

ORDINANCE R15-004

ORDINANCE ESTABLISHING THE RIGHT-OF-WAY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE VERTICAL AND HORIZONTAL EXPANSION OF THE MELVINA DITCH RESERVOIR (CONTRACT 14-263-3F) LOCATED NORTH OF 87TH STREET AND WEST OF NATCHEZ AVENUE IN BURBANK, ILLINOIS, IN PARTS OF SECTIONS 31 AND 36, TOWNSHIP 38 NORTH, RANGES 12 AND 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN 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 construction, operation and maintenance of the vertical and horizontal expansion of the Melvina Ditch Reservoir (Contract 14-263-3F) located north of 87th Street and west of Natchez Avenue in Burbank, Illinois, in parts of Sections 31 and 36, Township 38 North, Ranges 12 and 13, East of the Third Principal Meridian in 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 the construction, operation, and maintenance of the vertical and horizontal expansion of the Melvina Ditch Reservoir (Contract 14-263-3F) located north of 87th Street and west of Natchez Avenue in Burbank, Illinois, in parts of Sections 31 and 36, Township 38 North, Ranges 12 and 13, East of the Third Principal Meridian in 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 the construction, operation and maintenance of the vertical and horizontal expansion of the Melvina Ditch Reservoir (Contract 14-263-3F) located north of 87th Street and west of Natchez Avenue in Burbank, Illinois, in parts of Sections 31 and 36, Township 38 North, Ranges 12 and 13, East of the Third Principal Meridian in 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 construction, operation, and maintenance of the vertical and horizontal expansion of the Melvina Ditch Reservoir (Contract 14-263-3F) located north of 87th Street and west of Natchez Avenue in Burbank, Illinois, in parts of Sections 31 and 36, Township 38 North, Ranges 12 and 13, East of the Third Principal Meridian in 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 vertical and horizontal expansion of the Melvina Ditch Reservoir Contract 14-263-3F located north of 87th Street and west of Natchez Avenue in Burbank, Illinois, 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 construction, operation, and maintenance of the vertical and horizontal expansion of the Melvina Ditch Reservoir (Contract 14-263-3F) located north of 87th Street and west of Natchez Avenue in Burbank, Illinois, in parts of Sections 31 and 36, Township 38 North, Ranges 12 and 13, East of the Third Principal Meridian in 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 be and he 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 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 7th day of May, 2015

Approved as to Engineering:

CATHERINE A. O'CONNOR
Director of Engineering

APPROVED:

HON. MARIYANA T. SPYROPOULOS
President
Board of Commissioners of the
Metropolitan Water Reclamation
District of Greater Chicago

Approved as to Form and Legality:

SUSAN MORAKALIS
Head Assistant Attorney

Ronald M. Hill
General Counsel

**RIGHT-OF-WAY
FOR
Melvina Ditch Reservoir Expansion
LEGAL DESCRIPTIONS
14-263-3F**

(19-31-407-064-0000)

LOT 69 (EXCEPT THE EAST 198.7 FEET THEROF) IN F.H.BARTLETT'S FIRST ADDITION TO F.H.BARTLETT'S 79TH STREET ACRES, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, AND THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 31, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS AND ALSO THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(19-31-407-065-0000)

LOT 69 (EXCEPT THE EAST 100 FEET AND EXCEPT THE WEST 100 FEET) IN BARTLETT'S FIRST ADDITION TO FREDRICK H. BARTLETT'S 79TH STREET ACRES, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, AND THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, ALL IN TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN; ALSO THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(19-31-407-066-0000)

THE EAST 100 FEET OF LOT 69 (EXCEPT THE NORTH 33 FEET), AND THE WEST 1/2 OF VACATED NASHVILLE AVENUE LYING EAST AND ADJOINING IN BARTLETT'S FIRST ADDITION TO F.H. BARTLETT'S 79TH STREET ACRES, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31 AND THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 31, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTIONS
14-263-3F

(19-31-407-090-0000)

THE EAST 86.76 FEET OF THE SOUTH 116.61 FEET OF LOT 78 IN (EXCEPT THE EAST 33 FEET OF THE SOUTH 16.5 FEET OF THE NORTH 33 FEET OF LOT 78) IN FREDRICK H. BARTLETT'S FIRST ADDITION TO FREDRICK H. BARTLETT'S 79TH STREET ACRES, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 AND THE WEST 1/2 OF THE NORTHWEST 1/4 AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(19-31-407-091-0000)

THE EAST 165.76 FEET OF LOT 78 (EXCEPT THE EAST 86.76 FEET OF THE SOUTH 116.51 FEET THEROF) IN FREDRICK H. BARTLETT'S FIRST ADDITION TO FREDRICK H. BARTLETT'S 79TH STREET ACRES, BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31 AND THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 31 AND THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(19-31-408-012-0000)

THE SOUTH 80 FEET OF LOT 325 IN F.H. BARTLETT'S THIRD ADDITION TO F. H. BARTLETT'S 79TH STREET ACRES BEING A SUBDIVISION IN THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO THAT PORTION OF THE 40 FOOT RIGHT-OF-WAY OF 86TH STREET LYING SOUTH OF LOT 325 IN FREDERICK H. BARTLETT'S THIRD ADDITION TO FREDRICK H. BARTLETT'S 79TH STREET ACRES BEING A SUBDIVISION IN THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, VACATED BY ORDINANCE NO. 29-11-91-80 RECORDED DECEMBER 3, 1924 AS DOCUMENT 8693459.

LEGAL DESCRIPTIONS
14-263-3F

(19-31-408-018-0000)

LOT 324 (EXCEPT THE NORTH 160 FEET) TOGETHER WITH THE VACATED 40 FOOT RIGHT OF WAY OF 86TH STREET LYING SOUTH AND ADJOINING LOT 324, IN FREDERICK H. BARTLETT'S THIRD ADDITION TO FREDERICK H. BARTLETT'S 79TH STREET ACRES, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(19-31-409-014-0000)

LOT 331 (EXCEPT THE NORTH 160 FEET) TOGETHER WITH THE VACATED 40 FOOT RIGHT OF WAY OF 86TH STREET LYING SOUTH AND ADJOINING LOT 331, IN FREDERICK H. BARTLETT'S THIRD ADDITION TO FREDERICK H. BARTLETT'S 79TH STREET ACRES, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(19-31-409-022-0000)

LOT 8 IN REILLY'S WEST 86TH STREET AND NATCHEZ AVENUE SUBDIVISION OF THE PART OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON JUNE 11, 1974 AS DOCUMENT NUMBER 2756981.

(19-31-412-004-0000)

LOT 1 IN VALCIKS RESUBDIVISION OF LOT 329 OF FREDERICK H. BARTLETT'S THIRD ADDITION TO 79TH STREET ACRES BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTIONS
14-263-3F

(19-31-412-005-0000)

LOT 2 IN VALCIKS RESUBDIVISION OF LOT 329 OF FREDERICK H. BARTLETT'S THIRD ADDITION TO 79TH STREET ACRES BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

(19-31-412-006-0000)

LOT 3 IN VALCIKS RESUBDIVISION OF LOT 329 OF FREDERICK H. BARTLETT'S THIRD ADDITION TO 79TH STREET ACRES BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

(19-31-412-007-0000)

LOT 4 IN VALCIKS RESUBDIVISION OF LOT 329 OF FREDERICK H. BARTLETT'S THIRD ADDITION TO 79TH STREET ACRES BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

(19-31-412-009-0000)

LOT 1 IN RAYMON'S SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 IN SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(19-31-412-010-0000)

LOT 2 IN RAYMON'S SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 IN SECTION 31, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.