



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 21-0751 **Version:** 1
Type: Agenda Item **Status:** Adopted
File created: 8/20/2021 **In control:** Stormwater Management Committee
On agenda: 9/2/2021 **Final action:** 9/2/2021
Title: Authority to approve, execute, and make payment to Star-West Chicago Ridge, LLC for an amendment to the temporary easement in connection with Contract 13-248-5F, Streambank Stabilization Project on Melvina Ditch in Chicago Ridge, Illinois. Consideration shall be a one-time fee of \$18,000.00, Account 501-50000-667340

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/2/2021	1	Board of Commissioners	Approved	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF SEPTEMBER 2, 2021

COMMITTEE ON STORMWATER MANAGEMENT

Mr. Brian A. Perkovich, Executive Director

Authority to approve, execute, and make payment to Star-West Chicago Ridge, LLC for an amendment to the temporary easement in connection with Contract 13-248-5F, Streambank Stabilization Project on Melvina Ditch in Chicago Ridge, Illinois. Consideration shall be a one-time fee of \$18,000.00, Account 501-50000-667340

Dear Sir:

In connection with Contract 13-248-5F, Streambank Stabilization Project on Melvina Ditch (Project), it is necessary to extend the duration of a temporary easement granted by Star-West Chicago Ridge, LLC (Star-West), the owner of the Chicago Ridge Mall property in Chicago Ridge, Illinois.

This Project involves the installation of a 170-foot twin box culvert south of 95th Street, regrading the west bank of the Melvina Ditch adjacent to Nashville Avenue, and construction of a precast modular block wall along the east bank of Melvina Ditch, adjacent to the Chicago Ridge Mall. The Board of Commissioners (Board) adopted Ordinances R14-003 and R16-003 establishing the right-of-way for the construction, operation, and maintenance of the Project located in the municipalities of Oak Lawn and Chicago Ridge. 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 February 7, 2020, Star-West granted the District a no-fee temporary construction easement, the terms of which allowed the District to access the Project site through the Chicago Ridge Mall's driveway, except during the mall's busy holiday season (end of September through the beginning of January). The existing easement expires September 30, 2021. Due to unforeseen circumstances encountered during construction, the Project is scheduled to be completed in the summer of 2022. As a result, an extension of the temporary construction

easement until September 30, 2022 is required. The District will continue to suspend its work during the mall's busy holiday season.

The District and Star-West have reached an agreement regarding the compensation to be paid for the easement extension for a one-time fee of \$18,000.00. After consulting with its appraiser, the District determined that this amount is within the range of fair market value for the subject easement based on similar construction access easements obtained for District flood control projects.

It is requested that the Executive Director recommend to the Board of Commissioners that it accept and approve the amended temporary easement grant from Star-West in connection with the captioned project and authorize payment to Star-West in the amount of \$18,000.00 as compensation for the easement.

It is further requested that the Executive Director recommend to the Board of Commissioners that the Chairman of the Committee on Finance and Clerk be authorized and directed to execute any documents necessary in connection with the subject easement amendment 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, Catherine A. O'Connor, Director of Engineering, KMF:JK

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 September 2, 2021