



VILLAGE OF BENSENVILLE

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NEWS RELEASE

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BENSENVILLE AND CHICAGO TO SETTLE LAWSUITS

BENSENVILLE Frank Soto, Village President of Bensenville announced today that the Village and the City of Chicago have reached a settlement of litigation regarding the City's acquisition and demolition of Bensenville property as part of the modernization of O'Hare International Airport. Village President Frank Soto and Rosemarie Andolino, the Commissioner of the City's Department of Aviation both said the settlement of all litigation between the Village and the City was the result of wide ranging negotiations, tough and intensive work on a daily basis, and a process marked by a spirit of cooperation.

In settling the dispute over the planned demolition of properties located in Bensenville, the City agreed to a demolition plan that has been fully reviewed and approved by the Village. The agreed upon demolition protocol includes the most stringent regulations and safeguards and also allows the Village to have on-site independent monitoring at all times. The City has also agreed to partner with the Village in development of a landscape plan which will result in beautification of the property immediately adjacent to the Village.

The Village and the City further agreed to the settlement of litigation in which the City has sought to acquire 28 Village-owned parcels, as well as a number of streets in the Village. The settlement requires the City to pay \$16 Million to the Village, for which it will take ownership of the property, and annex a portion of the property to the City of Chicago. The Village also negotiated for key parcels on York and Green Street to remain with the Village.

“Today is a victory for the residents of the Village,” Bensenville Village President Frank Soto said. “I want to thank Mayor Daley and Commissioner Andolino for their efforts to cooperate with Bensenville and to understand our needs. We have worked with the City to arrive at a settlement that provides the highest levels of protection for the health and safety of our residents during demolition and construction, includes just compensation for Village owned property, defines landscaping and perimeter improvements that will aesthetically improve the gateways to our community and provides long term financial and economic development opportunities.”

“Continued litigation on these cases was of no benefit to our Village. This fight has depleted the Village’s financial resources and put us behind other Villages in planning our economic future,” Soto said. “Working with the City we have ensured that the Village has a strong voice in the City’s demolition plans, and in the future development of O’Hare International Airport in the Village of Bensenville.”

President Soto noted that the Court would have determined the demolition protocol, probably within the next two weeks. “It was essential to take control of our own destiny and develop an agreed upon demolition protocol that far exceeds the protection the Court could have offered. The protocol limits work

hours, prohibits heavy trucks from Village streets and guards against any future use of the land that would cause a nuisance to the Village.”

Commissioner Rosemarie S. Andolino expressed the City’s enthusiasm in securing a working partnership with the Village of Bensenville, “This settlement is a significant accomplishment, allowing the City to continue its efforts to improve efficiency and add capacity at O’Hare, as well as to the National Aviation System,” said Commissioner Andolino. “Now that litigation is complete, we can advance Mayor Richard M. Daley’s vision to build an airport for the 21st Century, ensuring that O’Hare remains the economic engine of our region and state by adding over 195,000 new jobs and \$18 billion a year in economic activity.”

Under the agreement, the City of Chicago will acquire the remaining Village of Bensenville-owned properties and rights-of-way, and the Village will dismiss the pending demolition court cases and drop its court objections to City acquisitions of property. A portion of the acquisition area will be de-annexed from Bensenville and annexed to the City. In exchange, the Airport will pay Bensenville \$16 million.

Village Manager Michael Cassady agreed that the settlement would be of tremendous benefit to the Village. “This proposed settlement will save the taxpayers millions of dollars in continued litigation expenses. It also allows the Village of Bensenville to have a voice to ensure protection of the public health, safety and welfare and provides real value for the Village investments located in the OMP area.”

In addition to the payment of \$16 Million to the Village, highlights of the settlements the City and the Village have reached include:

- The provision of a safe, environmentally sensitive demolition process that protects the health and safety of the public;

- Extensive rights for Bensenville to monitor the demolition;
- Elimination of demolition materials hauling from Bensenville streets;
- Limitations to the hours of demolition operation;
- Cooperation between the Village and the City on economic development in areas of Bensenville near the airport;
- City protection of Bensenville utilities from the impacts of demolition;
- Village retention of the right to impose taxes on property acquired from Bensenville;
- City support of a \$1 Million FAA planning grant for the Village;
- Salvage of personal property and equipment from the acquisition area to be returned to the Village;
- Cooperation in a planned public roadway access through the existing western boundary of O'Hare to parking, terminals and other airport facilities;
- City agreement to work with the Village to insure that in addition to the more than \$30 million already expended on sound insulation for the schools and homes, an approximately additional \$20 million in sound insulation be provided for structures in the Village at no cost to the Village to mitigate the impacts of the OMP consistent with the policies of the O'Hare Noise Compatibility Commission and Federal Aviation Administration grants;
- City agreement to cooperate with the Village in the Village's proposal to receive all or a portion of its utilities from the City, such as potable water supply and sewage treatment;
- Stipulation that property acquired by the City cannot be used in a manner that will constitute a nuisance to the City;
- Agreement that the City and the Village must both approve any deviations to the current OMP plan on property acquired from Bensenville;
- City agreement to cooperate with the Village on an economic development plan for properties in the Village which are immediately adjacent to O'Hare International Airport in order to enhance Village tax revenues;

- City agreement to work with the Village on potential joint requests for proposals to develop areas in the Village near the O'Hare International Airport;
- Agreement to establish regular consultation on the development of the area in the Village in the immediate vicinity of the new western access to O'Hare; and
- The City will issue for the benefit of the Village a non-exclusive license to use the name "O'Hare Airport" for economic development purposes.

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