

July 22, 2015

**DISPOSITION OF BIDS RECEIVED FOR THE SALE OF PROPERTY  
LOCATED AT 221 EAST 49<sup>th</sup> STREET AND 4935 S INDIANA AVENUE  
(FORMER OVERTON ELEMENTARY MAIN AND BRANCH BUILDING SITE)**

**THE CHIEF ADMINISTRATIVE OFFICER REPORTS THE FOLLOWING DECISION:**

That the Board request the City or Public Building Commission ("PBC"), as necessary, convey to Washington Park Development Group, LLC, an Illinois limited liability company ("Purchaser"), the land located at 221 East 49<sup>th</sup> Street and 4935 South Indiana Ave, 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 March 27, 2015, to April 27, 2015. Bids were received by the Procurement Department on April 27, 2015, and pursuant to 105 ILCS 5/34-21, best and final bids were negotiated with the top two bidders. A summary of the bids is as follows:

|          | <b>Bidder</b>                     | <b>Bid</b> |
|----------|-----------------------------------|------------|
| Bidder 1 | Washington Park Development Group | \$325,000  |
| Bidder 2 | Edward Rohn                       | \$3,500    |

**APPRAISAL:** In December 2014, a valuation of the Property was made for the benefit of the Board, which indicated a value as follows:

Appraiser: KMD Valuations Group, LLC  
Value: \$925,000 - \$1,125,000

**RECOMMENDATION AND USE RESTRICTION:** The Property is not needed for school purposes. The Property previously housed Overton Elementary School, which closed in 2013. The sale of the Property is in the best interests of the Board in accordance with 105 ILCS 5/34-21 (2011). The PBC and/or the City, as needed, shall include a restrictive covenant in the deed requiring that all or a portion of the building be used for one or more of the following purposes: (i) youth and/or adult recreational, educational, counseling and mentoring programs; (ii) career, trade and entrepreneurial business training programs; (iii) housing; (iv) retail; and (v) manufacturing and/or technology space. In addition, the restrictive covenant shall state that the Property may not be used for (i) the sale or manufacture of liquor, or (2) kindergarten through high school (K-12) public, charter or tuition-free school purposes. Title to the Property will automatically transfer to and vest in the City of Chicago in Trust for Use of Schools, or the Public Building Commission, as the case may be, if the restrictive covenant is breached without the express written approval of the Chief Operating Officer. 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: Washington Park Development Group, LLC  
Address: 10 East Garfield Boulevard, Chicago, Illinois 60615  
Contact: Ghian Foreman / 773-339-4956  
**Offer: \$325,000**

**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 or PBC, as necessary, to issue a deed in favor of Washington Park Development Group. 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 Capital Asset 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.

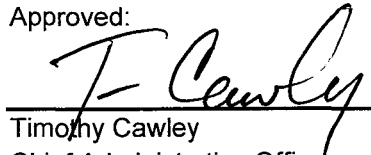
Ethics – The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).

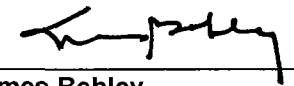
**Approved for Consideration:**

  
\_\_\_\_\_  
Mary DeRuntz  
Deputy Chief Facilities Officer

Approved:

  
\_\_\_\_\_  
Timothy Cawley  
Chief Administrative Officer

Approved as to legal form 

  
\_\_\_\_\_  
James Bebley  
General Counsel

**EXHIBIT A**  
**THE PROPERTY**

The Board reserves the right to make changes as necessary to clarify or correct property information.

**Property address: Former Overton main building site, 221 E. 49<sup>th</sup> St., Chicago, Illinois**

**PIN(s): 20-10-115-001**

**Legal Description:**

LOT "A" IN THE CONSOLIDATION OF LOTS 13 TO 36, BOTH INCLUSIVE, IN HOBART'S SUBDIVISION OF THE WEST HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTH EAST QUARTER OF THE NORTH WEST QUARTER OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AND VACATED ALLEY LYING SOUTH OF AND ADJOINING SAID LOT "A"

AND

PARCEL 1: LOTS 1 TO 7, INCLUSIVE, IN MCCORD'S RESUBDIVISION OF LOTS 10, 11 AND 12 IN BLOCK 3 IN HARDIN'S SUBDIVISION OF THE EAST HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTH WEST QUARTER OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; ALSO

PARCEL 2: LOTS 7, 8 AND 9 (EXCEPT THE EAST 56.7 FEET OF SAID LOTS 7, 8 AND 9) IN BLOCK 3 IN HARDIN'S SUBDIVISION OF THE EAST HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTH WEST QUARTER OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.