

ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6(a), of the 1970 Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City Council of the City (the "City Council") by ordinance dated May 17, 1933 (the "1933 Ordinance"), and published in the Journal of the Proceedings of the City Council for such date at page 270, a copy of which is attached hereto as Exhibit A and incorporated here, authorized the vacation of two alleys (together, the "Vacated Alleys") legally described in Section 1 of the 1933 Ordinance, and located in the block bounded by W. Adams Street, S. California Avenue, S. Francisco Avenue and W. Jackson Boulevard; and

WHEREAS, a copy of the 1933 Ordinance, as recorded with the Recorder of Deeds of Cook County, Illinois, in Book 20500, pages 313 through 315, is attached hereto as Exhibit B and incorporated here; and

WHEREAS, the alley vacations were for no compensation; and

WHEREAS, Section 3 of the 1933 Ordinance contains the following use restriction ("Use Restriction"): "It is hereby made a special provision of this ordinance that if any part of the alleys herein vacated shall ever be used for other than educational or school purposes, then the vacation shall be for naught held"; and

WHEREAS, the former John Calhoun North Elementary School was developed on the Vacated Alleys and certain adjacent property (collectively, the "School property"); and

WHEREAS, the School Property now is commonly known as 2833 W. Adams Street, Chicago, Illinois, and legally described in Exhibit C attached hereto and incorporated here; and

WHEREAS, the Chicago Board of Education, on September 26, 2024, passed Resolution No. 24-0926-OP1, which authorizes the conveyance of the School Property to Marillac St. Vincent Ministries, Inc., an Illinois not-for-profit corporation ("Developer"); and

WHEREAS, Developer proposes to use the School Property for supportive housing and one or more of the following services: programs for at-risk youth, community health initiatives, new parent programs, workforce development and job training programs, housing and case management services for homeless women, and substance abuse and mental health services (collectively, the "New Uses"); and

WHEREAS, the City wishes to support the charitable, educational and philanthropic activities of not-for-profit corporations and encourage the continued viability and growth of such corporations; and

WHEREAS, the City Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant an amendment of the Use Restriction to allow for the New Uses; now, therefore,

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

SECTION 1. Section 3 of the 1933 Ordinance is deleted in its entirety and the following is substituted for it: "It is hereby a special provision of this ordinance that if any part of the alleys herein vacated shall ever be used for other than social service purposes which include, but shall not be limited to, supportive housing programs for at-risk youth, community health initiatives, new parent programs, workforce development and job training programs, housing and case management services for homeless women, and substance abuse and mental health services, and for such use and improvements that are accessory, as that term is defined in the Chicago Zoning Ordinance, such uses and improvements to be owned and operated by a non-for-profit corporation, then this vacation shall be void. This use restriction shall remain in place into perpetuity unless released by the City subject to the payment by Developer or its successors or assigns of appraised compensation to the City."

SECTION 2. The change in use restriction herein provided for is made upon the express condition that within 180 days after the passage of this ordinance Developer shall file or cause to be filed for recordation in the Office of the Clerk of Cook County, Illinois, Recordings Division, a certified copy of this ordinance.

SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication. The change in use restriction shall take effect and be in force from and after the recording of the published ordinance.

Amendment to Use Restriction Approved:

Thomas Carney

Thomas Carney
Commissioner of Transportation

Introduced By:

Walter Burnett

Honorable Alderman Walter Burnett
Alderman 27th Ward