



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 20-0921, Version: 1

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 5, 2020

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

Authority to pay final just compensation in the amount of \$3,500.00 to acquire the property commonly known as 1127 South 30th Avenue in Bellwood, Illinois, in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Copperfields, Inc., et al.*, Case 20L050272 in the Circuit Court of Cook County, Illinois, Account 501-50000-656010 (As Revised)

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 the acquisition of a vacant parcel commonly known as 1127 South 30th Avenue in Bellwood, Illinois. The parcel comprises approximately 2,484 square feet. The parcel contains no improvements and is located in the floodway of the Addison Creek. The property is needed to construct the channel improvements at this location.

After the District did not receive a response to its offer to purchase the parcel (the owner of record is a dissolved corporation), the District filed an eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Copperfields, Inc., et al.*, Case 20L050272 in the Circuit Court of Cook County, Illinois. On October 13, 2020, the court entered a final judgment order in favor of the District setting the final just compensation for the property at \$3,500.00. 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 easements based on a fair market value appraisal obtained by the District. Per the court's order, this final just compensation amount is to be deposited with the Cook County Treasurer on or before November 12, 2020.

Accordingly, it is requested that the Executive Director recommend to the Board of Commissioners that it

adopt the following orders:

1. That the Board authorize payment of final just compensation in the amount of \$3,500.00 to acquire the property commonly known as 1127 South 30th Avenue in Bellwood, Illinois, in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. Copperfields, Inc., et al.*, Case 20L050272 in the Circuit Court of Cook County, Illinois; and
2. That the General Counsel be authorized and directed to execute and deliver all other documents and take such other actions as may be necessary to effectuate said order and to attain possession of said property.

Requested, Susan T. Morakalis, General Counsel and Catherine A. O'Connor, Director of Engineering;

STM:CAO:EMA:BJD:CN:nm

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 5, 2020

Attachment