



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 14-0729 **Version:** 1
Type: Agenda Item **Status:** Adopted
File created: 7/1/2014 **In control:** Real Estate Development Committee
On agenda: 7/10/2014 **Final action:** 7/10/2014
Title: Authority to execute a Stipulation to Dismiss in the lawsuit entitled Northern Will County Water Agency, et al. v. American Lake Water Company, et al., Case No. 14 ED 33, filed in the Circuit Court of Will County, Illinois

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/10/2014	1	Board of Commissioners	Approved	Pass
7/10/2014	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF JULY 10, 2014

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to execute a Stipulation to Dismiss in the lawsuit entitled *Northern Will County Water Agency, et al. v. American Lake Water Company, et al.*, Case No. 14 ED 33, filed in the Circuit Court of Will County, Illinois

Dear Sir:

The District has been named as an interested party in the subject condemnation lawsuit. A condemnation action was filed by the Northern Will County Water Agency ("Will County Water") involving the condemnation of a water system against American Lake Water Company ("American Lake") and others, including the District, as the landowner upon which the water system is located. The water system is located on District real estate and is under easement to American Lake under a 50-year easement granted to it by the District from 1999 through 2049 ("Easement"). The annual rent under the Easement is \$96,738.88.

Will County Water has requested that the District sign a Stipulation to Dismiss whereby the District consents to the transfer to Will County Water of American Lake's Easement rights. Will County Water will comply with all terms of the Easement, including its obligation to pay rent. It is recommended that the District enter into such Stipulation to Dismiss as it is in its best interests to be dismissed out of the lawsuit while the Easement will still be in effect. The transfer of the Easement is subject to the approval of the court.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize the execution of the Stipulation to Dismiss in the lawsuit entitled *Northern Will County Water Agency, et al. v. American Lake Water Company, et al.*, Case No. 14 ED 33, filed in the Circuit Court of Will County, Illinois.

It is further 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 the Stipulation to Dismiss after

it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:SM:ss

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 July 10, 2014