



## County forest district ready to seize Klein Fen

By Marni Pyke and Rupa Shenoy | Daily Herald Staff

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DuPage County Forest Preserve District leaders are poised to vote on dusting off a power they haven't exerted in recent years: condemnation.

Commissioners are expected to decide Tuesday whether to take to court owners of a property next to fragile wetlands.

The 200-acre site is owned by the Jemsek-Hinckley family, who operate nearby St. Andrew's Golf and Country Club.

Forest preserve ecologists have recommended the district buy the land because water from it flows into unusual wetlands known as the Klein fen in the West Branch Forest Preserve.

Negotiations between both sides have stalled, and the family has criticized the district for trying to take their property.

Meanwhile, the city of West Chicago is on track to annex the property, now a farm field, and rezone it for residential use.

"We've tried negotiating back and forth," forest preserve President Dewey Pierotti said Friday. "I know it's a very sensitive issue."

But protecting the fen from having its water source be paved over is important, he said.

"It's been rated by our department of natural resources as the No. 1 critical area to acquire and maintain," Pierotti said.

It's expected the forest preserve will seek only half the property, about 100 acres. What the district ultimately pays would be up to a jury or judge, but estimates range from \$110,000 to \$150,000 an acre.

Wheaton-based R. Terence Kalina, attorney for the Jemsek-Hinckley family, said he hadn't received notice of the pending proposed condemnation in writing. As things stand, negotiations are at a standstill and the two sides aren't talking, he said.

"They have our position. They have to do what they think is best," Kalina said.

If the district does move to use eminent domain, the family will "just keep going, and defend ourselves the best we can," he said.

West Chicago Mayor Mike Kwasman said the district's action "makes no difference to us. We'll continue to annex the property whether it's under condemnation or not."

The forest preserve hasn't used condemnation as a tool in recent years, so it's uncertain what the vote will be,

although several commissioners have said they agree with the purchase.

"I would support condemnation of the 100 acres because it's an important parcel for the fen itself," Commissioner Michael Formento said.

But he noted that condemnation is a less than ideal choice because "it's a long, tedious, drawn-out, expensive process."