



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 16-1354 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 12/7/2016 **In control:** Real Estate Development Committee

On agenda: 12/15/2016 **Final action:** 12/15/2016

Title: Authority to pay preliminary just compensation in the amount of \$162,000.00 to acquire by “quick-take” the fee simple title to real estate commonly known as 6601 W. 86th Street in Burbank, IL from Jenny Chavez, in the eminent domain lawsuit Case No. 16L050555 in the Circuit Court of Cook County, Account 401-50000-656010, Capital Improvements Bond Fund

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial Map.6601 W. 86th Street.pdf

Date	Ver.	Action By	Action	Result
12/15/2016	1	Board of Commissioners	Approved	Pass
12/15/2016	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF DECEMBER 15, 2016

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to pay preliminary just compensation in the amount of \$162,000.00 to acquire by “quick-take” the fee simple title to real estate commonly known as 6601 W. 86th Street in Burbank, IL from Jenny Chavez, in the eminent domain lawsuit Case No. 16L050555 in the Circuit Court of Cook County, Account 401-50000-656010, Capital Improvements Bond Fund

Dear Sir:

In connection with the execution of the vertical and horizontal expansion of the Melvina Ditch Reservoir (“Reservoir”) located north of 87th Street and west of Natchez Avenue in Burbank, IL (Contract 14-263-3F) (“Project”), the District must acquire fee simple title to the real estate commonly known as 6601 W. 86th Street in Burbank, IL (“Property”) owned by Jenny Chavez.

As the parties were unable to reach an agreement as to the purchase price of the Property, the District filed an eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Jenny Chavez, et al.*, Case No. 16L050555, in the Circuit Court of Cook County on August 19, 2016. In addition to the complaint for condemnation, the District subsequently filed a “quick-take” motion to allow for the immediate vesting of title of the subject Property with the District, as authorized by the Board of Commissioners’ (“Board”) September 1, 2016, Resolution.

On November 15, 2016, the Court entered an order setting the preliminary just compensation for fee simple title to the Property at \$162,000.00. Pursuant to the order, upon approval of the Board, the District must

deposit the preliminary just compensation with the Cook County Treasurer. The issue of final monetary compensation to be paid for the taking is to be resolved by a full trial at a later date and authority to make any additional payments, including any eligible relocation costs, will also be presented to the Board for approval at a later date.

It is the opinion of the General Counsel and Special Counsel, Neal & Leroy, that this amount for preliminary just compensation is within the range of value for the subject Property based on the fair market value appraisal obtained by the District. The Property comprises 0.32 acres and is improved with an approximately 1,250 square foot, single family residence. The District's appraiser estimates the fair market value of the Property, as of the date of filing the lawsuit on August 19, 2016, to be \$150,000.00.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the payment of \$162,000.00 as preliminary just compensation for the taking and immediate vesting of title in the District of the real estate commonly known as 6601 W. 86th Street in Burbank, IL in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Jenny Chavez, et al.*, Case No. 16L050555 in the Circuit Court of Cook County, Illinois.

It is further requested that the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute a check in the amount of \$162,000.00, payable to the Treasurer of Cook County, for the preliminary just compensation described herein.

Requested, Ronald M. Hill, General Counsel and Catherine A. O'Connor, Director of Engineering;
RMH:CAO:SM:BJD:TN:vp

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for December 15, 2016

Attachment