



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 14-0291, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 3, 2014

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to issue a 6-month permit extension to IM Crushing, LLC, as successor corporation to Illinois Mining Corporation, to continue to mine, remove, and purchase channel excavation rock from approximately 41.22 acres of District real estate located south of the Cal-Sag Channel between Cicero and Kostner Avenues in Crestwood, Illinois, and known as Cal-Sag Channel Atlas Parcel 12.05. Consideration shall be \$0.25 per ton of rock removed from the permit's premises paid after IM Crushing, LLC has used a credit of up to \$360,000.00 for the removal of approximately 12,000 cubic yards of broken concrete located on the premises.

Dear Sir:

At its June 5, 2003 meeting, the Board of Commissioners authorized the issuance of a 5-year permit to Illinois Mining Corporation ("Illinois Mining") to mine, remove, and purchase channel excavation rock from approximately 41.22 acres of District real estate located south of the Cal-Sag Channel between Cicero and Kostner Avenues in Crestwood, Illinois, and known as Cal-Sag Channel Atlas Parcel 12.05. Consideration for the permit was a \$2,000.00 document preparation fee and payment to the District of \$0.25 per ton of rock removed from the premises.

On September 18, 2003, the permit was amended to allow Illinois Mining to remove 12,000 cubic yards of broken concrete that had been placed on site and obtain a credit for the removal costs in the amount of \$360,000.00. The amended permit provided that payment to the District of \$0.25 per ton of rock removed instead be credited to Illinois Mining until the credit equaled the estimated cost of the removal of broken concrete i.e. \$360,000.00. Thereafter, payment was to be made to the District. To date Illinois Mining has issued a credit in the amount of \$217,183.46. As extended and amended, the permit is set to expire April 30, 2014.

IM Crushing, LLC has advised that the mining and removal of the rock from the subject site cannot be completed by April 30, 2014 and requested additional time to continue removing the rock. While the removal of soil has taken longer than anticipated, it remains in the District's interest to have the work continue until such time as the work is completed or a better option is presented.

Accordingly, it is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of a 6-month permit extension to IM Crushing, LLC, as successor corporation to Illinois Mining Corporation, to continue to mine, remove, and purchase channel excavation rock from approximately 41.22 acres of District real estate located south of the Cal-Sag Channel between Cicero and Kostner Avenues in Crestwood, Illinois, and known as Cal-Sag Channel Atlas Parcel 12.05. Consideration shall be \$0.25 per ton of rock removed from the permit's premises paid after IM Crushing, LLC has used a credit of up to \$360,000.00 for the removal of approximately 12,000 cubic yards of broken concrete located on the premises.

It is also requested that the Executive Director recommend to the Board of Commissioners that the Chairman

of the Committee on Finance and the Clerk be authorized and directed to execute said permit extension agreement after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:STM:MLD:Idl

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, 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 April 3, 2014

Attachment