



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 17-0552 **Version:** 1
Type: Agenda Item **Status:** Adopted
File created: 5/10/2017 **In control:** Real Estate Development Committee
On agenda: 5/18/2017 **Final action:** 5/18/2017
Title: Authority to enter into a Utility Relocation Agreement with Comcast Cable Communications, Inc. to relocate existing cable communication lines and facilities on parcels of real estate recently acquired by the District as part of the Melvina Ditch Reservoir Improvements Project located north of 87th Street and west of Natchez Avenue in Burbank, Illinois. Consideration shall be a nominal fee of \$10.00

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial Map.Utility Relocation Agreement.pdf

Date	Ver.	Action By	Action	Result
5/18/2017	1	Board of Commissioners	Approved	Pass
5/18/2017	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 18, 2017

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to enter into a Utility Relocation Agreement with Comcast Cable Communications, Inc. to relocate existing cable communication lines and facilities on parcels of real estate recently acquired by the District as part of the Melvina Ditch Reservoir Improvements Project located north of 87th Street and west of Natchez Avenue in Burbank, Illinois. Consideration shall be a nominal fee of \$10.00

Dear Sir:

Comcast Cable Communications, Inc. ("Comcast") has requested that the District enter into a Utility Relocation Agreement ("URA") with Comcast that would provide for the relocation of certain existing Comcast cable communication lines and facilities ("Existing Facilities"). The Existing Facilities are located, pursuant to Comcast easements, on parcels of real estate recently acquired by the District as part of the Melvina Ditch Reservoir Improvements Project ("Project"). The parcels are located north of 87th Street and west of Natchez Avenue in Burbank, Illinois.

Demolition of the residences located thereon is scheduled as part of the Project to allow for the expansion of the reservoir. The Existing Facilities provided cable communication services to these residences, as well as to the surrounding area. Due to their proximity to the expanded reservoir, they have to be relocated so that the surrounding area can continue to receive such service.

Under the URA, the Existing Facilities would be relocated to the northern boundary of the Project area, between Natchez Avenue and Nashville Avenue in Burbank, Illinois. The relocated area is approximately the same size and scope of Comcast's existing easement area, comprising approximately 9,687 square feet. The

Engineering Department has confirmed that such relocation is consistent with the District's plans for the construction, operation and maintenance of the expanded reservoir.

A nominal fee of \$10.00 is recommended in this instance as Comcast had an existing, no-fee perpetual easement through the acquired parcels. Additionally, the URA will provide that Comcast is responsible for paying all costs associated with such relocation and will relinquish any existing easements it has on these parcels. This will result in considerable savings to the District since, without such an agreement, the District would have to initiate condemnation proceedings to acquire the easements, and because they are utility easements, obtain the Illinois Commerce Commission's approval for the condemnation.

It is requested that the Executive Director recommend to the Board of Commissioners that it grant authority to enter into a Utility Relocation Agreement with Comcast Cable Communications, Inc. to relocate existing cable communication lines and facilities on parcels of real estate recently acquired by the District as part of the Melvina Ditch Reservoir Improvements Project located north of 87th Street and west of Natchez Avenue in Burbank, Illinois. Consideration shall be a nominal fee of \$10.00.

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 the Utility Relocation Agreement on behalf of the District after it is approved by the General Counsel as to form and legality.

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

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, David J. Walsh, 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 May 18, 2017

Attachment