



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 19-0811, Version: 1

RESOLUTION FOR BOARD MEETING OF SEPTEMBER 5, 2019

RESOLUTION Adopting a Schedule for the Execution and Completion of the Melvina Ditch Streambank Stabilization Project between 95th Street and 99th Street in Oak Lawn and Chicago Ridge, Cook County, Illinois, Contract 13-248-5F, and Authorizing the Immediate Vesting of Title to Real Estate for the Execution Thereof

WHEREAS, on August 7, 2014 the Board of Commissioners ("the Board") adopted Ordinance R14-003 establishing the right-of-way for the construction, operation and maintenance of the Melvina Ditch Streambank Stabilization Project ("the Project") between 95th Street and 99th Street in Oak Lawn and Chicago Ridge, Cook County, Illinois (Contract 13-248-5F) ("Project");

WHEREAS, the Board has amended Ordinance R14-003 through the adoption of Ordinance R16-003 on March 3, 2016, and R19-001 on May 2, 2019, to include additional properties needed for the Project right-of-way that were not included in the original ordinance;

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;

WHEREAS, the Executive Director has reported that the District has been unable to reach an agreement as to the acquisition terms and price 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 Melvina Ditch Streambank Stabilization Project in Oak Lawn and Chicago Ridge, Cook County, Illinois (Contract 13-248-5F):

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|---------------------------------|--------------------|
| a. Acquisition of Right-of-Way: | August 19, 2019 |
| b. Advertise for Bids: | September 18, 2019 |
| c. Award Contract: | January 9, 2020 |
| d. Start of Construction: | January 18, 2020 |
| e. Completion of Construction: | September 29, 2021 |

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 R14-003, R16-003, and 19-001, immediately, in order to comply with the schedule adopted by the Board herein for the construction, execution, and completion of this Project.

Section 3. That inasmuch as negotiations for the acquisition of said property have proven unsuccessful despite its due diligence, 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: September 5, 2019

Approved:

Kari K. Steele
President
Board of Commissioners
Metropolitan Water Reclamation District
of Greater Chicago

Approved as to form and legality:

Head Assistant Attorney

General Counsel