



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 20-0209 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 2/25/2020 **In control:** Real Estate Development Committee

On agenda: 3/5/2020 **Final action:** 3/5/2020

Title: Authority to amend easement agreement dated March 24, 1949, between the District and Kornerstone Properties, LLC (“Kornerstone”), successor in interest to ComEd, to use and maintain the District-owned portions of Edmier Road located between Cicero Avenue and Ridgeland Avenue in Stickney and Forest View, Illinois. Consideration shall be a one-time fee of \$250,000.00

Sponsors:

Indexes:

Code sections:

Attachments: 1. Authority to amend easement agreement - Kornerstone Aerial.pdf

Date	Ver.	Action By	Action	Result
3/5/2020	1	Board of Commissioners	Approved	Pass

TRANSMITTAL LETTER FOR THE BOARD MEETING OF MARCH 5, 2020

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

Authority to amend easement agreement dated March 24, 1949, between the District and Kornerstone Properties, LLC (“Kornerstone”), successor in interest to ComEd, to use and maintain the District-owned portions of Edmier Road located between Cicero Avenue and Ridgeland Avenue in Stickney and Forest View, Illinois. Consideration shall be a one-time fee of \$250,000.00

Dear Sir:

Edmier Road is a private roadway on both District and Commonwealth Edison (“ComEd”) land between Cicero and Ridgeland Avenues in Stickney and Forest View, Illinois. Generally, the District owns the section between Cicero and Laramie Avenues and ComEd owns the section between Laramie and Ridgeland Avenues except for three small areas of District land west of Laramie Avenue comprising 0.46± acres. On March 24, 1949, the District and ComEd granted reciprocal perpetual easements to one another and their successors for use of Edmier Road (“1949 Easement”).

The District’s easement to ComEd allowed access to ComEd lands located *south* of the Chicago and Western Indiana Railroad Company tracks (“Railroad Tracks”) by light-weight vehicles and other vehicles approved by the District. It also required ComEd to contribute towards the maintenance of the District’s roadway based upon ComEd’s proportionate shared use thereof.

Kornerstone Properties, LLC (“Kornerstone”) purchased ComEd land located *south* of the Railroad Tracks near Ridgeland Avenue. Kornerstone also occupies land located *north* of the Railroad Tracks.

An amendment to the 1949 Easement is necessary to: (1) add an additional 0.46± acres of District land located west of Laramie Avenue to the easement premises; (2) allow ingress to and egress from Kornerstone’s

lands located *north* of the Railroad Tracks; and (3) allow use of the easement premises by any vehicle or equipment authorized by law to travel upon Cicero Avenue. Such amendment would now allow Kornerstone and its tenants to use the District-owned portions of Edmier Road to access Kornerstone's lands located on both sides of the Railroad Tracks. As part of this amendment, Kornerstone will maintain the District-owned portions of Edmier Road without any contribution from the District.

The District's technical departments have reviewed Kornerstone's requests and have no objections thereto. A one-time easement fee of \$250,000.00 is recommended, which represents the appraised fair market value of the revised easement premises.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize an amendment to the easement agreement dated March 24, 1949, between the District and Kornerstone Properties, LLC ("Kornerstone"), successor in interest to ComEd, to use and maintain the District-owned portions of Edmier Road located between Cicero Avenue and Ridgeland Avenue in Stickney and Forest View, Illinois. Consideration shall be a one-time fee of \$250,000.00.

It is also requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute said easement amendment agreement after it is approved by the General Counsel as to form and legality.

Requested, Susan T. Morakalis, General Counsel, STM:EMA:CMM:vp

Recommended, Brian A. Perkovich, Executive Director

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for March 5, 2020

Attachment