbons & Sidhu: \$7,250 Dale Kleszynski: \$12,300

JUDGMENT: \$10,500.

DUE DILIGENCE: PBC and the Board performed Phase I and Phase II environmental testing on the Property. No underground storage tanks were located on the Property.

AUTHORIZATION:

1. Authorize the PBC to proceed with the acquisition of the Property by condemnation proceedings on behalf of the Board of Education.
2. Authorize the General Counsel or his designee to include relevant terms and conditions in the Stipulation and Final Judgment Order as he deems necessary.
3. Authorize the General Counsel to execute all ancillary documents required to complete the land acquisition.
4. Authorize the Comptroller to issue a check to the PBC for a total of \$10,500 for the acquisition of the Property by condemnation.

AFFIRMATIVE ACTION: Exempt.

LSC REVIEW: None. Local School Council is not applicable to this report.

FINANCIAL:

Charge to Operations Department: \$10,500
Budget Classification No.: 22631-479-56205-253534-620000-2010
Fiscal Year: 2011
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:




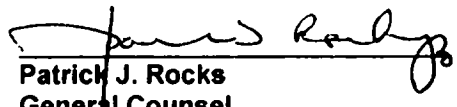
Terry Mazany
Chief Executive Officer

Within Appropriation:



Diana S. Ferguson
Chief Financial Officer

Approved as to legal form:

Patrick J. Rocks
General Counsel

EXHIBIT A

LEGAL DESCRIPTION:

THAT PART OF LOT 29 (LYING EAST OF RAILROAD RIGHT OF WAY) IN BLOCK 22 IN IRONWORKERS ADDITION TO SOUTH CHICAGO, IN SECTIONS 8 AND 17, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN NOS.: 26-08-404-026-0000

COMMON ADDRESS: 10436 S. INDIANAPOLIS BOULEVARD, CHICAGO, IL

ALSO IDENTIFIED AS REAR OF 3936-3938 E. 105TH STREET, CHICAGO, AS SHOWN ON DEED RECORDED AS DOCUMENT NO. 98119457