

ORDINANCE R14-003

ORDINANCE ESTABLISHING THE RIGHT-OF-WAY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE MELVINA DITCH STREAMBANK STABILIZATION PROJECT BETWEEN 95<sup>TH</sup> STREET AND 99<sup>TH</sup> STREET IN OAK LAWN AND CHICAGO RIDGE (CONTRACT 13-248-5F) IN PARTS OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, pursuant to the statute in such case made and provided, has from time to time acquired by purchase, condemnation, or otherwise, lands necessary and desirable for use in the upgrading of the quality of the waters in the Chicago Metropolitan communities; and

WHEREAS, it is necessary to obtain permanent and temporary easements or fee simple title as the right-of-way for the construction, operation and maintenance of the Melvina Ditch Streambank Stabilization Project (Contract 13-248-5F) in Oak Lawn and Chicago Ridge, Illinois in parts of Section 7, Township 37 North, Range 13, East of the 3<sup>rd</sup> Principal Meridian in Cook County, Illinois, and appurtenances thereto.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago:

Section 1. That there be and is hereby laid out, located, created, and established a right-of-way for the construction, operation, and maintenance of the Melvina Ditch Streambank Stabilization Project (Contract 13-248-5F) in Oak Lawn and Chicago Ridge, Illinois in parts of Section 7, Township 37 North, Range 13, East of the 3<sup>rd</sup> Principal Meridian in Cook County, Illinois, and legally described as follows, to wit:

(For Legal Description, See Exhibit, "A" which is attached hereto and made a part thereof.)

Section 2. That it is necessary, convenient, desirable and in the public interest to acquire fee simple title or such lesser interests as may be deemed appropriate in and to the real estate hereinafter described as a site for the construction, operation and maintenance of the Melvina Ditch Streambank Stabilization Project (Contract 13-248-5F) in Oak Lawn and Chicago Ridge, Illinois in parts of Section 7, Township 37 North, Range 13, East of the 3<sup>rd</sup> Principal Meridian in Cook County, Illinois, which site is the following described real estate situated in the State of Illinois, to wit:

(For Legal Description, see Exhibit "A" which is attached hereto and made a part hereof.)

Section 3. That the construction, operation, and maintenance of the Melvina Ditch Streambank Stabilization Project (Contract 13-248-5F) in Oak Lawn and Chicago Ridge, Illinois in parts of Section 7, Township 37 North, Range 13, East of the 3<sup>rd</sup> Principal Meridian in Cook County, Illinois, together with all appurtenances thereto, within the right-of-way described in Sections 1 and 2 of this Ordinance, is hereby provided for and there shall be constructed, maintained, and operated within the limits of said right-of-way described in Sections 1 and 2 of

this Ordinance, said Melvina Ditch Streambank Stabilization Project, Contract (13-248-5F) together with all necessary appurtenances thereto, the same to be an adjunct of and addition to the drainage system of The Metropolitan Water Reclamation District of Greater Chicago.

Section 4. That it is necessary, convenient and desirable for the purposes of The Metropolitan Water Reclamation District of Greater Chicago to acquire fee simple title or such lesser interests as may be deemed appropriate in and to the real estate necessary to facilitate the construction, operation, and maintenance of the Melvina Ditch Streambank Stabilization Project (Contract 13-248-5F) in Oak Lawn and Chicago Ridge, Illinois in parts of Section 7, Township 37 North, Range 13, East of the 3<sup>rd</sup> Principal Meridian in Cook County, Illinois, as described in Sections 1 and 2 of this Ordinance.

Section 5. That the Executive Director of The Metropolitan Water Reclamation District of Greater Chicago be and he is hereby authorized and directed to negotiate with the respective owners and parties in interest of the real estate described in Sections 1 and 2 of this Ordinance for the purposes of acquiring fee simple title or such lesser interests as may be deemed appropriate in and to the real estate described in Sections 1 and 2 of this Ordinance; and to endeavor to agree with said owners and parties in interest upon the price to be paid to them for said fee simple title or such lesser interests; and to engage the services of such appraisers as may be necessary, under the provisions of Section 11.4, Act 2605, Chapter 70, Illinois Compiled Statutes, for the purposes of such acquisition.

In the event that said Executive Director of The Metropolitan Water Reclamation District of Greater Chicago is unable to agree with the owners and parties in interest of any or all of said pieces or parcels of property described in Sections 1 and 2 of this Ordinance, or if said owners or parties in interest are incapable of consenting or their names or residences are unknown or they are non-residents of Illinois, the Executive Director of The Metropolitan Water Reclamation District of Greater Chicago shall report such fact to the General Counsel for The Metropolitan Water Reclamation District of Greater Chicago, and thereupon said General Counsel shall commence and prosecute condemnation proceedings in such courts as he may deem proper to acquire such fee simple title or lesser interests as he may deem proper by virtue of the Eminent Domain Laws of the State of Illinois as directed by the Executive Director and to pay all costs and expense, including appraisal fees, incurred in connection therewith.

Section 6. This Ordinance shall be in full force and effect from and after its passage.

DATED: this 7th day of August 2014

Approved as to Engineering:

---

Catherine A. O'Connor  
Director of Engineering

APPROVED:

---

HON. KATHLEEN T. MEANY  
President  
Board of Commissioners of the  
Metropolitan Water Reclamation  
District of Greater Chicago

Approved as to Form and Legality:

---

Susan Morakalis  
Head Assistant Attorney

---

Ronald M. Hill  
General Counsel

Exhibit A  
RIGHT-OF-WAY  
FOR  
STREAMBANK STABILIZATION ON MELVINA DITCH  
(MEDT-1)

COMMERCIAL PARCELS

*(PIN 24-07-203-051-0000)*

LOTS 4 AND 5 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

*(24-07-203-052-0000)*

LOTS 6 AND 7 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

*(24-07-203-055-0000)*

LOT 8 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) AND THE EAST 13 FEET 8 INCHES OF LOT 9 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

*(24-07-216-037-0000 AND 24-07-216-033-0000)*

LOTS 1 AND 14 IN CHICAGO RIDGE MALL 4<sup>TH</sup> RESUBDIVISION OF PART OF LOTS 2 AND 11 IN CHICAGO RIDGE MALL RESUBDIVISION OF PART OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, RECORDED MAY 8, 2002 AS DOCUMENT 0020529900.

VACANT PARCELS

*(24-07-203-029-0000, 24-07-203-030-0000, 24-07-203-031-0000, 24-07-203-032-0000, 24-07-203-033-0000, 24-07-203-034-0000, AND 24-07-203-035-0000)*

LOTS 11, 12, 13, 14, 15, 16, AND 17 IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Exhibit A  
RIGHT-OF-WAY  
FOR  
STREAMBANK STABILIZATION ON MELVINA DITCH  
(MEDT-1)

COMMERCIAL PARCELS

*(PIN 24-07-203-051-0000)*

LOTS 4 AND 5 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

*(24-07-203-052-0000)*

LOTS 6 AND 7 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

*(24-07-203-055-0000)*

LOT 8 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) AND THE EAST 13 FEET 8 INCHES OF LOT 9 (EXCEPT FROM SAID LOTS THE NORTH 17 FEET THEREOF) IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

*(24-07-216-037-0000 AND 24-07-216-033-0000)*

LOTS 1 AND 14 IN CHICAGO RIDGE MALL 4<sup>TH</sup> RESUBDIVISION OF PART OF LOTS 2 AND 11 IN CHICAGO RIDGE MALL RESUBDIVISION OF PART OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, RECORDED MAY 8, 2002 AS DOCUMENT 0020529900.

VACANT PARCELS

*(24-07-203-029-0000, 24-07-203-030-0000, 24-07-203-031-0000, 24-07-203-032-0000, 24-07-203-033-0000, 24-07-203-034-0000, AND 24-07-203-035-0000)*

LOTS 11, 12, 13, 14, 15, 16, AND 17 IN BLOCK 1 IN DEARBORN HEIGHTS, A SUBDIVISION OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.