



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 14-0704, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF JULY 10, 2014

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to grant a permanent, non-exclusive easement to the Illinois Department of Transportation on 0.126± acres of District real estate located along the east side of McCormick Boulevard between Touhy Avenue and Howard Street in Skokie, Illinois and traversing North Shore Channel Parcel 6.10 to construct, operate, maintain and remove storm sewer outfall pipes. Consideration shall be \$30,000.00

Dear Sir:

The Illinois Department of Transportation ("IDOT") has requested to purchase a 0.126± acre parcel of District real estate located along the east side of McCormick Boulevard between Touhy Avenue and Howard Street in Skokie, Illinois that traverses the District's North Shore Channel Parcel 6.10 ("Parcel 6.10") to construct, operate, maintain and remove storm sewer outfall pipes. Because the District has subsurface facilities at this location, a sale of this parcel of land to IDOT was not in the District's best interests.

IDOT is replacing existing storm sewers to alleviate a chronic flooding problem in the area. The work consists of the installation of 24" and 18" storm sewers and catch basins within the McCormick Boulevard right-of-way and the installation of storm sewer outfall pipes extending from McCormick Boulevard to the North Shore Channel, across North Shore Channel Parcel 6.10. A companion transmittal letter seeking authority from the Board to grant IDOT a 5-year temporary construction easement on an adjacent 0.112± acre parcel of North Shore Channel Parcel 6.10 for the subject improvement project is also being presented at today's meeting.

Since a sale of the easement area to IDOT is not recommended in this instance, IDOT advised that it cannot accept the District's standard 25-year easement, as the Illinois Highway Code (605 ILCS 5/4-501) requires that it acquire property rights "necessary for the construction, maintenance or operation of State Highways." Because the storm sewer to be replaced is a permanent structure that will need to be maintained in perpetuity, a permanent easement is a necessary property right for IDOT's project. A waiver of the District's policy of granting easements for 25-year terms is therefore recommended.

The District's technical departments have reviewed IDOT's request for a permanent easement and have no objections thereto subject to certain terms and conditions.

Parcel 6.10 is under lease to the Village of Skokie ("Skokie") for recreational purposes until 2032. Skokie has indicated that it has no objection to this easement grant, however, the easement will be subject to the express consent of Skokie.

IDOT has submitted a fair market value appraisal of the easement to be acquired in the amount of \$30,000.00. District staff has compared the appraisal with other recent appraisals for property in this area and found it consistent with those values. An easement fee of \$30,000.00 is therefore recommended.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize the

grant of a permanent, non-exclusive easement to the Illinois Department of Transportation on 0.126± acres of District real estate located along the east side of McCormick Boulevard between Touhy Avenue and Howard Street in Skokie, Illinois and traversing North Shore Channel Parcel 6.10 to construct, operate, maintain and remove a storm sewer outfall pipe. Consideration shall be \$30,000.00.

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 easement agreement after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:STM:NPE:ss

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 July 10, 2014

Attachment