



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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**On agenda:** 11/15/2018      **Final action:** 11/15/2018

**Title:** Authority to purchase the real estate commonly known as 1524 North 40th Avenue in Stone Park, Illinois for the construction of the Addison Creek Channel Improvement Project (Contract 11-187-3F) and authority for payment to Miguel Huerta, the owner of said real estate, in an amount of \$140,000.00, relocation costs in an amount not to exceed \$36,900.00 and closing costs, Account 501-50000-656010, Stormwater Fund

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Authority to Acquire Parcel 74 - Huerta 1524 N 40th Ave - Aerial.pdf

Date	Ver.	Action By	Action	Result
11/15/2018	1	Board of Commissioners	Approved	Pass
11/15/2018	1	Committee of the Whole	Recommended	Pass

## TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 15, 2018

### COMMITTEE ON REAL ESTATE

Mr. John P. Murray, Acting Executive Director

Authority to purchase the real estate commonly known as 1524 North 40th Avenue in Stone Park, Illinois for the construction of the Addison Creek Channel Improvement Project (Contract 11-187-3F) and authority for payment to Miguel Huerta, the owner of said real estate, in an amount of \$140,000.00, relocation costs in an amount not to exceed \$36,900.00 and closing costs, Account 501-50000-656010, Stormwater Fund

Dear Sir:

On August 6, 2015, the Board of Commissioners ("Board") adopted Ordinance No. R15-006 establishing the right-of-way for the construction, operation and maintenance of the Addison Creek Channel Improvement Project located in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview (Contract 11-187-3F) ("Project"). Ordinance R15-006 was subsequently amended by Ordinances R15-007 and R18-003 to include additional right-of-way needed for the Project.

Said Ordinances authorized and directed the Executive Director to negotiate with the respective owners to acquire fee simple title or such lesser interests, as appropriate, in and to the real estate described in the Ordinances.

On September 6, 2018, the Board authorized the District to enter into intergovernmental agreements with the City of Northlake, Village of Stone Park, Village of Melrose Park, Village of Bellwood, Village of Westchester, and Village of Broadview for the Project. The proposed channel improvements are broken into nine reaches along approximately 15,300 feet of Addison Creek beginning at Hirsch Street in the City of Northlake and continuing to Cermak Road in the Village of Broadview. The Addison Creek channel improvements, along with

the proposed Addison Creek Reservoir, will provide flood reduction benefits to approximately 2,200 properties.

The Project requires the acquisition of several residential properties located in the right-of-way. One such parcel is owned by Miguel Huerta and is located at 1524 North 40th Avenue in Stone Park, Illinois. The parcel comprises 4,687 square feet and is improved with an approximately 1,056 square foot single family residence. The District and the homeowner have reached a negotiated settlement for acquisition in the amount of \$140,000.00 for fee simple title to the property. It is the opinion of the General Counsel and Special Counsel, Neal & Leroy, LLC, that this amount is within the range of value for the subject property based on the fair market value appraisal obtained by the District.

The District's relocation consultant, Urban Relocation Services, Inc., has determined that the owner is eligible for relocation costs of approximately \$36,900.00. These relocation costs are required to be paid by the District under the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act. This total amount includes the maximum replacement housing payment, reasonable moving expenses, and closing costs. The amount is subject to adjustment based upon the actual costs incurred.

Accordingly, it is requested that the Acting Executive Director recommend to the Board of Commissioners that it adopt the following orders:

1. That the subject real estate be purchased by the District for the amount of \$140,000.00, plus closing costs;
2. That the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute the Real Estate Sales Contract effecting the aforesaid purchase, after it is approved by the General Counsel as to form and legality;
3. That the General Counsel be authorized and directed to execute and deliver all other documents and take such other actions as may be necessary to effectuate said purchase and to attain possession of said property; and
4. That the Acting Executive Director be authorized to make intermittent payments to the owner, in an amount not to exceed \$36,900.00, for eligible costs in connection with relocation, as provided for in the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

Requested, Susan T. Morakalis, General Counsel and Catherine A. O'Connor, Director of Engineering;  
STM:CAO:EMA:BJD:TN:mmv

Recommended, John P. Murray, Acting 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 November 15, 2018

Attachment