



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 10-0440, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 1, 2010**

#### COMMITTEE ON REAL ESTATE

Mr. Richard Lanyon, Executive Director

Authority to issue a 6-month permit extension to Midwest Generation, LLC, on approximately 12 acres of District real estate located south of 9<sup>th</sup> Street in Will County, Illinois; Main Channel Parcel Number 15.03. Consideration shall be \$34,750.00

Dear Sir:

On June 19, 2008, the Board of Commissioners ("Board") authorized the issuance of a 1-year permit to Midwest Generation, LLC, on approximately 12 acres of land in Will County to allow continued occupancy after its 50-year lease expired in 2008. Midwest Generation operates and maintains electrical lines and a railroad spur line that services its power station on non-District owned land. The site is a long, narrow strip of land (approximately 4,800-feet x 110-feet) located south of 9<sup>th</sup> Street in Will County, Illinois, c/k/a Main Channel Parcel Number 15.03. The rail line bisects the site's 4,800-foot length with the premises extending approximately 55-feet on either side of the tract. The site is buttressed between two Forest Preserve District of Will County ("Forest Preserve") leasehold sites known as the Lockport Prairie. Subsequently, extensions to the permit were granted on June 18, 2009 and on December 17, 2009 to allow continued occupancy pending a final decision as to the future use of the properties. The current 4-month permit fee is \$23,167.00.

On June 18, 2009, the Board authorized the General Counsel to commence negotiations with the Forest Preserve for the sale of certain District parcels located in Will County including the Lockport Prairie. The parties are in the process of obtaining appraisals on the land proposed to be sold to the Forest Preserve. This 6-month permit extension is therefore being recommended to allow continued use and occupancy during this process and until a decision on final disposition of the Will County land is made by the Board.

The permit fee of \$34,750.00 is 10% of the pro-rata share of the appraised fair market value of the site.

A Phase I environmental assessment was conducted on the property, and it did not show evidence of contamination. Therefore, a Phase II was not recommended.

It is requested that the Executive Director recommend to the Board of Commissioners that it issue orders authorizing the issuance of a 6-month permit extension to Midwest Generation, LLC, on approximately 12 acres of land located south of 9<sup>th</sup> Street in Will County, Illinois; Main Channel Parcel 15.03. Consideration shall be \$34,750.00.

It is further requested that the Executive Director recommend to the Board of Commissioners that it authorize the Chairman of the Committee on Finance and the Clerk to execute said permit extension agreement once approved by the General Counsel as to form and legality.

Requested, Frederick M. Feldman, General Counsel, FMF:CL:STM:rg

Recommended, Richard Lanyon, Executive Director

Respectfully Submitted, Terrence J. O'Brien, 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 1, 2010

Attachment