



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 20-0755 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 9/8/2020 **In control:** Real Estate Development Committee

On agenda: 9/17/2020 **Final action:** 9/17/2020

Title: Authority to pay final just compensation in the amount of \$25,000.00 to acquire the mobile home known as 4612 Meadow Terrace in Melrose Park, Illinois, through partial summary judgment in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Meadowcreek Mobile Park, Inc., et al.*, Case No. 19L050592 in the Circuit Court of Cook County, Illinois, and to pay relocation costs in an amount not to exceed \$19,789.00, Account 501-50000-656010, Stormwater Management Fund

Sponsors:

Indexes:

Code sections:

Attachments: 1. RE - 4612 Meadow Terr - McDowell - Aerial.pdf

Date	Ver.	Action By	Action	Result
9/17/2020	1	Board of Commissioners	Approved	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF SEPTEMBER 17, 2020

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

Authority to pay final just compensation in the amount of \$25,000.00 to acquire the mobile home known as 4612 Meadow Terrace in Melrose Park, Illinois, through partial summary judgment in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Meadowcreek Mobile Park, Inc., et al.*, Case No. 19L050592 in the Circuit Court of Cook County, Illinois, and to pay relocation costs in an amount not to exceed \$19,789.00, Account 501-50000-656010, Stormwater Management 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, R18-003, R19-002, and R20-001 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 down into nine reaches along approximately 15,300 linear 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 partial acquisition of the Meadowcreek Mobile Home Park in Melrose Park, Illinois, which impacts 16 mobile homes that are located in the right-of-way along Addison Creek. One of those mobile homes is owned by Paul McDowell, located at 4612 Meadow Terrace in Melrose Park, Illinois. The mobile home is approximately 696 square feet.

The owner of the mobile home has refused to respond to the District's offer to purchase the mobile home. The owner has also been served in the pending eminent domain lawsuit, but he has failed to file an appearance. As a result, the District must file a motion for partial summary judgment to acquire the mobile home through the court. It is the opinion of the General Counsel and Special Counsel, Neal & Leroy, LLC, that the amount of \$25,000.00 is within the range of value for the home based on a fair market value appraisal obtained by the District.

The District's relocation consultant, Urban Relocation Services, Inc., has met with the owner to explain the relocation services available to him. The relocation consultant has determined that the owner is eligible for estimated relocation costs of approximately \$19,789.00. 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, pad rent differential payment, and reasonable moving expenses. The amount is subject to adjustment based upon the actual costs incurred.

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

1. That the Board authorize payment of final just compensation in the amount of \$25,000.00 to acquire the mobile home known as 4612 Meadow Terrace in Melrose Park, Illinois, through partial summary judgment in the eminent domain lawsuit entitled The Metropolitan Water Reclamation District of Greater Chicago v. Meadowcreek Mobile Park, Inc., et al., Case No. 19L050592 in the Circuit Court of Cook County, Illinois;
2. That the Executive Director be authorized to make intermittent payments to the owner, in an amount not to exceed \$19,789.00, for eligible costs in connection with relocation, as provided for in the Uniform Relocation Assistance and Real Property Acquisition Policies Act; and
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 partial summary judgment and to attain possession of said property.

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

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 September 17, 2020

Attachment