

## ORDINANCE

**WHEREAS**, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the City is the owner of the vacant land located at 215 E. 45<sup>th</sup> Street, Chicago, IL 60653, which is located in the rear of four parcels fronting Indiana Avenue (4501, 4503, 4305, and 4507-09 S. Indiana Avenue), and which separates the Indiana Avenue parcels from the alley behind the properties; and

**WHEREAS**, the City land is located in the Grand Boulevard Community Area and the 47<sup>th</sup> and King Drive Tax Increment Financing Redevelopment Project Area, and is legally described on Exhibit A attached hereto (the "City Land"); and

**WHEREAS**, Kandy Cobbs ("Grantee") owns the abutting property at 4507-09 S. Indiana Avenue, which is improved with a two-story mixed-use building consisting of two commercial businesses on the ground floor with residential above; and

**WHEREAS**, Grantee has been maintaining the south 46 feet of the City Land behind her property for almost 20 years at a cost of more than \$25,000, and has offered to purchase this portion of the City Land, as legally described on Exhibit B attached hereto (the "4507-09 Backyard"); and

**WHEREAS**, the market value of the 4507-09 Backyard based on a market valuation dated January 19, 2022, is \$22,500.00 ("Market Value"); and

**WHEREAS**, on April 21, 2023, the Department of Assets, Information, and Services, now known as the Department of Fleet & Facility Management, completed limited environmental Phase II sampling and determined that the City Land can be sold with deed restrictions to maintain the property with a paved parking pad; and

**WHEREAS**, Grantee intends to re-establish access to the alley and continue to maintain the 4507-09 Backyard as a parking pad to serve the mixed-use building on her property; and

**WHEREAS**, the City has agreed, consistent with the City's sale of land for side yards to adjacent property owners through the Department of Planning and Development (the "Department") and in consideration of Grantee's care of the 4507-09 Backyard for 20 years, to sell the 4507-09 Backyard to Grantee for a purchase price of \$2,500.00 (the "Purchase Price"); and

**WHEREAS**, by Resolution No. 23-033-21 adopted on September 21, 2023, the Chicago Plan Commission approved the disposition of the 4507-09 Backyard; and

**WHEREAS**, public notices advertising the Department's intent to enter into a negotiated sale of the 4507-09 Backyard with Grantee and requesting alternative proposals appeared in the Chicago Tribune on July 19, July 26, and August 2, 2023; and

**WHEREAS**, no alternative proposals were received by the deadline indicated in the aforesaid notices; ***now therefore***,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The foregoing recitals are hereby adopted as the findings of the City Council.

**SECTION 2.** The City Council hereby approves the sale of the 4507-09 Backyard to Grantee in its “as is” condition for the Purchase Price.

**SECTION 3.** The Mayor or the Mayor’s proxy is authorized to execute, and the City Clerk or Deputy City Clerk is authorized to attest, a quitclaim deed conveying the 4507-09 Backyard to Grantee, or to a land trust of which Grantee is the sole beneficiary, or to an entity of which Grantee is the sole controlling party or which is comprised of the same principal parties, in substantially the form attached hereto as Exhibit B.

**SECTION 4.** The Commissioner of the Department (the “Commissioner”), or a designee of the Commissioner, is each hereby authorized, subject to the review and approval of the City’s Corporation Counsel as to form and legality, to negotiate, execute and deliver such other documents and take such other actions as may be necessary or appropriate to carry out and comply with the provisions of this ordinance. Such documents may contain terms and provisions that the Commissioner or the Commissioner’s designee deems appropriate, including indemnification, releases, affidavits and other documents as may be reasonably necessary to remove exceptions from title or otherwise may be reasonably necessary or appropriate to consummate the transaction contemplated hereby.

**SECTION 5.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

**SECTION 6.** All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 7.** This ordinance shall take effect upon its passage and approval.

Attachments: Exhibit A – Legal Description of City Land  
Exhibit B – Form of Deed