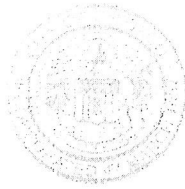


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OFFICE OF THE MAYOR  
CITY OF CHICAGO

BRANDON JOHNSON  
MAYOR

July 19, 2023

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith ordinances authorizing the negotiated sale of City-owned properties.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "BJ Johnson", written over a horizontal line.

Mayor

## 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 improved real property located at 4005 S. Dearborn Street, Chicago, Illinois, as legally described on Exhibit A attached hereto (the "Property"), which consists of approximately 3,681 square feet of land and is improved with a vacant fire station of approximately 5,180 square feet; and

**WHEREAS**, New Horizon Steel, LLC, an Illinois limited liability company (the "Developer"), has submitted a proposal to the Department of Planning and Development (the "Department") for the sum of Seventy Thousand Dollars (\$70,000.00) (the "Purchase Price") for the preservation and rehabilitation of the existing building, and construction of a roof top deck and third floor addition (the "Project"); and

**WHEREAS**, the Developer intends to use the Project for its headquarters and as a construction management training facility; and

**WHEREAS**, the Purchase Price represents the appraised fair market value of the City Property as of February 12, 2023, assuming the land has no adverse environmental conditions; and

**WHEREAS**, the Property is contaminated from past uses and the Developer has agreed to complete the remediation necessary to obtain a comprehensive "No Further Remediation" letter from the Illinois Environmental Protection Agency approving the use of the Property for the construction, development, and operation of the Project; and

**WHEREAS**, the costs of remediating the Property ("Remediation Costs") will increase the Developer's costs of construction, and the City has agreed to reimburse certain specified additional or incremental costs attributable to such work in an amount up to the Purchase Price; and

**WHEREAS**, the City has agreed to deposit the Purchase Price in escrow at closing to fund certain approved Remediation Costs; and

**WHEREAS**, by Resolution No. 22-032-21, adopted on September 15, 2022, the Chicago Plan Commission recommended the disposition of the Property to the Developer; and

**WHEREAS**, public notices advertising the Department's intent to enter into a negotiated sale of the Property with the Developer and requesting alternative proposals appeared in the *Chicago Tribune*, a newspaper of general circulation, on November 15 and November 22, 2022; 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 Property to the Developer or a Developer Entity (as defined below) for the Purchase Price. This approval is expressly conditioned upon the City entering into a redevelopment agreement with the Developer or the Developer Entity substantially in the form attached hereto as Exhibit B (the "Redevelopment Agreement"). The Commissioner of the Department (the "Commissioner"), or a designee of the Commissioner, is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver the Redevelopment Agreement, with such changes, deletions and insertions as shall be approved by the Commissioner, and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of this ordinance and the Redevelopment Agreement, including but not limited to indemnification, releases, affidavits and other documents to remove exceptions from title.

**SECTION 3.** The Mayor or the Mayor's proxy is authorized to execute, and the City Clerk or the Deputy City Clerk is authorized to attest, one or more quitclaim deed(s) conveying the Property to the Developer, or to a land trust of which the Developer is the sole beneficiary, or to an entity of which the Developer is the sole controlling party, or to an entity which is comprised of the same principal parties (each, a "Developer Entity"), subject to those covenants, conditions and restrictions set forth in the Redevelopment Agreement.

**SECTION 4.** 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 5.** All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby superseded to the extent of such conflict.

**SECTION 6.** This ordinance shall take effect upon its passage and approval.

Attachments: Exhibit A – Legal Description of Property  
Exhibit B – Redevelopment Agreement