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A good location means access to waterways

Everyone knows that location matters when selecting a site to develop or purchase a home. But what a good location is means different things at different points in time. Over the years, the attributes that make a location good or desirable have changed.

People cannot survive without water. A site without a reliable supply of fresh water was not a site where people could settle and start a town. Since ancient times, people have settled on the banks of rivers because the river not only provided a supply of water but they also were trade routes. Settlements along rivers are the settlements that often flourished and grew into major cities. Examples of such settlements include Cairo located on the Nile, London on the Thames and Paris on the Seine.

A river or Great Lakes location helps to explain the origin of many of America's major cities. Yet, Atlanta is a major metropolitan area that is sited in a location where water supplies are limited. According to author James Sipes, "Sustainable Solutions for Water Resources," not only is Atlanta not located on a major body of water, it is located near the headwaters of the Chattahoochee River where the flow is limited, and it sits on bedrock so ground water supplies are limited. The severe drought experienced by the southeast in 2007, which brought Atlanta to the verge of running out of water, made it clear that it is situated in a place that no one today would select as the location for a major city.

Chicago's location on Lake Michigan insured that its residents would have access to sufficient quantities of water to support future growth. Chlorination and reversing the flow of the Chicago River resolved the water quality issues that plagued Chicago in the 1800s. Once water quality issues were resolved, water no longer was a part of the location equation.

Chicago's location on Lake Michigan and the Chicago River also insured that that it would be a transportation hub for the shipment of goods by water from the south and west to the east. The building of railroads further confirmed the greatness of Chicago's location and made it an even more desirable place to come for those seeking opportunity.

Until very recently, such things as proximity to highways, access to commuter rail lines and the quality of the local school district have been the most important determinants of a good location. Unlike the Southwest or Atlanta



Real Estate Law Update

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during the recent drought, the sufficiency of the source of water for the community was not a factor when determining if a Midwest location was a good location.

As Chicago developed and prospered, its residents found newly developed suburbs located along the streetcar lines and commuter railroads lines to be desirable locations because the availability of transportation from the suburbs into the city gave Chicagoans an ability to escape from the crowded, dirty and congested urban neighborhoods to a more pleasant and less congested community while still being able to work in the central business district. Transportation determined which locations were desirable and which were not.

For a family with children, an essential element of location is being in a good school district. For these buyers, being in the right school district is more important than being in a specific town or village. Developers often give prominence to the subdivision's school district knowing that it is often the decision why their subdivision is selected over one in another district. Some of those buying in a subdivision so that their children could attend Plainfield schools often were surprised to learn that they had bought a house located in Joliet rather than Plainfield but the house was within their desired Plainfield school district.

Today there are those who desire to live in Chicago so that they can enjoy urban life while working in the suburbs. Developers targeting this market know that proximity to expressway ramps makes a location a good one for these buyers.

For them, traffic noise is a small price to pay for quick access to the expressways.

However, water has again moved onto the list of what makes one community a more desirable location versus another. This change has come about as communities that do not obtain their water from Lake Michigan realize that lack of water will limit their future growth.

Lake County communities and governmental entities have joined together to form the Northern Illinois Lake County Lake Michigan Water Planning Group to address concerns that their water supplies are not adequate for their current and future needs. These communities currently obtain their water from wells that draw water from a large underground aquifer. Since more water is being withdrawn from the aquifer than is being replaced, these communities face the specter that their water supply could be depleted.

An article in the Chicago Tribune on Aug. 6 looked at the situation facing some of the group members. Lindenhurst has nine functioning wells with two of those wells described by the village administrator as being "on their last legs. We have to do something. ... We're running out of water." Wauconda's eight wells were described as producing sufficient water but according to the village's administrator "officials are worried about the next 20 to 30 years."

The Water Planning Group has undertaken studies and, if their applications for the right to obtain Lake Michigan water are approved, are prepared to spend \$252 million to pipe that water to their communities. Without this additional water, these communities will not have the supplies of water needed to grow and will lack something that a good location must have.

When a developer is looking to acquire a site for a new development or a family is looking for a new community in which to purchase a home, both the developer and the family need to go back to the basics and ask if the site or community has a sufficient supply of water to meet its present and future needs. If it does not, then it is not a good location.