



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 17-0072 **Version:** 2

Type: Agenda Item **Status:** Adopted

File created: 1/10/2017 **In control:** Real Estate Development Committee

On agenda: 1/19/2017 **Final action:** 1/19/2017

Title: Authority to pay final just compensation in the amount of \$283,800.00 to acquire by "quick-take" the fee simple title to real estate commonly known as 6633 W. 86th Street in Burbank, IL from Sharon Passarella, in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Sharon Passarella, et al.*, Case No. 16L050538 in the Circuit Court of Cook County, Account 401-50000-656010, Capital Improvements Bond Fund

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial Map.6633 W. 86th Street 1.19.17.pdf

Date	Ver.	Action By	Action	Result
1/19/2017	2	Board of Commissioners	Approved	Pass
1/19/2017	2	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF JANUARY 19, 2017

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to pay final just compensation in the amount of \$283,800.00 to acquire by "quick-take" the fee simple title to real estate commonly known as 6633 W. 86th Street in Burbank, IL from Sharon Passarella, in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Sharon Passarella, et al.*, Case No. 16L050538 in the Circuit Court of Cook County, Account 401-50000-656010, Capital Improvements Bond Fund

Dear Sir:

In connection with the execution of the vertical and horizontal expansion of the Melvina Ditch Reservoir ("Reservoir") located north of 87th Street and west of Natchez Avenue in Burbank, IL (Contract 14-263-3F) ("Project"), the District must acquire fee simple title to the real property commonly known as 6633 W. 86th Street in Burbank, IL ("Property") owned by Sharon Passarella, as Trustee of the trust agreement known as the Sharon Passarella Revocable Trust dated April 10, 2013.

As the parties were unable to reach an agreement as to the purchase price of the Property, the District filed an eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Sharon Passarella, et al.*, Case No. 16L050538, in the Circuit Court of Cook County on August 11, 2016. In addition to the complaint for condemnation, the District subsequently filed a "quick-take" motion to allow for the immediate vesting of title of the subject Property with the District, as authorized by the Board's Resolution on September 1, 2016.

Since the filing of the quick-take motion, the District and the homeowners have reached a negotiated settlement for final just compensation to acquire the Property in the amount of \$283,800.00. It is the opinion of the General Counsel and Special Counsel, Neal & Leroy, that this amount for final just compensation is within the range of value for the subject Property based on the fair market value appraisal obtained by the District. The Property comprises 0.22 acres and is improved with an approximately 2,513 square foot, single family residence. The District's appraiser estimates the fair market value of the Property, as of the date of filing the lawsuit on August 11, 2016, to be \$258,000.00. The negotiated settlement will also save the District substantial litigation costs that would otherwise be required to proceed to trial.

The District's relocation consultant Urban Relocation Services, Inc. is evaluating the eligible relocation costs. The amount will be presented to the Board of Commissioners for approval when the determination is complete.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the payment of \$283,800.00 as final just compensation for the taking and immediate vesting of title in the District of the real property commonly known as 6633 W. 86th Street in Burbank, IL in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Sharon Passarella, et al.*, Case No. 16L050538, in the Circuit Court of Cook County, Illinois.

It is further requested that the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute a check in the amount of \$283,800.00, payable to the Treasurer of Cook County, for the final just compensation described herein.

Requested, Ronald M. Hill, General Counsel and Catherine A. O'Connor, Director of Engineering;
RMH:CAO:SM:BJD:TN:vp

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 January 19, 2017

Attachment