

RESOLUTION NO. 21903
AMENDING RESOLUTION NO. 19584

Background

Resolutions 19584 authorized expenditures of up to \$2,000,000.00 for land acquisitions by The Illinois State Toll Highway Authority (“Tollway”) and any and all land acquisition fees, costs and expenses necessary for the I-294/I-57 Phase II Interchange Project, Project No. I-11-4012 (“Project No. I-11-4012”). Resolution 19584 must be further amended to identify and add additional parcels and provide the Tollway’s Land Acquisition Unit the authority to acquire all parcels necessary for Project No. RR-11-4012, including fee title, permanent easements, temporary easements and access control. Pursuant to *ISTHA v. DiBenedetto*, 275 Ill. App 3d 400 (1st Dist. 1995), the Tollway is required to reasonably describe real property it may need to acquire by eminent domain. This Resolution, amending Resolution 19584, identifies additional parcels 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 Parcels listed on Exhibit A (“Identified Parcels”), which is attached hereto and incorporated herein by this reference. These acquisitions are necessary and convenient to secure all needed real property and interests in real estate for Project No. I-11-4012. The Tollway’s Engineering Department, by and through its Land Acquisition Manager, together with authorized employees and agents, is authorized to acquire all necessary real estate interests associated with Project No. I-11-4012 and, per Resolution 19584, to spend sums up to an amount not to exceed \$2,000,000.00 to pay for any and all land acquisition fees and costs including, but not limited to (i) consideration, settlements, purchase price, fees, costs, closing costs, deposits to close in escrow, relocation expenses, relocation benefits, relocation costs, title work, title insurers, agents, owners, attorneys, appraisers, negotiators, surveyors and other experts retained for the purpose of acquiring all needed real estate and interests in real estate, (ii) payment of preliminary just compensation, final just compensation and damages, and (iii) any and all other acquisition costs, fees and expenses.

RESOLUTION NO. 21903
AMENDING RESOLUTION NO. 19584

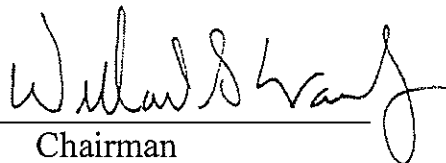
Resolution – Continued

In the event all or part of the Identified Parcels cannot, with reasonable diligence, be purchased via negotiations, administrative documentation or settlement, the Land Acquisition Unit, upon the recommendation of the Land Acquisition Manager, the General Counsel and the Attorney General, is authorized and directed to acquire the same in the name of the Tollway by eminent domain.

The Executive Director, the Chief Operating Officer and/or Land Acquisition Manager, subject to then existing Land Acquisition policies and procedures and approval of the General Counsel, and consistent with applicable state and federal law, are authorized to negotiate and enter into any real estate contract for the acquisition or conveyance of all needed real estate for Project No. I-11-4012, such contracts to be executed in accordance with applicable Tollway policy. The Land Acquisition Unit is authorized to continue to acquire and purchase property by and through escrow closings with its approved title insurance vendors, subject to then existing Land Acquisition policies and procedures and approval of the General Counsel, such contracts to be executed in accordance with applicable Tollway policy. The Chief Financial Officer 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 (i) consideration, settlements, purchase price, fees, costs, closing costs, deposits to close in escrow, relocation expenses, relocation benefits, relocation costs, title work, title insurers, agents, owners, attorneys, appraisers, negotiators, surveyors and other experts retained for the purpose of acquiring all needed real estate and interests in real estate, (ii) payment of preliminary just compensation, final just compensation and damages, and (iii) any and all other acquisition costs, fees and expenses, necessary to acquire interests in all or part of all Identified Parcels needed for Project No. I-11-4012, up to a sum not to exceed the aggregate sum of \$2,000,000.00.

Approved by: _____

Chairman



10/17/19

6.6/4

RESOLUTION NO. 21903
AMENDING RESOLUTION NO. 19584

Resolution – Continued- Exhibit A

PROJECT: I-11-4012 - IDENTIFICATION OF PARCELS

I-294/I-57 PHASE II INTERCHANGE

EXHIBIT "A"
Project I-11-4012
I-294 AND I-57

<u>Parcel</u>	<u>NEWLY IDENTIFIED PARCELS PIN NUMBER/OR DESCRIPTION</u>	<u>County</u>
TW-1C-18-001	28-12-402-010	Cook
TW-1C-18-002	28-12-406-011, 28-12-406-012 28-12-406-013, 28-12-406-014	Cook
TW-1C-18-003	29-07-120-009, 29-07-120-010	Cook
TW-1C-18-004	29-07-114-034	Cook
TW-1C-18-005	29-07-115-008, 29-07-115-009	Cook
TW-1C-18-006	29-07-115-005, 29-07-115-006 29-07-115-007	Cook
TW-1C-18-007	29-07-115-003, 29-07-115-004	Cook
TW-1C-18-008	29-07-115-026, 29-07-115-027	Cook