

4/1/99

50-O-99
AN ORDINANCE

AUTHORIZING THE CITY MANAGER TO
ENTER INTO A UTILITY EASEMENT WITH
COMMONWEALTH EDISON FOR A UTILITY
LINE AT 1880 OAK AVENUE, EVANSTON

WHEREAS, the City of Evanston and 1880 Oak LLC have entered into a Redevelopment Agreement for the redevelopment of said property for an office building; and

WHEREAS, the 1880 Oak property currently has an electrical line which bisects the property and provides electrical service to surrounding property; and

WHEREAS, Commonwealth Edison has agreed to relocate the utility line to the perimeter of the property; and

WHEREAS, the relocated utility line will be relocated as outlined in Exhibit A; and

WHEREAS, in order for Commonwealth Edison to initiate the relocation of the utility line a utility easement from the City of Evanston is required; and

WHEREAS, the City of Evanston and Commonwealth Edison are desirous of entering into an easement agreement providing for the utility easement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the City Manager is hereby authorized and directed to sign the utility easement agreement marked as Exhibit A attached hereto and incorporated herein by reference.

SECTION 2: That the City Manger is hereby authorized and directed to negotiate any additional terms and conditions as are in the best interest of the City.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are they repealed.

SECTION 4: That his ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: April 5, 1999

Adopted: April 5, 1999

Approved: April 5, 1999

Edmund P. Moran, Jr.
Mayor pro Tem

Attest:

Mary J. Morris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

GRANT OF EASEMENT

The Grantor(s), City of Evanston, a Municipal Corporation

in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, hereby give(s) and grant(s) to COMMONWEALTH EDISON COMPANY, an Illinois Corporation, it's licensees, successors and assigns, an easement to construct, operate, maintain, renew, relocate and remove, from time to time, wires, cables, conduits, manholes, transformers, pedestals and other facilities used in connection with underground transmission and distribution of electricity, sounds and signals, together with right of access to the same and the right, from time to time, to trim or remove trees, bushes and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the grant herein given, in, over, under, across, along and upon the surface of property situated in Section 18, Township 41 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois, described as follows:

EASEMENT AS SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT 'A', AND MADE PART HEREOF, OF THE PROPERTY OF THE GRANTOR DESCRIBED ON THE ATTACHED EXHIBIT 'B' AND MADE PART HEREOF.

P.I.N.: 11-18-112-003 & 030

This instrument prepared by Walter A. Janz, 1500 Franklin Boulevard, Libertyville, Illinois 60048, on behalf of Commonwealth Edison Company.

PL # 438181
WT # 023775

For Corporate or Trust Signature

IN WITNESS WHEREOF, City of Evanston, a Municipal Corporation

has caused this instrument to be executed on its behalf and its corporate seal to be affixed hereto this ___ day of _____, 1999.

ATTEST: _____ By _____
Secretary (_____ President) (Trust Officer)

Complete the Appropriate Acknowledgment on Reverse Side Hereof

EXHIBIT 'B'

THE WEST 5 FEET OF THAT PART OF LOT 1 LYING NORTH OF THE NORTH 16 FEET OF THE SOUTH 27 FEET TAKEN FOR ALLEY IN CASE 54770 COUNTY COURT AND THE SOUTH 10 FEET OF THE WEST 45 FEET OF LOT 2 AND THE NORTH 15.85 FEET OF LOT 3 (EXCEPT THAT PART OF THE NORTH 15.85 FEET OF LOT 3 LYING WEST OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT IN THE NORTH LINE OF LOT 3 AFORESAID 12.26 FEET EAST OF THE NORTH WEST CORNER OF SAID LOT 3; THENCE SOUTH TO A POINT IN THE SOUTHWESTERLY LINE OF LOT 3 AFORESAID 23 FEET SOUTHEASTERLY OF SAID NORTH WEST CORNER OF SAID LOT 3) IN OWNER'S SUBDIVISION OF LOT 21 IN COUNTY CLERKS DIVISION OF LANDS IN THE NORTH WEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 11-18-112-030-0000

THAT PART OF LOT 3 IN OWNERS SUBDIVISION OF LOT 21 IN COUNTY CLERK'S DIVISION OF THE NORTH WEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 24 FEET NORTH OF THE SOUTH EAST CORNER OF LOT 3, THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 3 TO RAILROAD AVENUE, THENCE NORTH WESTERLY 45 FEET, THENCE EAST ON A LINE PARALLEL WITH SAID NORTH LINE OF LOT 3 TO THE EAST LINE OF SAID LOT 3, THENCE SOUTH TO THE POINT OF BEGINNING (EXCEPT THE NORTH 3.50 FEET OF THE SOUTH 27.50 FEET [MEASURED ON THE EAST LINE] OF SAID LOT 3 IN OWNERS RESUBDIVISION AS CONVEYED BY QUIT CLAIM DEED FROM GEORGETTE PRIESTLY AND JOHN E. PRIESTLY, HER HUSBAND, TO THE CITY OF EVANSTON DATED MAY 3, 1928 AND RECORDED MAY 7, 1928, AS DOCUMENT 10014645) IN COOK COUNTY, ILLINOIS.

P.I.N.: 11-18-112-003-0000

WT023775

