

**AUTHORIZE THE PUBLIC BUILDING COMMISSION OF CHICAGO  
TO PURCHASE PROPERTY AT 48<sup>TH</sup> STREET AND ROCKWELL  
FOR THE CONSTRUCTION OF A NEW BRIGHTON PARK II ELEMENTARY SCHOOL**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

On March 28, 2007 the Board adopted Resolution Number 07-0328-RS21 requesting the Public Building Commission ("PBC") acquire for the Chicago Board of Education approximately 2 acres of property at the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**DUE DILIGENCE:** The Property will be purchased "As Is" The Board and PBC have performed Phase I and Phase II environmental testing on the site.

**REPRESENTATION**

As the Board and PBC have performed Phase I and Phase II environmental testing on the site.

provision in the settlement agreement for environmental claims against the Owner for anyone who occupies the property after has been purchased for the construction of the new school.

- AUTHORIZATION:**
1. Authorize the PBC to proceed with the acquisition of the Property by condemnation proceedings on behalf of the Board.
  2. Authorize the General Counsel or his designee to negotiate and include other relevant terms and conditions in the settlement agreement as to be

**GENERAL CONDITIONS:**

Inspector General—Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts—The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness—The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended

Ethics—The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability—The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

**Approved for Consideration:**

**Approved:**