

RESOLUTION NO. 20807  
AMENDING RESOLUTION NO. 19584

**Background**

Resolution 19584 authorized acquisition of needed parcels and expenditures up to \$300,000.00 for any and all land acquisition fees and costs needed for the Reagan Memorial Tollway Project, Project No. I-11-4009. Resolution 19584 must be amended to identify parcels and to provide Land Acquisition the authority to acquire all needed parcels necessary for the Reagan Memorial Tollway Project; including fee title, permanent easements, temporary easements and access control relative to said Project. Pursuant to ISTHA v. DiBenedetto, 275 Ill. App 3d 400, 404 (1<sup>st</sup> Dist., 1995), the Tollway is required to reasonably describe the real property that may need to be acquired by eminent domain. This Resolution amending Resolution Number 19584 identifies the parcel and satisfies this requirement.

**Resolution**

Acquisition is authorized for any and all needed real property and interests in real estate and includes but is not limited to the Identified Parcel listed herein on Exhibit "A" ("Identified Parcel") which is attached hereto and incorporated herein by this reference. This acquisition is necessary and convenient to secure all needed real property and the interests in real estate. The Tollway's Engineering Department by and through its Land Acquisition Manager, together with employees, vendors and agents are authorized to acquire all real estate interests and to spend sums up to an amount not to exceed \$300,000.00 to pay for any and all land acquisition fees and costs including, but not limited to, consideration, settlements, purchase price, fees, costs, closing costs, appraisers, negotiators, surveyors, close and make deposits to close in escrow, title work, title insurers, agents, owners, relocation expenses, relocation benefits, relocation costs, Special Assistant Attorneys General, payment of preliminary just compensation, damages and all such other experts retained for the purpose of acquiring all needed real property and interests in real estate, as well as final just compensation and to pay any and all such other acquisition costs, fees and expenses.

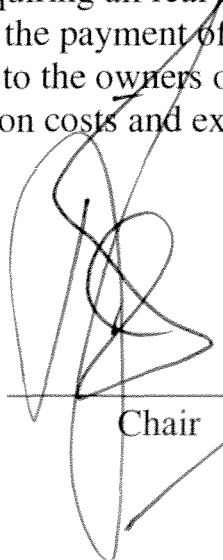
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**Resolution – Continued**

In the event all or the part of the Parcel identified on Exhibit “A” cannot with reasonable diligence be purchased via negotiations, administrative documentation, or settlement then upon the recommendation of the Land Acquisition Manager, and the General Counsel, the Land Acquisition Unit and the Legal Department are authorized and directed to retain the services of Special Assistant Attorneys General to acquire the needed Identified Parcel by instituting and proceeding to acquire said Identified Parcel by eminent domain in the name of the Tollway.

The Executive Director, or the Chief of Staff and/or the Land Acquisition Manager, subject to form and constitutionality approval of the General Counsel, state and federal law and then existing Land Acquisition policies and procedures are authorized to enter into and execute any real estate contract for the acquisition or conveyance of all needed real estate for the Project; the Land Acquisition unit is authorized to acquire and purchase property by and through escrow closings with its approved title insurance vendors; the Chief of Finance is authorized to issue warrants from time to time to pay for any and all land acquisition fees and costs including but not limited to purchase price, acquisition fees, costs, closing costs, appraisers, negotiators, surveyors, title insurers, deposit preliminary just compensation amounts, deposit sums to close in escrow, agents, relocation costs, Special Assistant Attorneys General and all such other experts retained for the purpose of acquiring all real estate needed for the project as well as the Identified Parcel and for the payment of preliminary just compensation as well as final just compensation to the owners of said Identified Parcel and to pay any and all such other acquisition costs and expenses, not to exceed the sum of \$300,000.00.

Approved by:

  
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Chair

8/27/15

6.2/21

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**Resolution – Continued- Exhibit ‘A’**

**PROJECT: RR-11-4009- IDENTIFICATION OF PARCELS**

**Reagan Memorial Tollway**

**EXHIBIT "A"**  
**Project RR-11-4009**  
**Reagan Memorial Tollway**

**PARCEL NUMBER**                      **LEE COUNTY PIN NUMBER/OR DESCRIPTION**

E-4-66

THAT PART OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 9,  
TOWNSHIP 21 NORTH, RANGE 9 EAST OF THE FOURTH PRINCIPAL  
MERIDIAN, IN LEE COUNTY, ILLINOIS

A STRIP OF LAND 100 FEET WIDE, 50 FEET ON EACH SIDE OF THE CENTERLINE OF THE MAIN TRACK OF THE ILLINOIS CENTRAL RAILROAD, BOUNDED ON THE NORTH END OF THIS STRIP BY A LINE FROM A POINT WESTERLY FROM SAID CENTERLINE 240 FEET NORTHERLY FROM THE CENTERLINE OF A HIGHWAY KNOWN AS THE EAST-WEST TOLLWAY EXTENSION, TO A POINT EASTERLY FROM SAID RAILROAD CENTERLINE 270 FEET NORTHERLY FROM SAID EXTENSION CENTERLINE, AND BOUNDED ON THE SOUTH END OF THIS STRIP BY A LINE FROM A POINT WESTERLY FROM SAID RAILROAD CENTERLINE 165 FEET SOUTHERLY FROM SAID EXTENSION CENTERLINE, TO A POINT EASTERLY FROM SAID RAILROAD CENTERLINE 150 FEET SOUTHERLY FROM SAID EXTENSION CENTERLINE.

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**Background**

Resolution 19584 amended by Resolution 19881 and amended by Resolution 19985 and amended by Resolution 20019 established a budget for \$18,400,000.00 for land acquisition to include appraisals, legal, title work, offers, negotiations, purchases, or acquire by eminent domain for the Jane Addams Memorial Tollway. Land Acquisition continues in its efforts to acquire all real estate interests, including fee titles, permanent easement, temporary easements and access control, of the parcels identified in Resolutions 19904, 19948, 20087, 20158, 20192, 20226, 20274, 20318, 20369, 20396, 20446 and 20494 as amended from time to time.

The aforementioned Resolutions establish authority for the Land Acquisition Unit, certain other Tollway employees, vendors and agents to acquire all needed real estate interests including but not limited to making offers, negotiating, purchasing, and settling in an amount not to exceed \$18,400,000.00.

These acquisitions are necessary and convenient to secure all needed real estate and the interests in real estate.

**Resolution**

In connection with Tollway Identified Parcel NW-6B-13-015 located in Cook County, Illinois, The Land Acquisition Manager is authorized to enter into and sign the real estate contract and any other related or necessary documents for the acquisition of this Parcel consistent with the terms presented to the Board, the discussions in the executive session and as supported by the Administrative Documentation. The Chief of Finance is authorized to issue warrants for all acquisition costs including, but not limited to, agreed upon purchase price, amounts due to first lien lender or loan servicer to clear title, acquisition fees, costs, closing costs, title fees, title escrow closing (including but not limited to


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**Resolution – Continued**

depositing all funds necessary to close through escrow), appraisers, negotiators, surveyors, title insurers, agents, relocation costs, Special Assistant Attorneys General and all such other experts retained for the purpose of acquiring Parcel NW-6B-13-015, and for the payment of preliminary just compensation as well as final just compensation to the owners of said Identified Parcel NW-6B-13-015, if necessary.

If Parcel NW-6B-13-015 as previously identified in above noted Resolutions is not able to be closed and the contract consummated then the Land Acquisition Manager and the General Counsel are authorized and directed to retain the services of Special Assistant Attorneys General to acquire this Parcel by instituting and proceeding to acquire by eminent domain in the name of the Tollway.

Approved by:



Chair