



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

**File #:** 18-0709 **Version:** 1  
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**Title:** Authority to enter into an easement agreement with Commonwealth Edison Company to acquire a permanent easement comprising 1.950 acres for the Addison Creek Reservoir (Contract 11-186-3F) in Bellwood, Illinois. Consideration shall be a one-time fee of \$270,000.00, Account No. 401-50000-667340

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 11-186-3F ComEd-Aerial Exhibit.pdf

Date	Ver.	Action By	Action	Result
7/12/2018	1	Board of Commissioners	Approved	Pass
7/12/2018	1	Committee of the Whole	Recommended	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF JULY 12, 2018

#### COMMITTEE ON ENGINEERING

Mr. John P. Murray, Acting Executive Director

Authority to enter into an easement agreement with Commonwealth Edison Company to acquire a permanent easement comprising 1.950 acres for the Addison Creek Reservoir (Contract 11-186-3F) in Bellwood, Illinois. Consideration shall be a one-time fee of \$270,000.00, Account No. 401-50000-667340

Dear Sir:

On February 4, 2016, the Board of Commissioners adopted Ordinance R16-002 establishing the amended right-of-way for the construction, operation and maintenance of the Addison Creek Reservoir and Channel Improvement Project (Contract 11-186-3F) ("Project") in Melrose Park and Bellwood, Illinois, in parts of Sections 4 and 9, Township 39 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois.

The Project includes the construction of an approximately 600 acre-foot stormwater storage facility in the Village of Bellwood ("Reservoir"). The Reservoir, along with channel improvements along Addison Creek, will provide flood reduction benefits to approximately 2,200 properties.

Said Ordinance authorized and directed the Executive Director to negotiate with the respective owners and parties in interest of the real estate within the established right-of-way for the purpose of acquiring fee simple title and permanent and temporary easements necessary for the Project. One such easement is needed on property owned by Commonwealth Edison Company ("ComEd") located west of the proposed Reservoir. The easement area comprises approximately 1.950 acres of land located along Addison Creek and is needed for the construction, operation, and maintenance of the Project.

To determine the amount of consideration for the easement, the District and ComEd each obtained fair market

value appraisals as follows:

<b><u>Appraiser</u></b>	<b><u>Value</u></b>
Cohn Rezick, LLP Patricia McGarr, MAI (District's Appraiser)	\$180,900.00
D.L. DuBois, MAI David DuBois, MAI (ComEd's Appraiser)	\$337,200.00

Following the receipt of the appraisals, the parties engaged in negotiations and subsequently agreed upon a value of \$270,000.00. It is the opinion of the Director of Engineering and General Counsel that this amount be accepted to avoid the expenses of condemning the property, which would include legal, expert witness and appraisal fees. In addition, because ComEd is a utility, condemnation would require approval from the Illinois Commerce Commission.

It is requested that the Acting Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and Clerk to execute an easement agreement with ComEd to acquire a permanent easement comprising 1.950 acres for the Addison Creek Reservoir (Contract 11-186-3F) in Bellwood, Illinois. Consideration shall be a one-time fee of \$270,000.00.

It is also requested that the Acting Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and Clerk to execute an easement agreement on behalf of the District after it is approved by the Department of Engineering as to technical matters and by the General Counsel as to form and legality.

Funds are available in account 401-50000-667340

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JK:vp

Recommended, John P. Murray, Acting Executive Director

Respectfully Submitted, Frank Avila, Chairman Committee on Engineering

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for July 12, 2018

Attachment