

ORDINANCE R18-001

ORDINANCE ESTABLISHING THE RIGHT-OF-WAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF MODIFICATIONS TO TARP CONTROL STRUCTURES CDS-C1 AND CDS-45 IN THE VILLAGE OF SOUTH HOLLAND (CONTRACT 17-842-3H) IN SECTIONS 9 AND 15, TOWNSHIP 36 NORTH, RANGE 14, 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 modifications to TARP Control Structures CDS-C1 and CDS-45 in the Village of South Holland (Contract 17-842-3H), in parts of Sections 9 and 15, Township 36 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois.

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 modifications to TARP Control Structures CDS-C1, and CDS-45 in the Village of South Holland (Contract 17-842-3H), in parts of Sections 9 and 15, Township 36 North, Range 14, East of the Third 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 hereof.)

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 modification of TARP Control Structures in the Village of South Holland (Contract 17-842-3H), in parts of Sections 9 and 15, Township 36 North, Range 14, East of the Third 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 modifications to TARP Control Structures CDS-C1 and CDS-45 in the Village of South Holland (Contract 17-842-3H), in parts of Sections 9 and 15, Township 36 North, Range 14, East of the Third 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 modifications to TARP Control Structures, Contract 17-842-3H, 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 modifications to TARP Control Structures CDS-C1 and CDS-45 in the Village of South Holland (Contract 17-842-3H) in parts of Sections 9 and 15, Township 36 North, Range 14,

East of the Third 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 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 15th day of February, 2018.

Approved as to Engineering:

Catherine A. O'Connor
Director of Engineering

APPROVED:

HON. MARIYANA T. SPYROPOULOS
President
Board of Commissioners of the
Metropolitan Water Reclamation District of
Greater Chicago

Approved as to form and legality:

Christopher M. Murray
Head Assistant Attorney

Susan T. Morakalis
General Counsel

EXHIBIT A
RIGHT-OF-WAY
FOR
MODIFICATIONS TO TARP CONTROL STRUCTURES
CDC-C1 AND CDS-45
(17-842-3H)

(29-09-419-055-0000)

THAT PART OF THE SOUTH $\frac{1}{2}$ OF SECTION 9 TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF SAID SECTION 9, WHICH IS 940.5 FEET, EAST OF THE SOUTH $\frac{1}{4}$ CORNER OF THE SAID SECTION; THENCE WEST ALONG THE SOUTH LINE OF THE SAID SECTION, 1164.24 FEET; THENCE NORTH 6 DEGREES 45 MINUTES EAST A DISTANCE OF 1200 FEET; THENCE SOUTH 17 DEGREES 30 MINUTES EAST A DISTANCE OF 250 FEET; THENCE SOUTH 31 DEGREES EAST A DISTANCE OF 250 FEET; THENCE SOUTH 51 DEGREES EAST A DISTANCE OF 300 FEET; THENCE SOUTH 62 DEGREES EAST A DISTANCE OF 200 FEET; THENCE SOUTH 77 DEGREES 36 MINUTES EAST A DISTANCE OF 420 FEET TO THE PLACE OF BEGINNING. (EXCEPT THAT PART OF SAID TRACT DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF THE ABOVE DESCRIBED TRACT WHICH IS 33 FEET NORTH OF THE SOUTH LINE OF SECTION 9 AS MEASURES AT RIGHT ANGLE THERETO; THENCE NORTHEASTERLY MEASURES AT RIGHT ANGLE TO THE LAST DESCRIBED LINE 125 FEET TO A POINT 33 FEET NORTH OF THE SOUTH LINE OF SECTION 9 AS MEASURED AT RIGHT ANGLES THERETO; THENCE EAST PARALLEL TO THE SOUTH LINE OF SECTION 9 A DISTANCE OF 85 FEET 9 $\frac{1}{8}$ INCHES; THENCE SOUTHWEST 100 FEET TO THE PLACE OF COMMENCEMENT; AND EXCEPTING FROM SAID TRACT THE EAST 65 FEET OF THE SOUTH 235 FEET THEREOF; AND EXCEPTING THAT PART COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 89 DEGREES 31 MINUTES 40 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 9 A DISTANCE OF 506.93 FEET; THENCE NORTH 00 DEGREES 28 MINUTES 20 SECONDS WEST A DISTANCE OF 385.14 FEET TO THE POINT OF BEGINNING; THENCE NORTH 43 DEGREES 51 MINUTES 01 SECONDS EAST A DISTANCE OF 63.52 FEET; THENCE NORTH 46 DEGREES 08 MINUTES 59 SECONDS WEST A DISTANCE OF 40.00 FEET; THENCE SOUTH 43 DEGREES 51 MINUTES 01 SECONDS WEST A DISTANCE OF 51.10 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 40 SECONDS WEST A DISTANCE OF 41.23 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES 20 SECONDS EAST A DISTANCE OF 36.83 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 40 SECONDS EAST A DISTANCE OF 61.17 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

(29-15-301-035-0000)

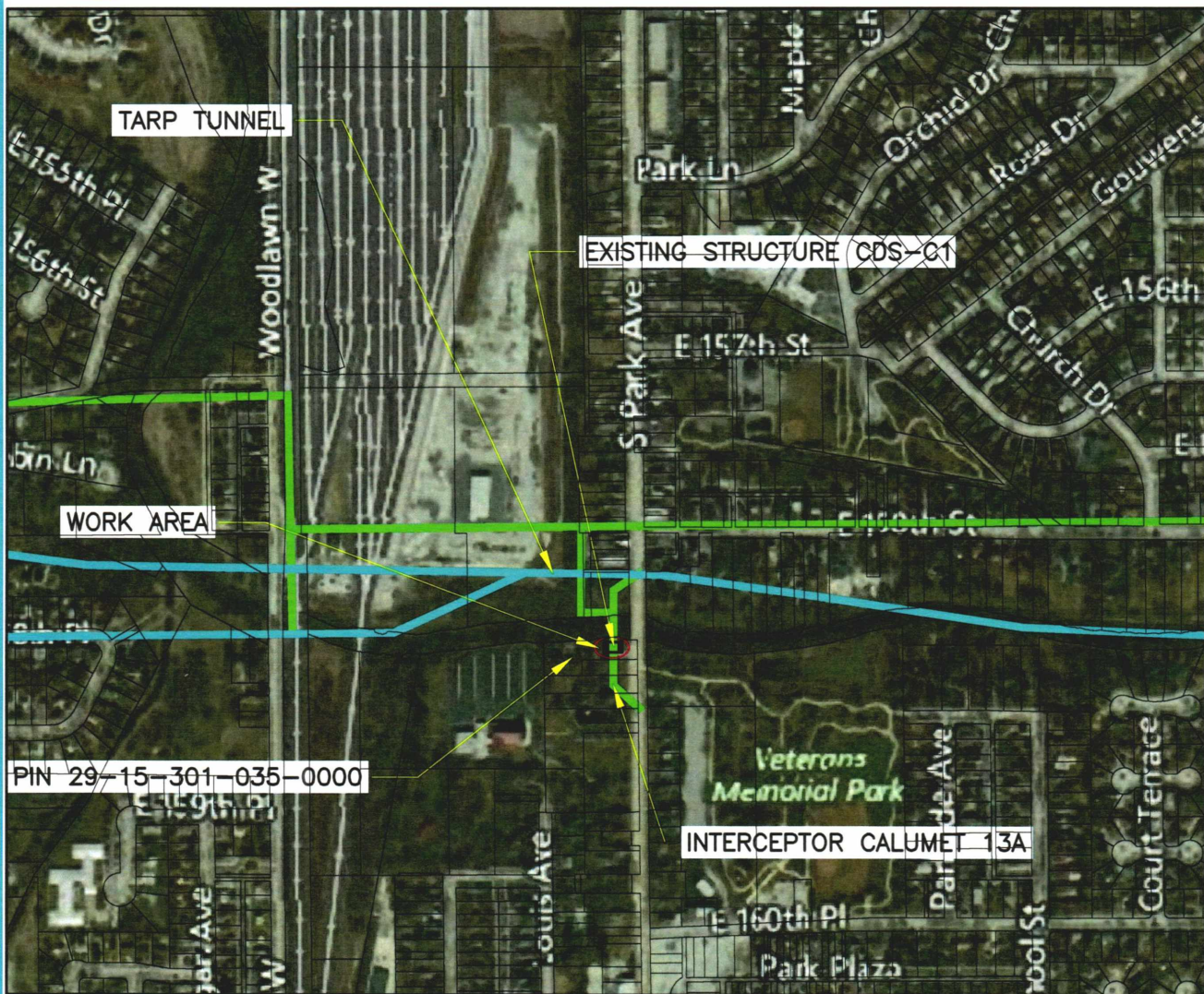
THE WEST 150 FEET OF THE SOUTH 191 FEET (EXCEPT THE SOUTH 130 FEET THEREOF) AND THE EAST 366.1 FEET (EXCEPT THE SOUTH 191 FEET THEREOF) OF THE FOLLOWING DESCRIBED TRACT: THAT PART OF THE EAST 366.1 FEET OF LOT 2, MEASURED AT RIGHT ANGLES, AND PARALLEL TO THE EAST LINE OF SAID LOT 2, LYING NORTH OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 96 FEET NORTH OF THE SOUTH EAST CORNER OF SAID LOT 2 (WHICH CORNER IS ALSO THE NORTHEAST CORNER OF LOT 1) ; THENCE DUE WEST TO A POINT ON THE WEST LINE OF THE EAST 366.1 FEET OF LOT 2: ALL IN COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS SOUTH OF THE LITTLE CALUMET RIVER IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1907 AS DOCUMENT NO. 4018845, IN COOK COUNTY, ILLINOIS.

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO



EAST 1/2 SOUTHWEST 1/4 SEC 15-36-14

PIN 29-15-301-035-0000



15848 SOUTH PARK AVE.
SOUTH HOLLAND, IL 60473

EXHIBIT A

NOT TO SCALE

LOCATION OF WORK AREAS APPROXIMATE

MODIFICATIONS TO TARP
CONTROL STRUCTURES

PROJECT

17-842-3H

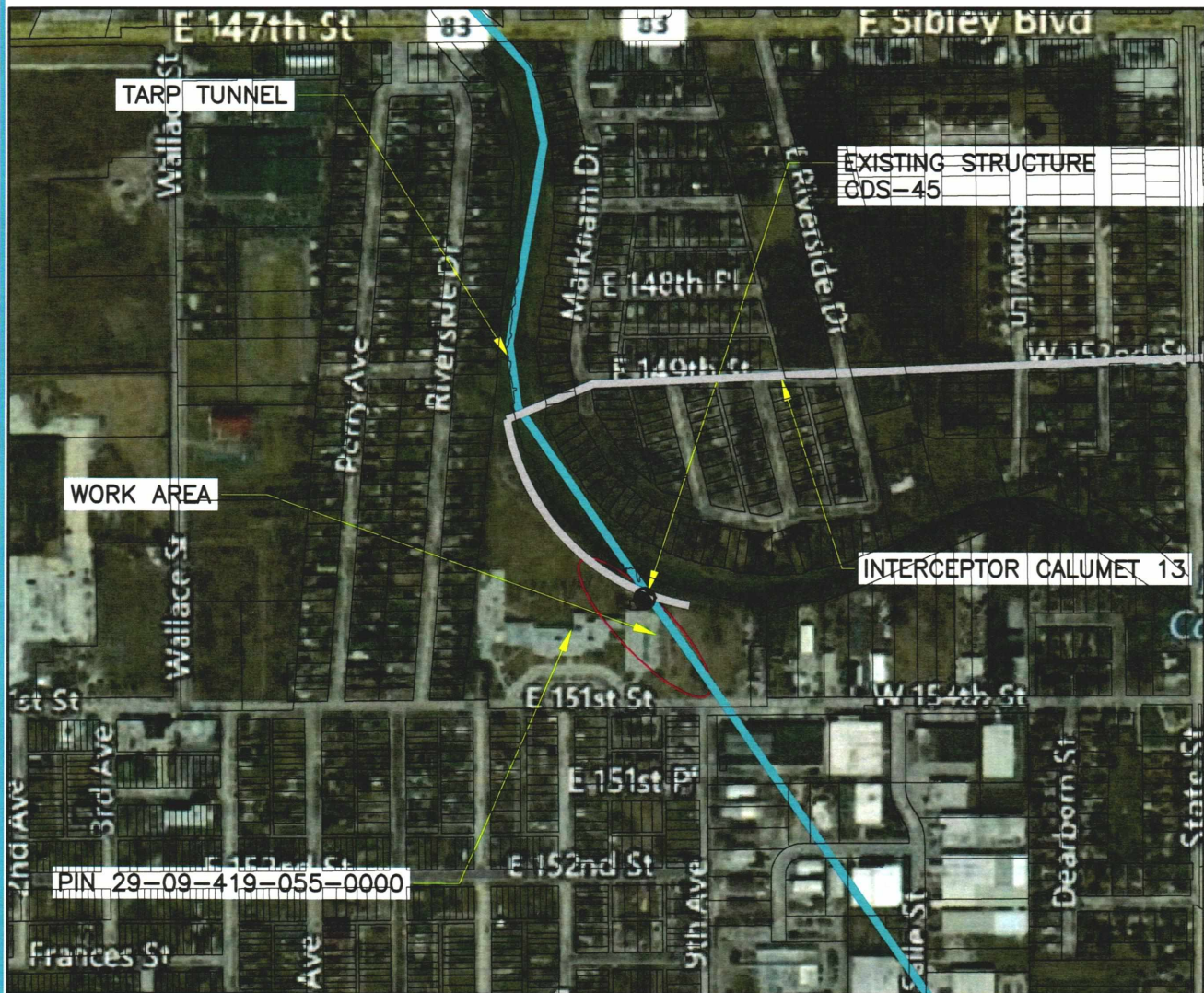
PCMS NO.

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO



WEST 1/2 SOUTHEAST 1/4 SEC 9-36-14

PIN 29-09-419-055-0000



350 W. 154TH STREET
SOUTH HOLLAND, IL 60473

EXHIBIT A

NOT TO SCALE

LOCATION OF WORK AREAS APPROXIMATE

MODIFICATIONS TO TARP
CONTROL STRUCTURES

PROJECT

17-842-3H

PCMS NO.