



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 22-0031, Version: 1

TRANSMITTAL LETTER FOR BOARD MEETING OF JANUARY 20, 2022

COMMITTEE ON REAL ESTATE

Mr. Brian A. Perkovich, Executive Director

Authority to settle the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. RIPA, LLC, et al.*, Case No. 20L050195 in the Circuit Court of Cook County, Illinois, for final just compensation in the amount of \$210,000.00

Dear Sir:

On May 20, 2021, the Board of Commissioners ("Board") authorized preliminary just compensation in the amount of \$210,000.00 to acquire permanent and temporary easements for the Addison Creek Channel Improvement Project ("Project") at 2001 West 21st Street in Broadview, Illinois in the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. RIPA, LLC, et al.*, Case No. 20L050195 in the Circuit Court of Cook County, Illinois. The preliminary just compensation award was deposited with the Cook County Treasurer and the court issued an order vesting the District with the necessary easements to construct the Project.

After the court entered the agreed preliminary just compensation order, the District and the owner continued to negotiate regarding the final just compensation amount to settle the pending lawsuit. The parties have reached an agreement to convert the preliminary compensation of \$210,000.00 to final compensation. As stated in the May 20, 2021 transmittal letter recommending approval of the preliminary just compensation, this amount is within the range of value for the easements based on a fair market value appraisal obtained by the District. Converting the preliminary compensation amount to final just compensation is in the District's best interests because the District will not be required to pay any additional funds, and it avoids the uncertainty and costs associated with a final trial.

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

1. That the District settle the eminent domain lawsuit entitled *The Metropolitan Water Reclamation District of Greater Chicago v. RIPA, LLC, et al.*, Case No. 20L050195 in the Circuit Court of Cook County, Illinois, for final just compensation in the amount of \$210,000.00.
2. That the General Counsel be authorized and directed to execute and deliver the Final Judgment Order with the court and take such other actions as may be necessary to effectuate said order and to attain said property interests for the Project.

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

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 January 20, 2022

Attachment