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Metropolitan Water Reclamation District of Greater Chicago

Protecting Our Water Environment

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In control: [Real Estate Development Committee](#)

On agenda: 6/20/2013

Final action: 6/20/2013

Title: Authority to grant a 50-year, 2.83 acre non-exclusive easement to the Chicago Park District along the west bank of the North Branch the Chicago River between Irving Park Road and Montrose Avenue in Chicago, Illinois, for construction, reconstruction, operation, maintenance, repair and removal of an ecosystem restoration project called "Horner Park Section 206 Aquatic Ecosystem Restoration". Consideration shall be a nominal fee of \$10.00

Attachments: 1. [06-20-13_CPD.pdf](#)[History \(2\)](#)[Text](#)**TRANSMITTAL LETTER FOR BOARD MEETING OF JUNE 20, 2013****COMMITTEE ON REAL ESTATE**

Mr. David St. Pierre, Executive Director

Title

Authority to grant a 50-year, 2.83 acre non-exclusive easement to the Chicago Park District along the west bank of the North Branch the Chicago River between Irving Park Road and Montrose Avenue in Chicago, Illinois, for construction, reconstruction, operation, maintenance, repair and removal of an ecosystem restoration project called "Horner Park Section 206 Aquatic Ecosystem Restoration". Consideration shall be a nominal fee of \$10.00

Body

Dear Sir:

The Chicago Park District ("CPD") is the local sponsor of a U.S. Army Corps of Engineers' ("Corps") ecosystem restoration project at Horner Park in Chicago called "Horner Park Section 206 Aquatic Ecosystem Restoration" ("Project").

Section 206 of the Water Resources Development Act ("WRDA") 1996 (P.L. 104-303), as amended, gives the Corps authority to carry out aquatic ecosystem restoration and protection projects. The Project includes river edge improvements, removal of invasive species, regrading areas, nature habitat restoration and installation of a 4' wide wood chip trail. The Project encompasses District real estate and approximately 12 acres of adjacent CPD owned real estate at Horner Park.

As the CPD is the local sponsor of this federally funded Project, it is required to maintain the investment for a minimum of 50 years. CPD has therefore requested a 50-year easement. Although District policy is to grant easements for no longer than 25-year terms, a 50-year easement is recommended in this instance due to the Corps' requirement that CPD maintain the Project for at least 50 years. A similar 50-year easement was granted by the District to the City of Chicago for a Corps funded ecosystem restoration project along the west bank of the North Branch of the Chicago River and south of Bryn Mawr Avenue.

The District's technical departments have reviewed CPD's request for an ecosystem restoration easement at Horner Park and have no objections thereto. The easement will be, however, contingent upon certain conditions imposed by the District's technical departments, including the right to approve the Project's final construction plans.

An easement fee of \$10.00 is recommended as is customary for governmental entities using District real estate for public purposes.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize the grant of a 50-year, 2.83 acre non-exclusive easement to the Chicago Park District along and over the west bank of the North Branch the Chicago River between Irving Park Road and Montrose Avenue in Chicago, Illinois, for the construction, reconstruction, operation, maintenance, repair and removal of an ecosystem restoration project called "Horner Park Section 206 Aquatic Ecosystem Restoration". Consideration shall be a nominal fee of \$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 easement agreement on behalf of the District after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:STM:MM:rg

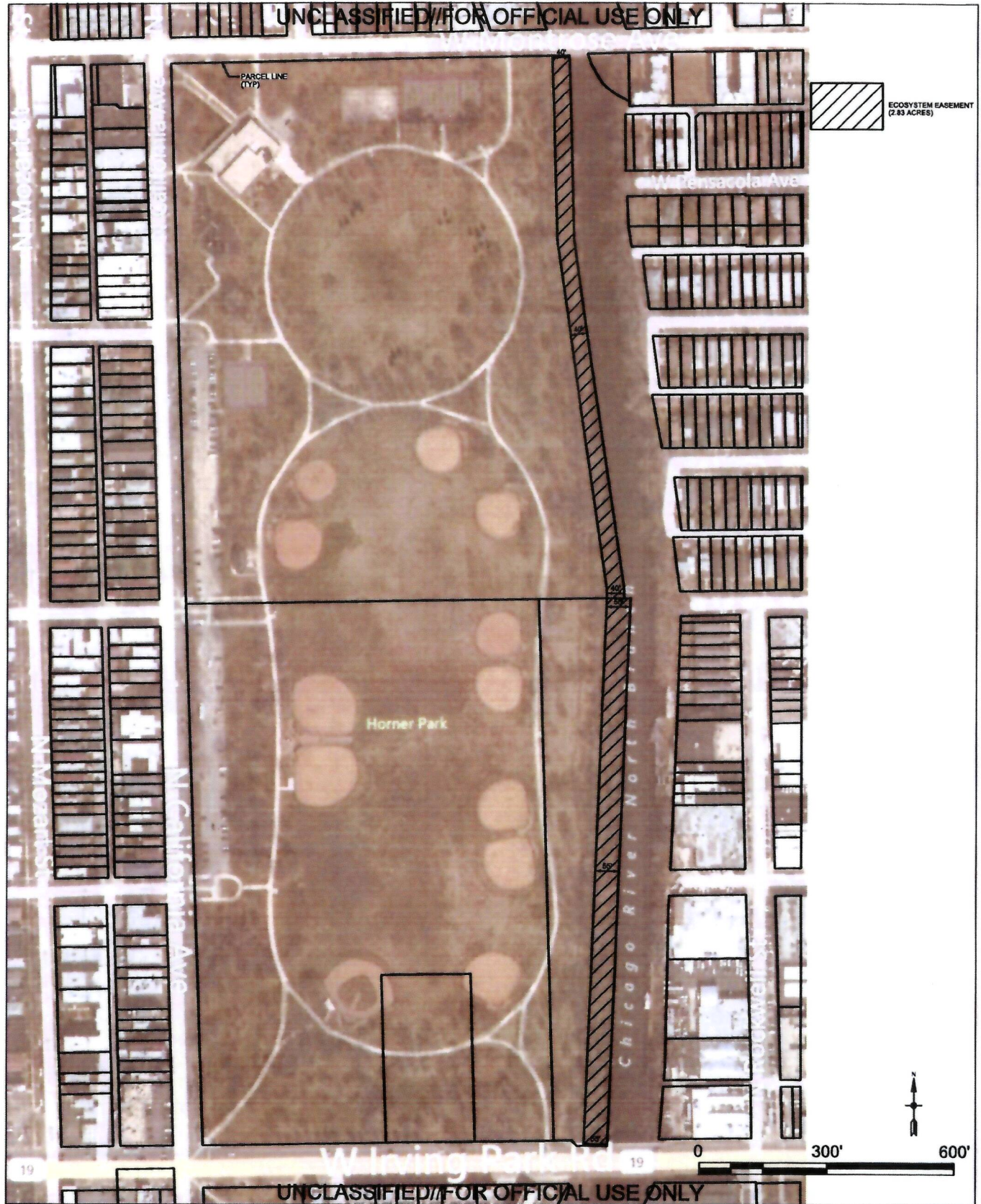
Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, 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 June 20, 2013

Attachment

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US Army Corps
of Engineers
Chicago District

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MWRD ECOSYSTEM EASEMENT

HORNER PARK
SECTION 206 RESTORATION

Des. By: DGA
 Drw. By: DGA
 Chk. By: DGA
 Project No.
 NB01PPY10PS

Date: 06/11/2013

Sketch No.

EX-1

Sheet 1 of 1