



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 21-0372, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 6, 2021

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

Authority to purchase the real estate commonly known as 13644 South Albany Avenue in Robbins, Illinois for the construction of the Flood Control Project on Midlothian Creek in the Village of Robbins, Illinois (Contract 14-253-5F) and authority for payment to the Beverly Trust Company as Trustee, the owner of said real estate, in an amount of \$4,500.00, plus closing costs, Account 501-50000-667330, Stormwater Management Fund

Dear Sir:

On March 15, 2018, the Board of Commissioners ("Board") adopted Ordinance No. R18-002 establishing the right-of-way for the construction, operation, and maintenance of the Flood Control Project on Midlothian Creek located in the Village of Robbins (Contract 14-253-5C) ("Project"). The Ordinance 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 Ordinance.

On June 20, 2019, the Board authorized the District to enter into an intergovernmental agreement with the Village of Robbins for the Project. The Project consists of stormwater improvements along Midlothian Creek and east of Kedzie Avenue from approximately 139th Street to the Cal-Sag Channel. The Project will address overbank flooding through conveyance improvements along the existing creek, a new stormwater storage facility, and a new overflow channel to the Cal-Sag Channel. The Project is expected to provide flood reduction benefits to approximately 94 properties in the area.

The Project requires the acquisition of the property located at 13644 South Albany Avenue in Robbins, Illinois, which is owned by the Beverly Trust Company as Trustee under Trust Agreement dated July 31, 1990 known as Trust No. 74-2048 ("Owner"). The property consists of approximately 7,274 square feet of vacant land situated within a regulatory floodway. The property is necessary to construct the stormwater storage facility component of the Project.

The District and the Owner have reached a negotiated settlement in an amount not to exceed \$4,500.00 for fee simple title to the property. 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 save the District substantial costs that would otherwise be required to file a condemnation complaint, including attorney's fees and expert witness fees. Since the property has no structures or improvements, no relocation costs are anticipated.

Accordingly, it is requested that the Executive Director recommend to the Board of Commissioners that it adopt the following orders:

1. That the subject real estate be purchased by the District in an amount not to exceed \$4,500.00, plus closing

costs;

2. That the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute the Real Estate Sales Contract effecting the aforesaid purchase, after it is approved by the General Counsel as to form and legality; and

3. 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 purchase and to attain possession of said property.

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

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 May 6, 2021

Attachment