

103-O-02

AN ORDINANCE

**Authorizing the City Manager to Execute an
Easement Agreement with COS III for
Encroachment of Aerial Fiber Optic Cable in the
Right-of-Way Adjacent to 2500 Ridge Avenue**

WHEREAS, the City of Evanston ("Grantor") and COS III ("Grantee") desire to enter into an Easement Agreement for encroachment of aerial fiber optic cable in the right-of-way adjacent to 2500 Ridge Avenue; and

WHEREAS, the property located at 2500 Ridge is a four-story commercial building; and

WHEREAS, the owners of 2500 Ridge desire to connect their building to the medical records systems of Evanston Northwestern Hospital via fiber-optic cable; and

WHEREAS, said cable and its housing will be located over and above the east/west public alley, as indicated on Exhibit 'A'; and

WHEREAS, the public alley is located south of Central Street and west of Ridge Avenue; and

WHEREAS, the cable and its housing are planned to be located so as to encroach on Grantor's public right-of-way within a ten (10) foot section of the alley running north from the north property line of Grantee's property across the public alley descending from a height of fifty (50) feet at or near the south line of said public alley to no less than twenty-five (25) feet above the alley on the north line of said public alley; and

WHEREAS, the City Council has determined it is in the best interest of the City to enter into said Agreement,

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, and the City Clerk is hereby authorized and directed to attest on behalf of the City of Evanston, an Easement Agreement, attached hereto as Exhibit A and made a part hereof, between the City of Evanston and COS III for encroachment of aerial fiber optic cable on the right-of-way adjacent to the property at 2500 Ridge Avenue.

SECTION 2: That the City Manager is hereby authorized and directed to negotiate any additional terms of the Agreement as may be determined to be in the best interests of the City.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: December 16, 2002

Adopted: January 27, 2002

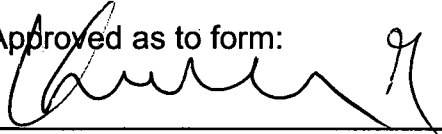
Approved:

January 30, 2002
Suzanne H. Norton
Mayor

ATTEST:

Mary J. Morris
City Clerk

Approved as to form:



Corporation Counsel

