

**DISPOSITION OF BIDS RECEIVED FOR THE SALE OF LAND
LOCATED AT 5051 W POLK ST**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

That the Board request the Committee on Housing and Real Estate of the City Council of the City of Chicago ("City") to convey to Alpha Baking Company, Inc., an Illinois corporation ("Purchaser"), the land located at 5051 West Polk Street, Chicago, Illinois ("Property") as further described herein. The Offer to Purchase Real Estate contained in the bid solicitation which has been executed by the Purchaser will convert to a contract upon acceptance and execution by the Board. Information pertinent to this agreement is stated below.

LEGAL DESCRIPTION & PIN: See the attached Exhibit A.

BID INFORMATION: In accordance with 105 ILCS 5/34-21, the Property was advertised for sale from January 18, 2013, through March 1, 2013. Bids were received by the Procurement Department by 2:00 p.m. on March 1, 2013 and opened on the same date. The following 1 bid was received:

<u>Bidder</u>	<u>Offer</u>	<u>Date received</u>
Alpha Baking Company, Inc.	\$1,000,000	March 1, 1013

APPRAISAL: On May 6, 2013, an appraisal was made for the benefit of the Board for this property indicating a fair market value as follows:

Appraiser: Appraisal Associates (WBE)
Market Value: \$1,000,000

RECOMMENDATION AND USE RESTRICTION: The Property is not needed for school purposes. The sale of the Property is in the best interests of the Board in accordance with 105 ILCS 5/34-21 (2011). The City shall include a restrictive covenant in the deed prohibiting the Property for being used for kindergarten through high school (K-12) purposes for 40 years from the date of the deed unless the restriction is released by the Chicago Board of Education. Title to the Property will automatically transfer to and vest in the City of Chicago in Trust for Use of Schools if the restrictive covenant is breached without the Board of Education's express written approval. The property shall be sold "as is, where is." The appraisal and the bids received were reviewed and it is recommended that the following bid be accepted:

Name: Alpha Baking Company, Inc.
Address: 4545 West Lyndale Avenue, Chicago, Illinois 60639
Contacts: Robert Cruice, (773) 797-3439
Offer: \$1,000,000.00

AUTHORIZATION: Authorize the President and Secretary to execute the Offer to Purchase agreement and to modify the legal description if necessary upon receipt of a title commitment and survey. Authorize the City of Chicago to issue a deed in favor of Alpha Baking Company, Inc. Authorize the General Counsel to take any and all actions required to effectuate this transaction. Authorize the General Counsel and Chief Operating Officer to execute any and all ancillary documents required to administer or effectuate this transaction.

AFFIRMATIVE ACTION: Exempt.

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

FINANCIAL: Proceeds (Purchaser's best and final offer, less closing costs) to be credited to the General Fund.

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 May 25, 2011 (11-0525-PO2), 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:



Barbara Byrd-Bennett
Chief Executive Officer

Approved as to legal form: 



James Bebley
General Counsel

EXHIBIT A

PROPERTY COMMON ADDRESS:

5051 West Polk Street, Chicago, Illinois

PIN:

16-16-309-008 & 16-16-406-010

LEGAL DESCRIPTION:

LOTS 185 AND LOT 186 (EXCEPT THAT PART TAKEN FOR STREETS) AND THAT PART OF LOT 200 LYING EAST OF THE EAST LINE OF S. LARAMIE AVENUE IN SCHOOL TRUSTEES SUBDIVISION OF THE NORTH PART OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE EAST 1/2 OF VACATED LEAMINGTON AVENUE WEST AND ADJOINING LOT 186, ALSO THAT PART VACATED LEAMINGTON AVENUE LYING WEST OF AND ADJOINING THE WEST LINE OF SAID LOT 185 AND EAST OF AND ADJOINING THE EAST LINE OF SAID LOT 200 AND SOUTH OF THE NORTH LINE OF SAID LOT 200 EXTENDED EAST TO THE NORTHWEST CORNER OF SAID LOT 185, AND NORTH OF THE NORTHERLY LINE OF THE RIGHT OF WAY OF THE OLD CHICAGO, ST. CHARLES AND MISSISSIPPI AIRLINE RAILROAD COMPANY, ALL IN COOK COUNTY, ILLINOIS.

The Board may modify the legal description if necessary upon receipt of a title commitment and survey.