

ORDINANCE R24-001

ORDINANCE ESTABLISHING THE RIGHT-OF-WAY FOR THE MAINTENANCE AND REHABILITATION OF DISTRICT STRUCTURES UNDER THE CONTRACT FOR UPPER DES PLAINES DROPSHAFTS 1/1A, 5 REHABILITATION AND CALUMET DROPSHAFT 34 MODIFICATION, NSA & CSA (CONTRACT 23-378-3S), IN PARTS OF SECTIONS 5, 6, AND 7, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE CITY OF CHICAGO, COOK COUNTY, ILLINOIS

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, pursuant to the statute in such case made and provided, has from time to time acquired by purchase, condemnation, or otherwise, lands necessary and desirable for use in the upgrading of the quality of the waters in the Chicago Metropolitan communities; and

WHEREAS, it is necessary to obtain permanent and temporary easements or fee simple title as the right-of-way for the maintenance and rehabilitation of District structures under the contract for Upper Des Plaines Dropshafts 1/1A, 5 Rehabilitation and Calumet Dropshaft 34 Modification, NSA & CSA (Contract 23-378-3S) in parts of Sections 5, 6, and 7, Township 37 North, Range 15, East of the Third Principal Meridian in the City of Chicago, Cook County, Illinois, and appurtenances thereto.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago:

Section 1. That there be and is hereby laid out, located, created, and established a right-of way for maintenance and rehabilitation of District structures under the contract for Upper Des Plaines Dropshafts 1/1A, 5 Rehabilitation and Calumet Dropshaft 34 Modification, NSA & CSA (Contract 23-378-3S) in parts of Sections 5, 6, AND 7, Township 37 North, Range 15, East of the Third Principal Meridian in the City Of Chicago, Cook County, Illinois, and legally described as follows, to wit:

(For Legal Description, see Exhibit "A" which is attached hereto and made a part thereof.)

Section 2. That it is necessary, convenient, desirable and in the public interest to acquire fee simple title or such lesser interests as may be deemed appropriate in and to the real estate hereinafter described as a site for maintenance and rehabilitation of District structures under the contract for Upper Des Plaines Dropshafts 1/1A, 5 Rehabilitation and Calumet Dropshaft 34 Modification, NSA & CSA (Contract 23-378-3S) in parts of Sections 5, 6, and 7, Township 37 North, Range 15, East of the Third Principal Meridian in the City of Chicago, Cook County, Illinois, which site is the following described real estate situated in the State of Illinois, to wit:

(For Legal Description, see Exhibit "A" which is attached hereto and made a part hereof.)

Section 3. That the maintenance and rehabilitation of District structures under the contract for Upper Des Plaines Dropshafts 1/1A, 5 Rehabilitation and Calumet Dropshaft 34 Modification, NSA & CSA (Contract 23-378-3S) in parts of Sections 5, 6 and 7, Township 37 North, Range 15, East of the Third Principal Meridian in the City of Chicago, Cook County, Illinois, together with all appurtenances thereto, within the right-of-way described in Sections 1 and 2 of this Ordinance, is hereby provided for and there shall be constructed, maintained, and operated within the limits of said right-of-way described in Sections 1 and 2 of this Ordinance, said Upper Des Plaines Dropshafts 1/1A and 5, NSA, (Contract 23-378-3S), together with all necessary appurtenances thereto, the same to be an adjunct of and addition to the drainage system of The Metropolitan Water Reclamation District of Greater Chicago.

Section 4. That it is necessary, convenient and desirable for the purposes of the Metropolitan Water Reclamation District of Greater Chicago to acquire fee simple title or such lesser interests as may be deemed appropriate in and to the real estate necessary to facilitate the maintenance and rehabilitation of District structures under the contract for Upper Des Plaines Dropshafts 1/1A, 5 Rehabilitation and Calumet Dropshaft 34 Modification, NSA & CSA (Contract 23-378-3S) in parts of Sections 5, 6 and 7, Township 37 North, Range 15, East of the Third Principal Meridian in the City of Chicago, Cook County, Illinois, as described in Sections 1 and 2 of this Ordinance.

Section 5. That the Executive Director of the Metropolitan Water Reclamation District of Greater Chicago is hereby authorized and directed to negotiate with the respective owners and parties in interest of the real estate described in Sections 1 and 2 of this Ordinance for the purposes of acquiring fee simple title or such lesser interests as may be deemed appropriate in and to the real estate described in Sections 1 and 2 of this Ordinance; and to endeavor to agree with said owners and parties in interest upon the price to be paid to them for said fee simple title or such lesser interests; and to engage the services of such appraisers as may be necessary, under the provisions of Section 11.4, Act 2605, Chapter 70, Illinois Compiled Statutes, for the purposes of such acquisition.

In the event that said Executive Director of the Metropolitan Water Reclamation District of Greater Chicago is unable to agree with the owners and parties in interest of any or all of said pieces or parcels of property described in Sections 1 and 2 of this Ordinance, or if said owners or parties in interest are incapable of consenting to or their names or residences are unknown or they are non-residents of Illinois, the Executive Director of the Metropolitan Water Reclamation District of Greater Chicago shall report such fact to the General Counsel for the Metropolitan Water Reclamation District of Greater Chicago, and thereupon said General Counsel shall commence and prosecute condemnation proceedings in such courts as he may deem proper to acquire such fee simple title or lesser interests as he may deem proper by virtue of the Eminent Domain Laws of the State of Illinois as directed by the Executive Director and to pay all costs and expenses, including appraisal fees, incurred in connection therewith.

Section 6. This Ordinance shall be in full force and effect from and after its passage.

DATED: this 11th day of July, 2024

Approved as to Engineering:

APPROVED:

CATHERINE A. O'CONNOR
Director of Engineering

HON. KARI K. STEELE
President
Board of Commissioners of the
Metropolitan Water Reclamation District of
Greater Chicago

Approved as to Form and Legality:

BRENDAN J. DAILEY
Head Assistant Attorney

SUSAN T. MORAKALIS
General Counsel

EXHIBIT A

Right-Of-Way

For

**Maintenance and Rehabilitation of District Structures Under the Contract For
Upper Des Plaines Dropshafts 1/1A, 5 Rehabilitation and Calumet Drop Shaft 34
Modification, NSA & CSA Contract No 23-378-3S**

PIN#26-06-428-032-0000

PARCEL 1:

THAT PART OF THE SOUTHWEST PORTION OF THE SOUTH 254.24 FEET OF BLOCK 114 LYING WEST OF RAILROAD IN CALUMET AND CHICAGO CANAL AND DOCK COMPANY'S SUBDIVISION IN SECTIONS 5 AND 6, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT BEGINNING AT NORTHWEST CORNER OF SAID SOUTH 254.24 FEET OF BLOCK 114, THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH 254.24 FEET OF BLOCK 114, A DISTANCE OF 139.21 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE HAVING AN ANGLE OF 123 DEGREES, 36 MINUTES 15 SECONDS WITH THE AFORESAID NORTH LINE, A DISTANCE OF 22.65 FEET TO A POINT; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5664.65 FEET A DISTANCE OF 256.53 FEET TO THE WEST LINE OF THE PITTSBURGH, FORT WAYNE AND CHICAGO RAILROAD CO; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID RAILWAY ON THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 930.4 FEET, A DISTANCE OF 24.59 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK 114, SAID POINT BEING 298.26 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID BLOCK 114; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID BLOCK 114, A DISTANCE OF 141.42 FEET TO A POINT; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5794.65 FEET A DISTANCE OF 197.87 FEET TO A POINT, THENCE NORTHWESTERLY ALONG A STRAIGHT LINE HAVING AN ANGLE OF 33 DEGREES 51 MINUTES 30 SECONDS WITH THE WEST LINE OF SAID BLOCK 114 A DISTANCE OF 78.63 FEET TO A POINT ON THE AFORESAID WEST LINE OF BLOCK 114; THENCE NORTHERLY ALONG THE WEST LINE OF BLOCK 114, A DISTANCE OF 25.85 FEET TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS

PARCEL 2:

THAT PART OF THE NORTHEAST PORTION OF THE SOUTH 254.24 FEET OF BLOCK 114 LYING WEST OF RAILROAD IN CALUMET AND CHICAGO CANAL AND DOCK COMPANY'S SUBDIVISION IN SECTION 5 AND 6, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT BEGINNING AT NORTHWEST CORNER OF SAID SOUTH 252.24 FEET OF BLOCK 114; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH 254.24 FEET OF BLOCK 114, A DISTANCE OF 139.21 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE HAVING AN ANGLE OF 123 DEGREES, 36 MINUTES 15 SECONDS WITH THE AFORESAID NORTH LINE, A DISTANCE OF 22.65 FEET TO A POINT; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A

RADIUS OF 5664.5 FEET A DISTANCE OF 256.53 FEET TO THE WEST LINE OF THE PITTSBURGH, FORT WAYNE AND CHICAGO RAILROAD CO; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID RAILWAY ON THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 930.4 FEET, A DISTANCE OF 24.59 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK 114, SAID POINT BEING 298.26 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID BLOCK 114; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID BLOCK 114, A DISTANCE OF 141.42 FEET TO A POINT; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5794.65 FEET A DISTANCE OF 197.87 FEET TO A POINT, THENCE NORTHWESTERLY ALONG A STRAIGHT LINE HAVING AN ANGLE OF 33 DEGREES 51 MINUTES 30 SECONDS WITH THE WEST LINE OF SAID BLOCK 114 A DISTANCE OF 78.63 FEET TO A POINT ON THE AFORESAID WEST LINE OF BLOCK 114; THENCE NORTHERLY ALONG THE WEST LINE OF BLOCK 114, A DISTANCE OF 25.85 FEET TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS

PIN#26-06-428-033-8002

PARCEL 3:

THE NORTH 1 ½ ACRES (EXCEPT THE SOUTH 100 FEET THEREOF) OF THAT PART OF BLOCK 114 LYING WEST OF RAILROAD ALSO THAT PART OF THE SOUTH 254.24 FEET OF SAID BLOCK 114 LYING WEST OF THE RAILROAD DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH 254.24 FEET OF BLOCK 114 THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH 254.24 FEET OF BLOCK 114 A DISTANCE OF 135.21 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE HAVING AN ANGLE OF 123 DEGREES 36 MINUTES 15 SECONDS WITH THE AFORESAID NORTH LINE, A DISTANCE OF 22.65 FEET TO A POINT; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5654.65 FEET A DISTANCE OF 256.53 FEET TO THE WEST LINE OF THE PITTSBURGH, FORT WAYNE & CHICAGO RAILWAY COMPANY; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID RAILWAY ON THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 930.4 FEET A DISTANCE OF 24.59 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK 114, SAID POINT 298.26 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID BLOCK 114; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID BLOCK 114 A DISTANCE OF 141.42 FEET TO A POINT; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5794.65 FEET, A DISTANCE OF 197.87 FEET TO A POINT; THENCE NORTHWESTERLY ALONG A STRAIGHT LINE HAVING AN ANGLE OF 33 DEGREES 51 MINUTES 30 SECONDS WITH THE WEST LINE OF SAID BLOCK 114 A DISTANCE OF 78.63 FEET TO A POINT ON THE AFORESAID WEST LINE OF BLOCK 114; THENCE NORTHERLY ALONG THE WEST LINE OF BLOCK 114, A DISTANCE OF 25.85 FEET TO THE POINT OF BEGINNING ALL IN SOUTH CHICAGO SUBDIVISION MADE BY CALUMET AND CHICAGO CANAL AND DOCK COMPANY OF PARTS OF SECTIONS 6 AND 7, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.