

09/26/00, 9/06/00

109-O-00

AN ORDINANCE

**Authorizing the Acquisition of Property Through
Condemnation or Otherwise For the First
Amended Washington National Redevelopment
Plan and Redevelopment Project and
Pursuant to Its Home Rule Powers**

WHEREAS, the City Council of the City of Evanston, Cook County, Illinois has heretofore adopted Ordinance No. 129-O-99 approving the First Amended Washington National Tax Increment Redevelopment Plan and Redevelopment Project and Ordinance No. 130-O-99 approving and adopting the First Amended Washington National Tax Increment Redevelopment Project Area, both of which are incorporated herein in their entirety;

WHEREAS, the City Council of the City of Evanston has determined that the First Amended Washington National Redevelopment Plan and Redevelopment Project which were the subject of public hearings and are in the best interest of the City of Evanston and constitute a public purpose;

WHEREAS, the City of Evanston is empowered, pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended, to acquire by purchase, donation, lease or eminent domain real property within the redevelopment project area; and

WHEREAS, the implementation of the aforementioned First Amended Washington National Redevelopment Plan and Redevelopment Project would attract to the City of Evanston additional commercial ventures, increase business for commercial ventures currently established within the City, strengthen the property and non-property tax and income bases, and would provide jobs for City residents; and

WHEREAS, the exercise of its powers of eminent domain required in order to condemn or purchase the sites for the First Amended Washington National Redevelopment Plan and Redevelopment Project are contained in both the Illinois Revised Statutes and the home rule powers of the City of Evanston; and

WHEREAS, the acquisition of the real property legally described in Exhibit A which is attached hereto and made a part hereof and hereinafter referred to as the "Subject Property" for the First Amended Washington National Redevelopment Plan and Redevelopment Project requires the exercise of powers and performance of functions pertaining to the government and affairs to the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That it is hereby determined that the First Amended Washington National Redevelopment Plan and Redevelopment Project previously adopted be established, maintained, controlled, managed and operated within the corporate limits of the City of Evanston within the First Amended Washington National Tax Increment Redevelopment Project Area and that said First Amended Washington National

Redevelopment Plan and Redevelopment Project be occupied, improved, used and developed in a manner necessary and convenient for public use.

SECTION 2: That under the authority vested in the corporate authorities of the City of Evanston through the statutes of the State of Illinois and the home rule powers and ordinances of the City, it is hereby determined that it is necessary and desirable that the City shall acquire title to and possession of the Subject Property, which property is within the foregoing First Amended Washington National Tax Increment Redevelopment Project Area, and is necessary, required and needed to achieve the objectives of the foregoing First Amended Washington National Redevelopment Plan and Redevelopment Project and which property lies wholly within the limits of the City of Evanston, and is required for redevelopment purposes and to facilitate construction of a public garage.

SECTION 3: That the office of Corporation Counsel or attorneys as designated by the City Manager, be and are hereby authorized, empowered and directed to negotiate personally or through its representatives for and on behalf of the City with the owner or owners of the Subject Property for the purchase thereof by the City.

SECTION 4: That in the event that said law firm or its agents is unable to agree with the owner of the Subject Property as to the compensation to be paid therefor, then fee simple title to and possession of the Subject Property shall be acquired by the City of Evanston through condemnation and the office of Corporation Counsel or attorneys as designated by the City Manager, as attorneys for the City, are authorized, empowered and directed to institute proceedings in any court of competent jurisdiction to acquire fee simple

title to and possession of said Subject Property for said City in accordance with the eminent domain laws of the State of Illinois and the ordinances of the City of Evanston.

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: That this ordinance shall be in full force and effect upon passage and approval and publication in the manner provided by law.

Introduced: September 11, 2000

Adopted: September 25, 2000

Approved: September 26, 2000

Lorraine H. Mortas
Mayor

ATTEST:

Mary P. Morris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel