

**VILLAGE OF FOREST VIEW**

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**ORDINANCE NO. 22-25**

**AN ORDINANCE AUTHORIZING THE FILING OF A COMPLAINT FOR  
CONDEMNATION AND A MOTION FOR IMMEDIATE VESTING OF TITLE  
("QUICK-TAKE")**

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**PASSED AND APPROVED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF FOREST VIEW,  
COOK COUNTY, ILLINOIS, this 27<sup>th</sup>  
day of September, 2022.**

**Published in pamphlet form  
by authority of the President  
and Board of Trustees of the  
Village of Forest View, Cook  
County, Illinois, this 27<sup>th</sup> day  
of September, 2022.**

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WHEREAS, on August 19, 2019, the Illinois Department of Transportation ("IDOT") determined that sufficient traffic at the intersection of 49th Street and Central Avenue warranted a traffic signal at that intersection; and

WHEREAS, Commonwealth Edison ("ComEd") owns a substation at the northwest portion of the intersection which includes a 2,368 square foot parcel of land ("subject property") that is outside the substation and in unincorporated Cook County; and

WHEREAS, the Village of Forest View (the "Village") and other interested parties have negotiated with ComEd since the warrant approval from IDOT in 2019; and

WHEREAS, despite good faith efforts from all parties the policy differences between IDOT and ComEd make condemnation the only way to acquire the subject property; and

WHEREAS, Illinois Public Act 102-0992, 735 ILCS 30/25-5-100, authorizes the Village to exercise the Quick-Take portion of the Eminent Domain Act on the subject property within two (2) years of the effective date of May 27, 2025; and

WHEREAS, pursuant to 65 ILCS 11-61-1 municipalities are authorized to seek condemnation of extraterritorial properties if contiguous and said property is needed for public safety purposes;

**NOW THEREFORE, BE IT ORDAINED** BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS, IN THE EXERCISE OF THE VILLAGE'S HOME RULE POWERS, as follows:

**Section 1. Finding.**

It is determined that a traffic signal at the intersection of 49<sup>th</sup> Street and Central Avenue is necessary for public safety and that its acquisition by eminent domain is necessary for public use by the Village and its acquisition by quick-take is necessary to accommodate the goals and schedule of the Village. Therefore, the filing for a Complaint of Condemnation to seek a permanent easement on the subject property be filed with the Circuit Court of Cook County and a Motion for Immediate Vesting of Title be filed immediately thereafter on the following legally

described property:

**THAT PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 50 FEET WEST OF THE SOUTH OF THE SOUTHEAST CORNER THEREOF, THENCE SOUTH 88 DEGREES 06 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 40 FEET TO A POINT ON A LINE LYING 90.00 FEET WEST OF AN PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 01 DEGREES 34 MINUTES 37 SECONDS , WEST ALONG SAID PARALLEL LINE 34.00 FEET; THENCE NORTH 88 DEGREES 06 MINUTES 24 SECONDS EAST , PARALLEL WITH SAID QUARTER QUARTER SECTION, 12.00 TO A POINT ON A LINE LYING 78.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 01 DEGREES 34 MINUTES WEST ALONG SAID PARALLEL LINE 36.00 ; THENCE NORTH 88 DEGREES 06 MINUTES 24 SECONDS EAST, PARALLEL WITH SAID QUARTER QUARTER SECTION, 28.00 FEET TO A POINT ON A LINE LYING 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER,; THENCE SOUTH 01 DEGREES 34 MINUTES 37 SECONDS EAST ALONG SAID PARALLEL LINE 70.00 FEET TO THE POINT OF BEGINNING , IN COOK COUNTY, ILLINOIS**

**SAID PARCEL CONTAINS 2,368 SQUARE FEET OR 0.054 ACRES , MORE OR LESS PIN. NO. 19-08-201-013**

**Section 2. Incorporation of Recitals.** The recitals set forth above are incorporated and made a part herein.

**Section 3. Authorization To Proceed.** The Village Attorney and Special Counsel for the Village are hereby authorized, empowered and directed to institute proceedings in the Circuit Court of Cook County to acquire a permanent easement and possession of the subject property for the Village of in accordance with the Eminent Domain laws of the State of Illinois.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided for by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 27<sup>th</sup> day of September 2022.

AYES: Trustees Grossi, Sudkamp, Ramirez, Nevarez, Liska

NAYS: NA

ABSENT: Trustee Hubacek

APPROVED this 27<sup>th</sup> day of September, 2022.

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Nancy L. Miller  
Village President

ATTEST:

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Laura D. McGuffey  
Village Clerk