

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 18, 2010

COMMITTEE ON REAL ESTATE

Mr. Richard Lanyon, Executive Director

..Title

Request for Resolution Adopting a Schedule for the Execution and Completion of the Construction of a Portion of the Heritage Park Flood Control Facility, Contract 09-365-5F

..Body

Dear Sir:

On June 3, 2010, the District passed Ordinance R10-01 establishing the right-of-way for the construction, operation and maintenance of a portion of the Heritage Park Flood Control Facility, Contract 09-365-5F in parts of Sections 2 and 11, Township 42 North, Range 11, east of the Third Principal Meridian in Cook County, Illinois. The project includes the expansion of the existing detention reservoir, excavation of new stormwater storage areas east and west of Buffalo Creek, and installation of necessary appurtenances for operating the new stormwater facilities. The purpose of the proposed stormwater improvements is to provide compensatory storage for the United States Army Corps of Engineers' Levee 37 project, currently under construction.

The proposed work is generally bound by Dundee Road on the north, Wolf Road on the east, Jeffrey Road on the south and the Wisconsin Central Railroad on the west in the Village of Wheeling.

The following schedule has been established for the Heritage Park Flood Control Facility:

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|----|-----------------------------|-------------------|
| a. | Acquisition of Right-of-Way | October 20, 2011 |
| b. | Advertise for Bids | October 20, 2011 |
| c. | Award Contract | December 15, 2011 |
| d. | Start of Construction | January 1, 2012 |
| e. | Completion of Construction | December 31, 2013 |

All of the necessary rights-of-way have not been acquired of certain landowners, where an agreement with certain land owners could not be reached relating to terms and price, including but not limited to Antoni Gurba, his wife Maria Gurba, and Piotr Gurba located at 172 South Wolf Road in Wheeling, Illinois, and Abraham Y. Eo and Mi Hee Eo located at 108 South Wolf Road in Wheeling, Illinois. To meet the schedule of the proposed construction of a portion of Heritage Park Flood Control Facility, it will be necessary for the Metropolitan Water Reclamation District to initiate quick-take proceedings to acquire the necessary rights-of-way.

In order that the General Counsel may initiate quick-take proceedings, it is requested that the Executive Director advise the Board of Commissioners that the General Counsel has been unable to reach an agreement as to terms and price with certain owners of the fee interest including but not limited to Antoni Gurba, his wife Maria Gurba, Piotr Gurba and Abraham Y. Eo and Mi Hee Eo and further respectfully request that the Board of Commissioners adopt a resolution authorizing and directing the General Counsel to initiate quick-take proceedings to acquire certain interests in land described in said Ordinance.

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 November 18, 2010

