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, through the foreclosure of demolition liens, tax sales and other methods of acquisition, has acquired title to thousands of parcels of vacant land which are costly to clean up and maintain, do not generate property taxes, and are a detriment to the community; and

WHEREAS, In an effort to reach potential buyers and create a competitive process, the Department of Planning and Development (the "**Department**") created chiblockbuilder.com ("**ChiBlockBuilder**"), a website-based platform for selling vacant City-owned property with predetermined market values and online application materials; and

WHEREAS, ChiBlockBuilder allows prospective buyers to view a map of available properties and apply to purchase lots for targeted purposes; and

WHEREAS, The Department retained the services of CBRE Group, Inc. to provide market value assessments of the available City-owned properties based on comparable sales, and these market value assessments are posted on the ChiBlockBuilder website to establish purchase prices or bidding guidance for all properties marketed for sale; and

WHEREAS, The Department offered the property identified on Exhibit A attached hereto (the "**City Lot**") for sale on the ChiBlockBuilder website for market rate development during the application period beginning on October 1, 2024, and ending on January 3, 2025 (the "**Application Period**"); and

WHEREAS, A public notice directing prospective applicants to ChiBlockBuilder for listings of City-owned properties for sale during the Application Period was published in the *Chicago Tribune* on October 2, 9, 16, 23 and 30, November 6, 11 and 30, and December 4, 11, 18, 23 and 30, 2023; and

WHEREAS, The Department evaluated the applications for the City Lot based on the applicant's development experience, clarity and feasibility of project plans and designs, practicality of project timeline, budget detail, proof of funding, purchase price, public benefits of project, community engagement, and consistency of project with neighborhood plans; and

WHEREAS, The Department selected McBrearty Construction Inc., an Illinois corporation ("**Buyer**") for the sale of the City Lot for the project described on Exhibit A and depicted in the drawings attached hereto as Exhibit B; and

WHEREAS, The other applications for the City Lot are listed on Exhibit C attached hereto; and

WHEREAS, the market value of the City Lot as of April 13, 2025, as determined by CBRE, is $19,200 ("**Purchase Price**"); and

WHEREAS, The Buyer offered to purchase the City Lot for the Purchase Price, and the Department desires to convey the City Lot to the Buyer for the Purchase Price, subject to a deed restriction requiring the Buyer to construct the Project; 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 incorporated herein and made a material part of this ordinance.

SECTION 2. The City Council hereby approves the sale of the City Lot in its "as is" condition to the Buyer, or to a land trust of which the Buyer is the sole beneficiary, or to an entity of which the Buyer is the sole controlling party or which is comprised of the same principal parties (the "**Buyer Entity**") for the Purchase Price, subject to the Buyer Entity's satisfaction of each of the following conditions precedent to closing (unless waived by the Department in its sole discretion):

(a) Buyer Entity must submit to the Department, and the Department must approve, the final construction plans and specifications for the Project;

(b) Buyer Entity must obtain all building permits and other required permits and approvals, including zoning approvals if applicable, necessary to construct the Project and submit evidence thereof to the Department; and

(c) Buyer Entity must submit to the Department, and the Department must approve, proof of financing for the Project.

If the Buyer Entity fails to close on the acquisition of the City Lot within six (6) months of the date of passage and approval of this ordinance, then this ordinance will be rendered null and void and of no further effect, unless the Commissioner of the Department (the "**Commissioner**"), in the Commissioner's sole discretion, upon a request from the Buyer Entity, extends the closing date. The Buyer Entity shall pay all escrow fees and other title insurance fees and closing costs.

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, a quitclaim deed ("**Deed**") conveying the City Lot to the Buyer Entity. The Deed shall be in substantially the form set forth in Exhibit D.

SECTION 4. 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 such documents as may be necessary or appropriate to carry out and comply with the provisions of this ordinance, with such changes, deletions and insertions as shall be approved by the Commissioner or the Commissioner's designee. 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 to the City Lot 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 of such provision shall not affect any of the other provisions of this ordinance.

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

Attachments: Exhibit A – Legal Description of City Lot and Project Description
Exhibit B – Drawings
Exhibit C – Competing Proposals for the City Lot
Exhibit D – Form of Deed