

VILLAGE OF FOREST VIEW

RESOLUTION NO. R22-01

**A RESOLUTION REQUESTING LEGISLATIVE APPROVAL
OF QUICK TAKE AUTHORITY**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF FOREST VIEW,
COOK COUNTY, ILLINOIS this
15th day of March, 2022**

**Published in pamphlet form by authority
Of the President and Board of Trustees
Of the Village of Forest View, Cook County,
Illinois this 15th day of March, 2022**

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WHEREAS, the Village of Forest View has been participating in negotiations with the Illinois Department of Transportation (“IDOT”) since at least 2019 in the interest of the public health and safety in order to obtain traffic signalization at the intersection of 49th Street and Central Avenue; and

WHEREAS, since the FedEx corporation opened for business in 2017 the Village has supported the addition of traffic signals at the intersection of 49th and Central Avenue; and

WHEREAS, in order provide the signalization, an approximate 2368 square feet of easement rights (“Easement Premises”) is needed from ComEd, whose transformer site is located just north of this intersection; and

WHEREAS, as early as July, 2020 the Village, through its then Village Manager, wrote to ComEd requesting that the conveyance of the easement rights be considered a priority due the increased volume of traffic and the growing safety concerns; and

WHEREAS, ComEd has a long-standing policy of not selling property and can only provide easement rights, while at the same time IDOT has a policy of not accepting the terms of ComEd’s easement agreements; and

WHEREAS, because of this impasse, the exercise of easement acquisition through eminent domain would be the only way to resolve the differences between IDOT and ComEd; and

WHEREAS, on February 17, 2022, IDOT announced because the Project is being financed through a private entity, FedEx, IDOT did not have jurisdiction to proceed with the condemnation unless the Village found federal money to fund the Project, an uncertain task which would take at least 5 years; and

WHEREAS, the President and Board of Trustees have concluded that the interest of public health and safety demands that the Village find an alternative which would be more expeditious; and

WHEREAS, the Legislature has created a statutory method that would grant a local government “quick-take” authority for condemnation on a more expeditious method than pursuing the Federal funds;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FOREST VIEW AS FOLLOWS:

SECTION 1: Direction. The Village Administrator be directed to contact Senator Celina Villanueva and Representative Edgar Gonzalez, Jr. to seek assistance in passing legislative action that will provide the Village of Forest View with Quick-Take authority (“quick-take”) under the Eminent Domain Act to acquire the Easement Premises as stated in the Preamble above.

SECTION 2: Village Agreement. The Village, by enacting this Resolution R-22-01, agrees to comply with House Rule (41) which includes, but is not limited to; holding a public hearing, notice of which was published in the Des Plaines Valley News on February 24, 2022 and which was held on March 14, 2022 at 10:00 am at the Village Hall.

SECTION 3: Authorization. The Village President is authorized to sign and the Village Clerk is authorized to attest to any documentation certifying to any elements necessary in House

Rule (41).

SECTION 4: Effective Date. This Resolution R-22-01 shall be in full force and effect immediately upon its passage and approval. Further, if the legislative authorization is passed by the Illinois General Assembly the time period to exercise the “quick-take” powers shall not exceed one year.

PASSED BY THE FOLLOWING ROLL CALL this 15th day of March, 2022.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this 15th day of March, 2022.

Nancy L. Miller
Village President

ATTEST:

Laura D. McGuffey
Village Clerk