



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 pay preliminary just compensation in the amount of \$23,800.00 to acquire by "quick-take" the fee simple title to real estate commonly known as 4650 149th Street, Midlothian, Illinois from Chicago Title Land Trust Company as Trustee under Trust Agreement No. 8-5847, in the eminent domain lawsuit Case No. 18L050398 in the Circuit Court of Cook County, Account 501-50000-656010, Stormwater Fund

Sponsors:

Indexes:

Code sections:

Attachments: 1. RE - Authority to pay for quick take of 4650 149th Midlothian re Natalie Creek Flood Control Project.pdf

Date	Ver.	Action By	Action	Result
10/18/2018	1	Board of Commissioners	Approved	Pass
10/18/2018	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF OCTOBER 18, 2018

COMMITTEE ON REAL ESTATE

Mr. John P. Murray, Acting Executive Director

Authority to pay preliminary just compensation in the amount of \$23,800.00 to acquire by "quick-take" the fee simple title to real estate commonly known as 4650 149th Street, Midlothian, Illinois from Chicago Title Land Trust Company as Trustee under Trust Agreement No. 8-5847, in the eminent domain lawsuit Case No. 18L050398 in the Circuit Court of Cook County, Account 501-50000-656010, Stormwater Fund

Dear Sir:

In connection with the execution of the Natalie Creek Flood Control Project in the Village of Midlothian and the City of Oak Forest (Contract 14-252-5F) ("Project"), the District must acquire fee simple title to the real estate commonly known as 4650 149th Street, Midlothian, Illinois ("Property") owned by Chicago Title Land Trust Company as Trustee under Trust Agreement No. 8-5847. The District plans to construct an improved stormwater detention basin on the Property which, together with the other Project improvements, is designed to protect over 237 properties from overbank flooding.

As the property owner has not responded to the District's offer to purchase the property, the District filed an eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Chicago Title Land Trust Company, et al.*, Case No. 18L050398, in the Circuit Court of Cook County on July 9, 2018. In addition to the complaint for condemnation, the District subsequently filed a "quick-take" motion to allow for the immediate vesting of title to the subject Property with the District, as authorized by Resolution of the Board of

Commissioners ("Board") dated June 21, 2018.

On September 25, 2018, the Court entered an order setting the preliminary just compensation for fee simple title to the Property at \$23,800.00 based on the District's appraisal. Pursuant to the order, upon approval by the Board, the District must deposit the preliminary just compensation with the Cook County Treasurer. The final monetary compensation to be paid for the taking will be resolved by the Court at a later date, at which time the District will seek Board approval if any additional payments are needed.

It is the opinion of the General Counsel that this amount for preliminary just compensation is within the range of value for the subject Property based on a fair market value appraisal obtained by the District. The Property is a vacant lot comprising 0.54 acres of land. Based on comparable sales in the area, the District's appraiser estimates the fair market value of the Property to be \$23,800.00.

It is requested that the Acting Executive Director recommend to the Board of Commissioners that it authorize and approve the payment of \$23,800.00 as preliminary just compensation for the taking and immediate vesting of title in the District of the real estate commonly known as 4650 149th Street, Midlothian, Illinois in the eminent domain lawsuit entitled The Metropolitan Water Reclamation District of Greater Chicago v. Chicago Title Land Trust Company, et al., Case No. 18L050398 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 \$23,800.00, payable to the Treasurer of Cook County, for the preliminary just compensation described herein.

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

Recommended, John P. Murray, Acting Executive Director

Respectfully Submitted, David J. Walsh, 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 October 18, 2018

Attachment