

**AN ORDINANCE AUTHORIZING THE ACQUISITION
OF AN EASEMENT FOR STORMWATER DRAINAGE, DETENTION
STORAGE AND INGRESS AND EGRESS WITHIN THE CITY OF
ROLLING MEADOWS (BROOKWOOD CONDOMINIUM), ILLINOIS**

WHEREAS, the City of Rolling Meadows is a Home Rule municipal corporation established pursuant to the laws of the State of Illinois and is authorized to exercise those powers expressly provided pursuant to statute; and

WHEREAS, pursuant to Section 11-61-1 of the Illinois Municipal Code, 65 ILCS 5/11-61-1, the City is authorized to acquire by eminent domain real property that is useful, advantageous or desirable for municipal purposes, and in the present case seeks to acquire an easement necessary for stormwater drainage, detention storage and ingress and egress on the Brookwood Condominium property commonly known as 2600 and 2650 Brookwood Way, Rolling Meadows, Illinois; and

WHEREAS, the City determines that it is useful, advantageous, and desirable for municipal purposes to acquire an easement necessary for stormwater drainage, detention storage and ingress and egress; and

WHEREAS, it is the intention of this Ordinance to make as a matter of public record the identity of the parcel of property and the intentions of the City with regards to its acquisition known so that negotiations for the acquisition of the easement may be commenced, and in the event unsuccessful, acquisition may be had by the exercise of the statutory power of eminent domain.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois, as follows:

SECTION ONE: That the foregoing recital clauses to this Ordinance are hereby found and determined to be the findings of fact as adopted and determined by the corporate authorities of the City of Rolling Meadows and such recital paragraphs are incorporated herein by specific reference.

SECTION TWO: That the City Attorney be, and hereby is, authorized and directed to serve as an agent of the City of Rolling Meadows to negotiate as to appropriate compensation for, and the acquisition of an easement on the real property commonly known as 2600 and 2650 Brookwood Way, Rolling Meadows, Illinois, and legally described in Exhibit "A," attached hereto and made a part hereof. The negotiations for the acquisition shall include the procurement of updated appraisals and the submission of an offer to purchase the property based upon current and any updated appraisals.

SECTION THREE: That the City Attorney be, and hereby is, authorized and directed to determine and report upon the status of negotiations from time to time as they proceed and that the corporate authorities hereby authorize the commencement of eminent domain proceedings by filing an action for such purposes by the City Attorney if an agreement cannot be reached between the City and the owner within a reasonable time.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

SECTION FIVE: This Ordinance shall be printed and published in pamphlet form by order of the City Council of the City of Rolling Meadows, Illinois.

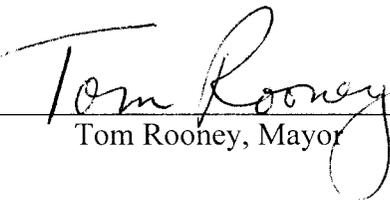
YEAS: Prejna, Majikes, Judd, Banger, D'Astice, Larsen

NAYS: 0

ABSENT: Cannon

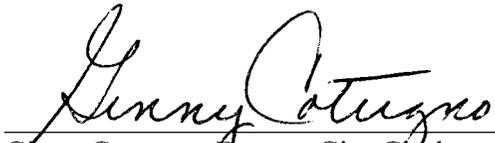
Passed this 23rd day of July 2013.

Approved this 23rd day of July 2013.



Tom Rooney, Mayor

ATTEST:



Ginny Cotugno, Deputy City Clerk

Published this 24th day of July 2013.



Ginny Cotugno, Deputy City Clerk

EXHIBIT "A"

The southerly 35 feet of the following legally described parcel:

That part of the South East quarter of Section 26, Township 42 North, Range 10 East of the Third Principal Meridian, lying Southwesterly of the center line of Kirchoff (center) Road Westerly of the Westerly right of way line of State Highway Route No. 53 and East of the West 40 feet of said South East quarter described as follows: Beginning at a point 40 feet East of the South West corner of the South East quarter of said Section 26; thence North 0 degrees 19 minutes West along a line 40 feet East of and parallel to the West line of said South East quarter 923.23 feet to the center line of said Kirchoff Road; thence South 60 degrees 50 minutes East along the center line of said Road 575.05 feet to the intersection of said center line with the Westerly right of way of said State Route No. 53 extended to the center line of said Kirchoff Road; thence South 23 degrees 36 ½ minutes East along the Westerly right of way line of said State Route No. 53 as extended 700.60 feet to the intersection of said line with the South line of the South East quarter of said Section 26; thence West along the South line of the South East quarter of said Section 26, 776.35 feet to the place of beginning, excepting therefrom that part of the South East quarter of Section 26, Township 42 North, Range 10 East of the Third Principal Meridian, lying Southerly of the center line of Kirchoff Road and Westerly of the Westerly right of way line of State Route 53 and East of the West 40 feet of said South East quarter of Section 26 bounded and described as follows, to wit: Beginning at a point in the South line of said South East quarter of Section 26, distant 138 feet West, as measured along said South line of the South East quarter of Section 26, from the Westerly right of way line of State Route 53 as the same is now located and established; thence Northwesterly in a straight line a distance of 454.91 feet to a point of curvature, distance of 358.25 feet North measured at right angles from said South line of the South East quarter of Section 26 and distant 392.37 feet East, measured at right angles from the West line of said South East quarter of Section 26; thence Northwesterly along a curved line concave to the North East having a radius of 316.57 feet and tangent to the last described course a distance of 215.30 feet to a point in a line drawn parallel to said West line of the South East quarter of Section 26; thence North along last mentioned parallel line, a distance of 114.41 feet to a point of curvature, distant 100 feet South as measured along an extension of last described parallel line from the center line of Kirchoff Road; thence Northwesterly along a curved line concave to the South West having a radius of 75.0 feet and tangent to last described parallel line a distance of 78.54 feet to a point distant 50 feet Southwesterly measured at right angles from the center line of Kirchoff Road; thence Northeasterly in a straight line a distance of 50 feet to a point in said center line of Kirchoff Road distant 309.82 feet Southeasterly as measured along said center line of Kirchoff Road from the East line of said West 40 feet of the South East quarter of Section 26; thence Southeasterly along the center line of Kirchoff Road a distance of 265.23 feet to a point in the extended Westerly right of way line of State Route 53; thence Southeasterly along the Westerly right of way line of State Route 53 and the same extended Northerly a distance of 700.60 feet to a point in said South line of the South East quarter of Section 26; thence West along said South line of the South East quarter of Section 26, a distance of 138 feet to the place of beginning, excepting therefrom that part of the Southeast quarter of Section 26, Township 42 North, Range 10 East of the Third Principal Meridian, bounded and described as follows: Beginning at the intersection of center line of Kirchoff Road (as said center line being established on plats of Verdant Acres Subdivision and Moellenkamp Corner Subdivision in the South half of said Section 26, both recorded February 27, 1957, documents 16836080 and 16836081) with the East line of the West 40 feet of said Southeast quarter; thence Southeasterly on said center line 309.82 feet; thence Southwesterly at right angles to said center line 50 feet; thence Northwesterly and parallel with said center line to the East line of said West 40 feet; thence North on said East line to the place of beginning, all in Cook County, Illinois,

commonly known as 2600 and 2650 Brookwood Way, Rolling Meadows, Illinois.