

## TRANSMITTAL LETTER FOR BOARD MEETING OF JUNE 6, 2013

### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

..Title

Adopt Ordinance No. R13-004 Amending Ordinance R12-007 Establishing the Right-of-Way for the Construction, Operation and Maintenance of the Cherry Creek East Branch Flood Control Project (CHEB-G3) in Flossmoor and Homewood, Illinois in part of Section 1, Township 35 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois

..Body

Dear Sir:

At its July 12, 2012 meeting, the Board of Commissioners adopted Ordinance R12-007 establishing the right-of-way for the construction, operation and maintenance of the Cherry Creek East Branch Flood Control Project (CHEB-G3). This contract is developed as part of the Little Calumet River Detailed Watershed Plan.

The construction of this project will afford the residents of the communities an immediate improvement in the quality of service provided to it by the District. This project will remove approximately 16 structures from the regulatory floodplain, as well as provide grading improvements to protect five buildings that may be impacted by a minimal increase in water surface elevation immediately downstream of the project improvements.

It has now been determined that a certain additional tract of right-of-way must be acquired due to the necessity of a temporary easement. This parcel is located in part of the east half and part of the west half of the southwest quarter of Section 1, Township 35 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois. No real estate in that section was previously included in Ordinance R12-007. Due to the timing of the execution of the project, it is imperative that this right-of-way be acquired immediately. The tracts of land to be acquired for this project are legally described in Exhibit AA which is attached hereto.

It is necessary to amend Ordinance R12-007 to include the additional right-of-way for the project legally described on pages 3 and 4 of Exhibit AA.

Accordingly, it is requested that the Executive Director recommend to the Board of Commissioners that it adopt Ordinance R13-004 amending Ordinance R12-007 establishing and authorizing the acquisition of the right-of-way for the construction, operation and maintenance of the Cherry Creek East Branch Flood Control Project (CHEB-G3) in Flossmoor and Homewood, Illinois, to include the real estate legally described in Exhibit AA which is attached hereto.

It is also requested that the Executive Director recommend to the Board of Commissioners that the President of the Board of Commissioners be authorized and directed to execute said Ordinance after same is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, Catherine A. O'Connor, Director of Engineering,  
RMH:CAO:STM:MLD: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 6, 2013

Attachment