



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

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Title: Authority to approve, execute, and make payment to WSSS, LLC for permanent and temporary easements located at 1901 West Cermak Road in Broadview, Illinois in connection with the Addison Creek Channel Improvements Project (Contract 11-187-3F). Consideration shall be a one-time fee of \$40,207.00, Account 501-50000-667340, Stormwater Management Fund

Sponsors:

Indexes:

Code sections:

Attachments: 1. RE - Payment to WSSS, LLC easements at 1901 West Cermak Road in Broadview Parcel 284 - Aerial.pdf

Date	Ver.	Action By	Action	Result
11/19/2020	1	Board of Commissioners	Approved	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 19, 2020

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

Authority to approve, execute, and make payment to WSSS, LLC for permanent and temporary easements located at 1901 West Cermak Road in Broadview, Illinois in connection with the Addison Creek Channel Improvements Project (Contract 11-187-3F). Consideration shall be a one-time fee of \$40,207.00, Account 501-50000-667340, Stormwater Management Fund

Dear Sir:

On August 6, 2015, the Board of Commissioners (“Board”) adopted Ordinance No. R15-006 establishing the right-of-way for the construction, operation and maintenance of the Addison Creek Channel Improvement Project located in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview (Contract 11-187-3F) (“Project”). Ordinance R15-006 was subsequently amended by Ordinances R15-007, R18-003, R19-002, and R20-001 to include additional right-of-way needed for the Project. Said Ordinances authorized and directed the Executive Director to negotiate with the respective owners to acquire fee simple title or such lesser interests, as appropriate, in and to the real estate described in the Ordinances.

On September 6, 2018, the Board authorized the District to enter into intergovernmental agreements with the City of Northlake, Village of Stone Park, Village of Melrose Park, Village of Bellwood, Village of Westchester, and Village of Broadview for the Project. The proposed channel improvements are broken down into nine reaches along approximately 15,300 linear feet of Addison Creek beginning at Hirsch Street in the City of Northlake and continuing to Cermak Road in the Village of Broadview. The Addison Creek channel improvements, along with the proposed Addison Creek Reservoir, will provide flood reduction benefits to approximately 2,200 properties.

The Project requires a permanent easement and temporary construction easement on the property commonly known as 1901 West Cermak Road in Broadview, Illinois. The property is owned by WSSS, LLC and is improved with a one-story automatic car wash; however, the easements for the channel improvements are located in or adjacent to the Addison Creek and will not impact the building. The permanent easement is approximately 13,676 square feet and the temporary easement is approximately 8,565 square feet.

The District and the property owner have reached an agreement regarding the compensation to be paid for the permanent and temporary easements in the amount of a one-time fee of \$40,207.00. It is the opinion of the General Counsel and Special Counsel, Neal & Leroy, LLC, that this amount is within the range of value for the subject property based on the fair market value appraisal obtained by the District. Settlement of this matter will also save the District substantial costs that would otherwise be required to proceed to contested litigation, including legal fees, expert witness fees, and court costs.

It is requested that the Executive Director recommend to the Board that it accept and approve the permanent and temporary easement grant from the property owner in connection with the captioned project and authorize payment to the owner in the amount of \$40,207.00 as compensation for the easements.

It is further requested that the Executive Director recommend to the Board that the Chairman of the Committee on Finance and Clerk be authorized and directed to execute any documents necessary in connection with the subject easements after they are approved by the Director of Engineering as to technical matters and by the General Counsel as to form and legality.

Funds are available in Account 501-50000-667340.

Requested, Susan T. Morakalis, General Counsel and Catherine A. O'Connor, Director of Engineering;
STM:CAO:EMA:BJD:CN

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 November 19, 2020

Attachment