



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 19-0386, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 18, 2019

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

Authority to amend easement agreement dated August 26, 1996, between the District and NP Avenue O, LLC on 10,979± sq. ft. of non-District land adjacent to the District's 122nd Street Pumping Station in Chicago, Illinois for maintaining and operating District TARP facilities to add an additional use of construction staging for the Pumping Station. Consideration shall be \$10.00

Dear Sir:

On August 26, 1996, the District acquired a perpetual, 10,979± sq. ft. easement from Republic Engineered Steels, Inc. ("RES") (f/k/a Republic Steel Corporation) to maintain and operate a portion of the District's TARP system known as the Calumet Tunnel System ("TARP Easement") on RES's land located adjacent to the District's 122nd Street Pumping Station ("Pumping Station") in Chicago, Illinois. The District paid a one-time lump sum payment of \$5,400.00 for this easement.

NP Avenue O, LLC ("NP") is the current owner of 197 acres of land surrounding the Pumping Station, including the land previously owned by RES that is subject to the TARP Easement. NP is developing the 197 acres for industrial use ("Avenue O Development"). The District has a separate easement to operate and maintain an intercepting sewer ("Interceptor Easement") at this same location. To allow the Avenue O Development to proceed free and clear of the District's Interceptor Easement, NP has requested to terminate the Interceptor Easement. A companion transmittal letter is on today's agenda seeking authority to terminate the Interceptor Easement, as such easement is no longer needed for corporate use.

In exchange for terminating the Interceptor Easement, the District's technical departments have requested to expand the District's use of the TARP Easement to include construction staging in the event the District needs to repair, replace, or remove the Pumping Station. NP has agreed to accommodate this request by amending the TARP Easement to allow this additional use.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize an amendment to the easement agreement dated August 26, 1996, between the District and NP Avenue O, LLC on 10,979± sq. ft. of non-District land adjacent to the District's 122nd Street Pumping Station in Chicago, Illinois for maintaining and operating District TARP facilities to add an additional use of construction staging for the Pumping Station. Consideration shall be \$10.00.

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

Requested, Susan T. Morakalis, General Counsel, STM:CMM:JAW:vp

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 April 18, 2019

Attachment