



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 18-0604, Version: 1

RESOLUTION FOR BOARD MEETING OF JUNE 21, 2018

RESOLUTION Adopting a Schedule for the Execution and Completion of Construction of the Flood Control Project on Natalie Creek in Midlothian and Oak Forest, Illinois, Contract 14-252-5F, and Authorizing the Immediate Vesting of Title to Real Estate for the Execution Thereof

WHEREAS, on September 1, 2016, the Board of Commissioners ("Board") adopted Ordinance R16-005 establishing the right-of-way for the construction, operation and maintenance of the Flood Control Project on Natalie Creek in Midlothian and Oak Forest, Cook County, Illinois (Contract 14-252-5F) ("Project"); and

WHEREAS, on June 15, 2017, the Board adopted Ordinance R17-001, which amended Ordinance R16-005 to include additional properties needed for the Project right-of-way that were not included in the original ordinance; and

WHEREAS, the Board determines that completion of the Project in accordance with the schedule adopted by the Board herein is necessary and essential to the public interest and is required for the public health, welfare and safety and to properly discharge the public duties, powers and responsibilities of the District; and

WHEREAS, the Acting Executive Director has reported that the District has been unable to identify the owners of several remaining parcels despite its due diligence, or has otherwise been unable to reach an agreement as to the acquisition terms and price of the remaining property owners through direct negotiations with the respective owners of the real estate involved.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago:

Section 1. That the Board adopt the following schedule and plan of operation for the execution and completion of construction of the Flood Control Project on Natalie Creek in Midlothian and Oak Forest, Illinois (Contract 14-252-5F):

- | | |
|---------------------------------|--------------------|
| a. Advertise for Bids: | May 9, 2018 |
| b. Acquisition of Right-of-Way: | August 2, 2018 |
| c. Award Contract: | August 2, 2018 |
| d. Start of Construction: | September 6, 2018 |
| e. Completion of Construction: | September 18, 2020 |

Section 2. That it is hereby found and determined that it is necessary to take or acquire the fee simple title or such lesser interests, as appropriate, in and to the property constituting the right-of-way set forth in Ordinances R16-005 and R17-001, immediately, in order to comply with the schedule adopted by the Board herein for the execution and completion of construction of this Project.

Section 3. That inasmuch as the District has been unable to identify the owners of certain remaining parcels despite its due diligence or that negotiations for the acquisition of certain other properties have proven unsuccessful, the General Counsel of the Metropolitan Water Reclamation District of Greater Chicago is hereby directed, pursuant to the provisions of Illinois Compiled Statutes Chapter 70, Section 2605/16 and

Chapter 735, Act 30, Article 20, Section 20-5-5 through 20-5-50, to immediately acquire the aforementioned fee simple title or lesser interests, as appropriate.

Section 4. This Resolution shall be in full force and effect from and after its passage.

Dated: this 21st day of June, 2018:

Approved:

Mariyana T. Spyropoulos
President
Board of Commissioners
Metropolitan Water Reclamation District
of Greater Chicago

Approved as to form and legality:

Head Assistant Attorney

General Counsel