

55-O-03

AN ORDINANCE

**Authorizing the City Manager to Execute an
Easement Agreement with Oxford Bank & Trust
For a Foundation and Earth Retention Easement
On The Public Right-of-Way Adjacent to 1572 Maple**

WHEREAS, Oxford Bank & Trust ("Oxford Bank") has acquired the property at 1572 Maple Avenue; and

WHEREAS, Oxford Bank intends to build a seven-story residential/commercial building with parking; and

WHEREAS, the bells of certain of the caissons required to support the building will be installed on the public right-of-way; and

WHEREAS, earth retention necessary to facilitate the construction of the building will be installed on the public right-of-way; and

WHEREAS, areas where the foundation and earth retention will occur on the public right-of-way are indicated on Exhibit 'A'; and

WHEREAS, the foundation and earth retention are located so as to encroach on the City's public right-of-way to a maximum of one and one-half (1.5) feet along the east property line along Maple Avenue and one and one-half (1.5) feet along the south property line along the public alley lying south of Oxford Bank's property; and

WHEREAS, Oxford Bank and the City are desirous of entering into an easement agreement providing for the afore-described encroachment of the caisson bells and earth retention of the public right-of-way; and

WHEREAS, the City Council believes it is in the best interest of the City to enter 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 1 and made a part hereof, between the City of Evanston and Oxford Bank & Trust for a foundation and earth retention easement on the public right-of-way adjacent to 1572 Maple 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: June 9, 2003

Adopted: June 23, 2003

Approved:

June 24, 2003
Lorraine H. Martin
Mayor

ATTEST:

Mary J. Morris
City Clerk

Approved as to form:

Ellen Spurr
Asst. Corporation Counsel