

**ORDINANCE AUTHORIZING THE ACQUISITION OF 0.071 ACRES OF PROPERTY
FROM THE CHICAGO TRANSIT AUTHORITY AS PART OF LAND EXCHANGE
FOR THE RED LINE EXTENSION PROJECT.**

WHEREAS, the Chicago Park District (“Park District”) is a body politic and corporate created pursuant to the Chicago Park District Act, 70 ILCS 1505/0.01 *et seq.* (the “Act”); and

WHEREAS, the Constitution of the State of Illinois authorizes and encourages cooperative agreements between state and local governments; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.* (the “Transfer Act”), authorizes and provides for municipalities to convey, grant or transfer real estate held by the municipality to any other coterminous municipality or special district upon the agreement of the corporate authorities governing the respective parties; and

WHEREAS, under the Act, the Park District is empowered to establish, acquire, lease, complete, enlarge, ornament, build, rebuild, improve, operate and maintain public parks, playgrounds and recreational facilities; and

WHEREAS, the Chicago Transit Authority (the “Authority”) is an Illinois municipal corporation, created under the Metropolitan Transit Authority Act of 1945, 70 ILCS 3605/1 *et seq.* as amended; and

WHEREAS, the Authority’s Red Line Extension Project would add new transit service on Chicago’s Far South Side by extending rail service from 95th Street south to 130th Street; and

WHEREAS, the Park District Board on October 11, 2023 previously approved the exchange of properties for the Red Line Extension Project, which included the disposition of 4.106 acres from Fernwood Parkway Park to the Authority; and

WHEREAS, in exchange, the Authority would provide an equal aggregate replacement amount from ten potential replacement properties located at 102nd Street and Wallace Street, 102nd Place and Normal Avenue, 102nd Street and Parnell Avenue, 122nd Street and Union Avenue, 116th Place and Peoria Street, 110th Street and Aberdeen Street, 124th Street and Lowe Avenue, 119th Street and Emerald Avenue, 105th Place and Throop Street, and 129th Street and Eggleston Avenue (the “Potential Park Replacement Options” as described on Exhibit A attached and incorporated by this reference); and

WHEREAS, the alignment of the Red Line Extension has subsequently been changed and now requires the Authority to acquire an additional 0.071 acres of Wendell Smith Park located at 9912 South Princeton Avenue for the construction of the elevated rail structure; and

WHEREAS, the Park District will accept in exchange a minimum of an additional 0.071 acres of replacement land from the Potential Park Replacement Options, suitable for the operation of park space; and necessary, useful, appropriate and desirable for the acquisition,

establishment, operation and maintenance of public parks (the “Property”); and

WHEREAS, the additional replacement land from the exchange of Wendell Smith Park increases the total Authority replacement acreage to 4.177 acres; and

WHEREAS, the Park District has determined that the acceptance of the Property will benefit the community; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CHICAGO PARK DISTRICT:

Section 1. The above recitals are expressly incorporated in and made part of this ordinance as though fully set forth herein.

Section 2. It is hereby determined pursuant to the Act and the Transfer Act that it is necessary, useful, appropriate and desirable that the Property be acquired or leased for the development of a park.

Section 3. It is hereby determined that the Park District shall acquire title to and possession of the Property by transfer through deed, or, if found necessary and advisable by the General Superintendent of the Park District, that it shall acquire possession of the land through long-term lease (the “Transfer”).

Section 4. The General Superintendent of the Park District and their designee are hereby authorized, empowered, and directed to negotiate, enter into and execute such agreements and instruments, and perform any and all acts as shall be necessary or advisable in connection with the acceptance of the Property and the Transfer, including, without limitation, the following:

Negotiate, and accept a quitclaim deed, or a special warranty deed, conveying title of the Property to the Park District;

- a. Execute and deliver various closing items and any other documents related to the acceptance of the Property, and any other instruments in connection with the transactions described herein; and
- b. Expend funds necessary to pay reasonable costs for the foregoing and any other reasonable costs related to the Transfer.

Section 5. The Secretary and any other appropriate officials of the Park District are hereby authorized, empowered, and directed to attest the execution of any documents necessary in connection with the Transfer and to take all action necessary or proper in order to effectuate the Transfer, subject to review and approval of the General Counsel.

Section 6. To the extent that the Code of the Chicago Park District or any ordinance, resolution, rule, order or provision of the Park District, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall govern and control to the

extent necessary to effectuate the acceptance of the Property. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provisions of this ordinance.

Section 7. This ordinance shall take effect and be in full force from and after its passage.

EXHIBIT A
POTENTIAL PARK REPLACEMENT OPTIONS

Parcel(s) Location	Acreage
102nd Street and Wallace Street	0.28
102nd Place and Normal Avenue	0.25
102nd Street and Parnell Avenue	0.29
122nd Street and Union Avenue (include vacated right of way)	2.65
116th Place and Peoria Street	0.25
110th Street and Aberdeen Street	0.34
124th Street and Lowe Avenue	0.40
119 th Street and Emerald Avenue	0.87
105 th Place and Throop Street	3.18
129th Street and Eggleston Avenue	1.05
TOTAL ACREAGE	9.56

The property descriptions are subject to title commitment and plat of survey.