



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 10-0620 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 5/11/2010 **In control:** Real Estate Development Committee

On agenda: 5/20/2010 **Final action:** 5/20/2010

Title: Authority to grant a 1250' x 25' non-exclusive 25-year easement to the City of Des Plaines to construct, operate, maintain, repair, and remove a storm water sewer on District land located along the westerly section of Marshall Drive (extended) between Wille Road and Oakton Street in Des Plaines, Illinois, consideration shall be a nominal fee of \$10.00 (As Revised)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 05-20-10_City of Des Plaines Map.pdf

Date	Ver.	Action By	Action	Result
5/20/2010	1	Committee of the Whole	Recommended	Pass
5/20/2010	1	Board of Commissioners	Approved	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 20, 2010

COMMITTEE ON REAL ESTATE

Mr. Richard Lanyon, Executive Director

Authority to grant a 1250' x 25' non-exclusive 25-year easement to the City of Des Plaines to construct, operate, maintain, repair, and remove a storm water sewer on District land located along the westerly section of Marshall Drive (extended) between Wille Road and Oakton Street in Des Plaines, Illinois, consideration shall be a nominal fee of \$10.00 (*As Revised*)

Dear Sir:

The City of Des Plaines ("the City") has requested a 1250' x 25' non-exclusive 25-year easement on District property located along the westerly section of Marshall Drive (extended) between Wille Road and Oakton Street and east of the Kirie Water Reclamation Plant to construct, operate, maintain, repair, and remove a storm water sewer as part of the City's Storm Water Management Master Plan.

The District's technical departments have reviewed this request. The Engineer of Site Remediation reported no environmental concerns that would preclude approving the request. The Maintenance & Operations Department had no objections provided the City protects and restores all District property to its original condition upon completion of all work. The Engineering Department recommended that the City of Des Plaines acquire this property from the District to establish the public right-of-way for Marshall Drive (extended) and construct the storm sewer in the public right-of-way, thus requiring no easements from the District. After consideration of that position, it was concluded that the easement grant as such is the only current feasible alternative for the storm sewer. The City has indicated that its City Council has approved the project for construction in 2010 and the easements are necessary to keep the project on schedule.

The City of Des Plaines will be required to provide the District's required general liability insurance. A waiver

of the bond and a nominal \$10.00 fee is also recommended since it has been the District's practice to waive the bond and assess a nominal fee to municipalities for storm sewer easements.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the grant of a 1250' x 25' non-exclusive 25-year easement to the City of Des Plaines to construct, operate, maintain, repair and remove a storm water sewer along the westerly section of Marshall Drive (extended) between Wille Road and Oakton Street in the City of Des Plaines. Consideration shall be a nominal fee of \$10.00.

It is further requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of its Committee on Finance and the Clerk to execute the easement agreement document after it is approved by the General Counsel as to form and legality.

Requested, Frederick M. Feldman, General Counsel, FMF:CL:STM:BEB

Recommended, Richard Lanyon, Executive Director

Respectfully Submitted, Terrence J. O'Brien, 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 20, 2010

Attachment