

## SUBSTITUTE ORDINANCE

**WHEREAS**, the City of Chicago ("City") is a duly constituted and existing municipality within the meaning of Section 1, Article VII, of the 1970 Constitution of the State of Illinois ("Constitution"), and is a home rule unit of local government under Section 6(a), Article VII, of the Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, pursuant to ordinances adopted on February 6, 2002, and published in the Journal of the Proceedings of the City Council (the "Journal") for such date, the City Council of the City (the "City Council"): (i) approved a certain redevelopment plan and project (the "Original Redevelopment Plan") for a portion of the City known as the 119<sup>th</sup> and Halsted Redevelopment Project Area (as amended, the "Redevelopment Area"), pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4.1, *et seq.*, as amended (the "Act"); (ii) designated the Redevelopment Area as a "redevelopment project area" within the requirements of the Act; and (iii) adopted tax increment financing as a means of financing certain Redevelopment Area redevelopment project costs (as defined in the Act) incurred pursuant to the Redevelopment Plan; and

**WHEREAS**, the City Council amended the Original Redevelopment Plan by ordinances adopted on April 9, 2003 ("Amendment No. 1") and April 30, 2014 ("Amendment No. 2" and together with the Original Redevelopment Plan and Amendment No. 1, the "Redevelopment Plan"); and

**WHEREAS**, Albertsons Companies, Inc., through its wholly-owned subsidiary, Jetco Properties ("Albertsons") is the owner of the property located at 11414 S. Halsted Street, Chicago, Illinois 60628 (at the northwest corner of 115th & Halsted), as identified on Exhibit A attached hereto (the "Property"), which is located in the Redevelopment Area; and

**WHEREAS**, the Property consists of approximately 6.5 acres of land and is improved with a vacant commercial building consisting of approximately 67,797 square feet; and

**WHEREAS**, the City contacted Albertsons and requested that the City be allowed to use the Property for public purposes; and

**WHEREAS**, Albertsons has agreed to donate the Property to the City, and the City, acting by and through its Department of Assets, Information, and Services ("AIS"), desires to accept such donation in order to use the Property for public purposes and to implement the objectives of the Redevelopment Plan; and

**WHEREAS**, the closing costs for the Property, including assumption of property taxes not yet due and payable, shall be paid from legally available funds of the City, which are hereby appropriated for such purpose; *now, therefore,*

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

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

**SECTION 2.** It is hereby determined, declared and found that it is useful, desirable and necessary that the City acquire the Property for such public purposes as the City shall deem desirable from time to time to further the objectives of the Redevelopment Plan.

**SECTION 3.** The City's acquisition of the Property from Albertsons pursuant to the terms of the Donation Agreement (as hereafter defined), including, without limitation, the City's payment of closing costs and post-closing adjustments and other amounts due and payable under the Donation Agreement and the City's performance of its other obligations and indemnity undertakings under the Donation Agreement, are hereby approved.

**SECTION 4.** The Commissioner of AIS (the "AIS Commissioner"), or a designee of the AIS Commissioner, is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute, and deliver a donation agreement for the Property ("Donation Agreement"), and to execute such other documents and take such other actions as may be necessary or appropriate to consummate the City's acquisition of the Property and to accept a deed to the Property, with such changes, deletions, insertions, terms and provisions, including indemnification, as the Commissioner deems appropriate.

**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 be effective upon its passage and approval.

**EXHIBIT A**

**IDENTIFICATION OF PROPERTY**

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

LOT 1 IN JETCO RESUBDIVISION, BEING A RESUBDIVISION IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 14, 2003 AS DOCUMENT 0322634033, IN COOK COUNTY, ILLINOIS.

ADDRESS: 11414 S. HALSTED STREET  
CHICAGO ILLINOIS 60628

PINS: 25-20-226-017-0000  
25-20-226-018-0000