

TRANSMITTAL LETTER FOR BOARD MEETING OF JULY 16, 2020

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

..Title

Adopt Ordinance R20-001 amending Ordinance R19-002, which amended Ordinances R18-003, R15-007, and R15-006, establishing the right-of-way for the construction, operation, and maintenance of the Addison Creek Channel Improvement Project (Contract 11-187-3F) in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview, Illinois in parts of Sections 4, 5, 9, 16, 21, and 22 in Township 39 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois

..Body

Dear Sir:

On August 6, 2015, the Board of Commissioners ("Board") adopted Ordinance R15-006, which established the right-of-way for the construction, operation, and maintenance of the Addison Creek Channel Improvement Project in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview, Illinois (Contract 11-187-3F) ("Project"). The Board subsequently adopted Ordinance R15-007 on September 17, 2015; Ordinance R18-003 on June 7, 2018; and Ordinance R19-002 on May 16, 2019, all of which amended the right-of-way for the Project to authorize the acquisition of additional permanent or temporary easements or fee simple title not previously identified in Ordinance R15-006.

This proposed ordinance is a technical cleanup of the Project right-of-way as designated in Ordinances R15-006, R15-007, R18-003, and R19-002. In the course of its detailed survey of properties needed for the Project, the Engineering Department has identified certain "gaps" between properties that are in the right-of-way but that are not included in the legal descriptions for the adjacent properties. The reason the legal descriptions for these gap parcels were not included in the previous ordinances is because Cook County has not assigned Permanent Index Numbers ("PINs") to the vast majority of these property gaps and it was believed that they were part of the adjacent properties. In addition, in some cases the respective municipalities had vacated small sections of municipal right-of-way without recording those vacation ordinances with the Cook County Recorder of Deeds. The District has since reached out to the attorneys for those municipalities and obtained the necessary documentation.

To ensure that the District has the legal authority to acquire all of the property interests needed for the Project, the legal descriptions for these gap parcels must be added to the right-of-way ordinance. The additional properties are legally described in Exhibit AAAAAA, which is attached hereto, and are mostly located in, or immediately adjacent to, the Addison Creek. None of these gap parcels include any new structures or homes.

It is requested that the Executive Director recommend to the Board of Commissioners that it adopt Ordinance R20-001 amending R19-002, which amended Ordinances R18-003, R15-007, and R15-006, establishing the right-of-way for the construction, operation, and maintenance of the Addison Creek Channel Improvement Project (Contract 11-187-3F) in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview, Illinois in parts of Sections 4, 5, 9, 16, 21, and 22 in Township 39 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois.

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

Requested Susan T. Morakalis, General Counsel, and Catherine A. O'Connor, Director of Engineering
STM:EMA:BJD:JMP:nl
Recommended, Brian A. Perkovich, Executive Director
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the
Board of Commissioners for July 16, 2020