

AUTHORIZE THE PAYMENT OF A FINAL JUST COMPENSATION AWARD FOR 1701 N. KOSTNER AVENUE FOR THE CONSTRUCTION OF A NEW HIGH SCHOOL TO RELIEVE OVERCROWDING AT THE KELVYN PARK HIGH SCHOOL

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize the payment of a final just compensation award of \$1,845,000 for 1701 N. Kostner Avenue for the construction of a new High School to relieve overcrowding at the Kelvyn Park High School. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 120 days of the date of this Board Report. Information pertinent to the purchase is as follows:

SELLERS: John Finzer and Richard S. Masters
1701 N. Kostner Avenue
Chicago, IL 60639

DESCRIPTON: One story, with mezzanine, industrial building with a total area of 36,014 square feet on 39,455 square foot lot located on the northeast corner of Kostner Avenue PIN 13-34-416-013.

FINAL AWARD: \$1,845,000

BASIS: Settlement based upon following appraisals:

| | | |
|--------------------|----------------------------------|-----------------------|
| BOE's Appraisals: | \$1,610,000 (incl. irremovables) | (T Engineering) |
| Owner's Appraisal: | \$2,100,000 | (PRS Consulting Ltd.) |

PURPOSE/USE: To acquire property for the construction of a new high school to relieve overcrowding at the Kelvyn Park High School.

AUTHORIZATION: Other conditions as deemed necessary by the General Counsel. Authorize the General Counsel to execute all documents required to administer or effectuate the payment. Authorize the Comptroller to issue a check in the amount of \$1,845,000.

AFFIRMATIVE ACTION: Exempt.

LSC REVIEW: Local School Council review is not applicable to this report.

FINANCIAL: Charge to Operations Department: \$1,845,000
Budget Classification No: 1410-492-000-9311-5710
Fiscal Year: 2002
Source of Funds: Capital Improvement

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 restrict the employment of, or the letting of contracts to, former Board members during the one-year period following expiration or other termination of their term of office.

Indebtedness: The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of this agreement.

Ethics: The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), 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:



TIMOTHY MARTIN
Chief Operating Officer



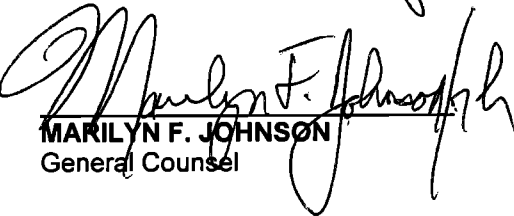
ARNE DUNCAN by PADS
Chief Executive Officer

Within Appropriation:



KENNETH C. GOTSCH
Chief Financial Officer

Approved as to Legal Form: 



MARILYN F. JOHNSON
General Counsel