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2001-09-13 16:00:18
Cook County Recorder 47.00



ORDINANCE

ORDINANCE R01-005

by

**Metropolitan Water Reclamation
District of Greater Chicago,**

**Establishing and Authorizing the
Acquisition of Right-of-Way
with respect to real estate located
within the right-of-way of the Calumet
Tunnel System, Tunnels, Shafts, and
Connecting Structures, Little Calumet
Leg, Contract 75-213-2H, in parts of
Sections 6, 8, 9, 13, 14, 15, and 16
Township 36 North, Range 14, East of the
Third Principal Meridian, and in parts of
Sections 19m 20, and 24 Township 36 North,
Range 15, East of the Third Principal Meridian,
in Cook County, Illinois.**

and legally described at Exhibit AAAAA (Pages 1-4) attached hereto and made a part hereof. This document consists of 14 pages, this page included, and bears the date of September 6, 2001.

This Instrument Prepared by Michael G. Rosenberg, Attorney

**By: Frank E. Gardner (Louise M. Wilczak)
Head Assistant Attorney
100 East Erie Street
Chicago, Illinois 60611
Telephone No.: (312) 751-6572**

EXEMPT FROM ILLINOIS TRANSFER TAX PURSUANT TO 35ILCS 200/31-45(b)

RETURN TO: RECORDERS BOX 369

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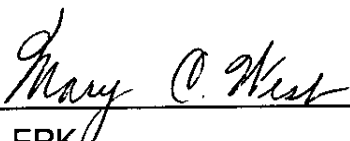
STATE OF ILLINOIS)
)
COUNTY OF COOK)

10850648

I, MARY C. WEST, Clerk of the Metropolitan Water Reclamation District of Greater Chicago, and keeper of its official records and seal, DO HEREBY CERTIFY that the attached Ordinance, R01-005, consisting of six (6) pages, including the Board Letter consisting of six (6) pages, was presented and approved at the meeting of the Board of Commissioners held on September 6, 2001.

I HEREBY CERTIFY that said Ordinance remains in full force and effect and has not been rescinded, modified or amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Metropolitan Water Reclamation District of Greater Chicago, this 12th day of September, 2001.



CLERK
METROPOLITAN WATER RECLAMATION
DISTRICT OF GREATER CHICAGO

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ORDINANCE R01-005

FOURTH ORDINANCE AMENDING ORDINANCE ESTABLISHING AND AUTHORIZING THE ACQUISITION OF THE RIGHT-OF-WAY FOR CALUMET TUNNEL SYSTEM, TUNNELS, SHAFTS AND CONNECTING STRUCTURES, LITTLE CALUMET LEG, CONTRACT 75-213-2H, IN PARTS OF SECTIONS 8, 9, 13 AND 15 TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN AND IN PARTS OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AS AMENDED.

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, pursuant to the statute in such case made and provided, did on March 1, 2001 adopt Ordinance R01-001, and did on April 19, 2001 adopt amendatory Ordinance R01-002, and did on May 3, 2001 adopt amendatory Ordinance R01-003, and did on June 21, 2001 adopt amendatory Ordinance R01-004, establishing the right-of-way for and allowing the acquisition of certain real property in connection with Calumet System, Little Calumet Leg, Tunnels, Shafts and Connecting Structures, Project 75-213-2H, in Parts of Sections 6, 8, 9, 13, 14, 15 and 16 Township 36 North, Range 14 East of the Third Principal Meridian, and in parts of Sections 19, 20 and 24, in Township 36 North, Range 15, East of the Third Principal Meridian, in Cook County, Illinois; and

WHEREAS, it has been determined that the right-of-way requirements have changed since the adoption of aforesaid Ordinances R01-001, and R01-002, R01-003, and R1-004 and, it is necessary and desirable to amend and supplement said Ordinances; and

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago finds that it is also necessary, convenient and desirable that the parcels described on attached Exhibit AAAAA be utilized for the construction, operation and maintenance of portions of Calumet Tunnel System, Tunnels, Shafts and Connecting Structures, Little Calumet Leg, Contract 75-213-2H.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago:

Section 1. The findings in the above recitals be, and are hereby, adopted as part of this Ordinance.

Section 2. Ordinances R01-001, dated March 2, 2000, Ordinance R01-002, dated April 19, 2001, Ordinance R01-003 dated May 3, 2001, and Ordinance R01-004, dated June 21, 2001, are incorporated by reference and made a part hereof.

Section 3. The legal description of lands or interests in land to be acquired set forth in Exhibit A to Ordinance R01-001 dated March 1, 2001, Exhibit AA to Ordinance R1-002 dated April 19, 2001, Exhibit AAA to Ordinance R01-003 dated May 3, 2001, and Exhibit AAAAA to Ordinance R01-004 dated June 21, be, and the same is hereby amended by adding thereto parcels described on Exhibit AAAAA.

Section 4: That except as herein amended, said Ordinance R01-001, as amended, shall remain in full force and effect as heretofore enacted.

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Section 5: That hereafter, Ordinance R01-001, as amended, shall be known as "Ordinance Establishing and Authorizing the Acquisition of Right-of-Way for the Calumet System, Little Calumet Leg, Tunnels, Shafts and Connecting Structures, Project 75-213-2H, in Parts of Section 1, Township 36 North, Range 13, East of the Third Principal Meridian, Sections 6, 8, 9, 13, 15, and 24, Township 36 North, Range 14, East of the Third Principal Meridian, and in parts of Sections 19 and 20, in Township 36 North, Range 15, East of the Third Principal Meridian, in Cook County, Illinois, as amended"; and

Section 6: This Ordinance shall be in full force and effect from and after its passage.

DATED: This 6th day of September, 2001.

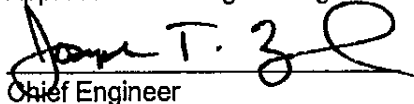
APPROVED:



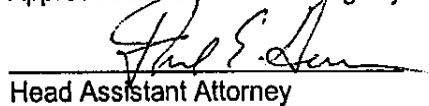
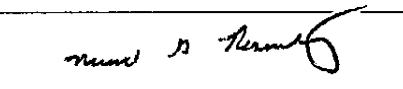
Terrence J. O'Brien, President

Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago

Approved as to Engineering:


Chief Engineer

Approved as to Form and Legality:


Head Assistant Attorney
Attorney

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PARCEL 56A - PERMANENT ACCESS EASEMENT

THAT PART OF LOTS 1 AND 2 IN GEISSLERS SUBDIVISION BEING A SUBDIVISION OF LOTS 27, 28, AND 28A AND THAT PART OF CALUMET SLOUGH WHICH LIES NORTH OF SAID LOTS AND SOUTH OF CENTER OF SLOUGH IN ENGLAND'S SUBDIVISION OF THE NW ¼ OF SECTION 6, TOWNSHIP 36 NORTH, RANGE 14 AND NE ¼ OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS BEING A 20.00 FOOT WIDE STRIP OF LAND LYING 10.00 FEET ON EACH SIDE OF A CENTERLINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID EAST LINE OF SAID GEISSLERS SUBDIVISION; THENCE N 89° 56' 05" W, 373.94 FEET; THENCE N 00° 18' 20" W, 486.00 FEET TO THE POINT OF BEGINNING; THENCE S 78° 41' 41" W, 260.00 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 60° TO THE LEFT OF THE LAST DESCRIBED LINE EXTENDED 105.00 FEET MORE OR LESS TO A POINT OF TERMINATION ON THE EASTERLY LINE OF SOUTH WESTERN AVENUE (WABASH ROAD).

THE SIDELINES OF SAID PERMANENT ACCESS EASEMENT ARE TO BE LENGTHENED OR SHORTENED BEGINNING ON THE SAID LINE HAVING A BEARING OF N 00° 18' 20" W AND TERMINATING ON THE EASTERLY LINE OF WESTERN AVENUE.

PIN NO. 28-01-203-009 AND 29-06-106-041

ALL AS SHOWN ON A PLAT MARKED EXHIBIT 56A ATTACHED HERETO MADE A PART HEREOF.

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PARCEL 56AA - TEMPORARY EASEMENT

THAT PART OF LOTS 1 AND 2 IN GEISSLERS SUBDIVISION BEING A SUBDIVISION OF LOTS 27, 28, AND 28A AND THAT PART OF CALUMET SLOUGH WHICH LIES NORTH OF SAID LOTS AND SOUTH OF CENTER OF SLOUGH IN ENGLAND'S SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 36 NORTH, RANGE 14 AND NE $\frac{1}{4}$ OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS BEING A 20.00 FOOT WIDE STRIP OF LAND LYING 10.00 FEET ON EACH SIDE OF A CENTERLINE MORE-PARTICULARLY-DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID EAST LINE OF SAID GEISSLERS SUBDIVISION; THENCE N $89^{\circ} 56' 05''$ W, 373.94 FEET; THENCE N $00^{\circ} 18' 20''$ W, 400.00 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED LINE 70.44 FEET; THENCE AT RIGHT ANGLES WITH THE LAST DESCRIBED LINE EXTENDED 65.00 FEET; THENCE N $71^{\circ} 41' 41''$ E, 77.00 FEET MORE OR LESS TO A POINT ON THE SAID EAST LINE; THENCE SOUTHERLY ALONG A AFORESAID EAST LINE TO THE POINT OF BEGINNING.

PIN NO. 29-06-106-041

ALL AS SHOWN ON A PLAT MARKED EXHIBIT 56AA ATTACHED HERETO MADE A PART HEREOF.

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PARCEL 44A - PERMANENT ACCESS EASEMENT

THAT PART OF LOT 25A (EXCEPT THE NORTH 169.00 FEET THEREOF) AND THAT PORTION OF THE NORTH ½ OF THE CALUMET SLOUGH, SOUTH OF AND ADJOINING SAID LOT 25A AND ALSO THAT PART OF THE NORTH ½ OF THE CALUMET SLOUGH LYING SOUTH OF LOT 26, ALL IN PETER ENGLAND'S SUBDIVISION OF THE NW ¼ OF SECTION 6, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN WITH ADJOINING PART OF THE EAST ½ OF THE NE ¼ OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS BEING A 20.00 FOOT WIDE STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID NW ¼; THENCE SOUTH ALONG THE WEST LINE OF THE AFORESAID NW ¼, 1444.19 FEET; THENCE S 87° 53' 17" W. TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF DEDICATED WESTERN AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 87° 53' 17" E, 400 FEET, MORE OR LESS TO A POINT ON THE EAST LINE OF SAID LOT 25A.

THE SIDELINES OF SAID PERMANENT ACCESS EASEMENT ARE TO BE LENGTHENED OR SHORTENED BEGINNING ON THE SAID EASTERLY LINE AND TERMINATING ON THE SAID EAST LINE.

PIN NOS. 29-06-106-008, 29-06-106-009, 28-01-203-007 AND 28-01-203-008

ALL AS SHOWN ON A PLAT MARKED EXHIBIT 44A ATTACHED HERETO AND MADE A PART HEREOF.

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PARCEL 27A - PERMANENT SUBTERRANEAN EASEMENT

THE PROPERTY AND SPACE LYING BETWEEN ELEVATIONS OF A -135 FEET AND -175 FEET (CHICAGO CITY DATUM) AND ALSO LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY DOWNWARD FROM THE SURFACE OF THE EARTH OF THAT PART OF THE 200.00 FOOT WIDE RIGHT-OF-WAY CONVEYED BY JOHN CALHOUN AND WIFE TO THE ILLINOIS CENTRAL RAILROAD BY DEED RECORDED APRIL 9, 1852 AS DOCUMENT 34010 AND RE-RECORDED SEPTEMBER 4, 1876, AS DOCUMENT 101097 IN THE W ¼ OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; BEING A 40.00 FOOT WIDE STRIP OF LAND LYING 20.00 FEET ON EACH SIDE OF A CENTERLINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF DEDICATED CALUMET BLVD. AND THE EASTERLY RIGHT-OF-WAY LINE OF PARK AVENUE, SAID EASTERLY LINE BEING THE WESTERLY RIGHT-OF-WAY LINE OF THE SAID 200.00-FOOT WIDE RIGHT-OF-WAY; THENCE NORTHERLY ALONG THE AFORESAID 200.00 FOOT-WIDE RIGHT-OF-WAY 250.00 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY AT RIGHT ANGLES WITH THE SAID WESTERLY LINE 200.00 FEET TO A POINT OF TERMINATION ON THE EASTERLY RIGHT-OF-WAY LINE OF THE SAID 200.00-FOOT WIDE RIGHT-OF-WAY.

THE SIDELINES OF SAID PERMANENT SUBTERRANEAN EASEMENT ARE TO BE LENGTHENED OR SHORTENED BEGINNING ON THE WESTERLY LINE AND TERMINATING ON THE EASTERLY LINE OF THE SAID 200.00 FOOT STRIP.

PIN NOS. 29-09-500-007 AND 29-09-111-027

ALL AS SHOWN ON A PLAT MARKED EXHIBIT 27A ATTACHED HERETO AND MADE A PART HEREOF.

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Transmittal Letter For Board Meeting

10850648

August 27, 2001
(For the Board Meeting of September 6, 2001)

Mr. John C. Farnan
General Superintendent
O F F I C E

COMMITTEE ON REAL ESTATE

AGENDA SUMMARY: Fourth Ordinance amending an Ordinance Establishing and Authorizing the Acquisition of Right-of-Way for Calumet Tunnel System, Tunnels, Shafts, and Connecting Structures, Little Calumet Leg, Contract No. 75-213-2H, in parts of Sections 8, 9, 13, and 15 in Township 36 North, Range 14, East of the Third Principal Meridian and in parts of Section 19, Township 36 North, Range 15, East of the Third Principal Meridian, in Cook County, Illinois, as amended.

Dear Sir:

On June 21, 2001, The Board of Commissioners of the District adopted Ordinance R01-004, the Third Ordinance amending Ordinance R01-001; on May 3, 2001, the Board adopted R01-002, the Second Ordinance amending Ordinance R01-001; and on April 19, 2001, the Board adopted the First Ordinance amending Ordinance R01-001 adopted March 1, 2001, Establishing and Authorizing the Acquisition of Right-of-Way for Calumet Tunnel System, Tunnels, Shafts, and Connecting Structures, Little Calumet Leg, Contract No. 75-213-2H, in parts of Sections 8, 9, 13, and 15, Township 36 North, Range 14, East of the Third Principal Meridian and in parts of Section 19, Township 36 North, Range 15, East of the Third Principal Meridian in Cook County, Illinois, as amended.

It has now been determined that three (3) additional parcels of right-of-way will have to be acquired by condemnation. One of these parcels is located in Section 1, Township 36 North, Range 13, East of the Third Principal Meridian and another in Section 6, Township 36 North, Range 14, East of the Third Principal Meridian and a third parcel is located in Section 9, Township 36 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois.

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Mr. John C. Farnan
Page two

August 20, 2001
(For the Board Meeting of September 6, 2001)

10850648

Due to the timing of the execution of the Project, it is imperative that this right-of-way be acquired immediately. Attempts to contact the property owners involved have been unsuccessful and condemnation will be necessary. The three (3) tracts of land to be acquired for this Project are legally described in Exhibit AAAAA which is attached hereto.

It is necessary to amend Ordinance R01-001, as amended, to include the additional right-of-way for the Project legally described in attached Exhibit AAAAA.

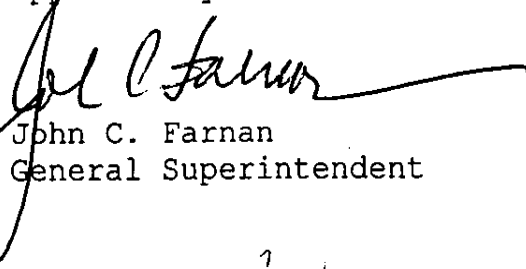
Accordingly, it is respectfully requested that the General Superintendent recommend to the Board of Commissioners that it adopt a Fourth Ordinance Amending an Ordinance Establishing and Authorizing the Acquisition of Right-of-Way for the Calumet Tunnel System, Tunnels, Shafts, and Connecting Structures, Little Calumet Leg, Contract No. 75-213-2H, in parts of Sections 1, Township 36 North, Range 13 East of the Third Principal Meridian, Sections 6 and 9, Township 36 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, as amended, to include the real estate legally described in Exhibit AAAAA, which is attached hereto.

Respectfully submitted,



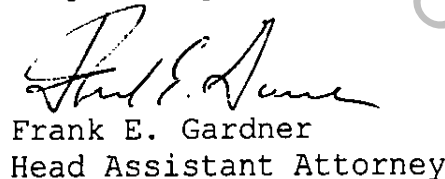
Michael G. Rosenberg, Attorney

Approved by:



John C. Farnan
General Superintendent

Prepared by:



Frank E. Gardner
Head Assistant Attorney

MGR:FMF:FEG:LMW

Attachments

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PIN NO. 28-01-203-009 AND 29-06-106-041

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PIN NOS. 29-06-106-008, 29-06-106-009, 28-01-203-007 AND 28-01-203-008

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PIN NOS. 29-09-500-007 AND 29-09-111-027

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