

07/07/2003

65-O-03

AN ORDINANCE

**Authorizing the City Manager to Execute a
Subsurface Easement Agreement with
525 Chicago Avenue Corporation for
Installation of Electrical Service Facilities on the
Public Right-of-Way Adjacent to 525 Chicago Avenue**

WHEREAS, 525 Chicago Avenue Corporation ("Chicago Avenue Corp.") is the owner of the property at 525 Chicago Avenue ("the Property"); and

WHEREAS, the City of Evanston is the owner of the public right-of-way alley adjacent to the property at 525 Chicago Avenue; and

WHEREAS, Chicago Avenue Corp. intends to build five three-story residential townhome buildings with garages on the property owned by Chicago Avenue Corp.; and

WHEREAS, part of the subsurface facilities required to support the electrical service for the buildings will be installed in the subsurface of the City's alley; and

WHEREAS, the electrical service facilities are to be located in the subsurface of the City's alley for the benefit of the property owned by Chicago Avenue Corp.; and

WHEREAS, Chicago Avenue Corp. and the City are desirous of entering into a Subsurface Easement Agreement providing for the installation of electrical service facilities on the public right-of-way; and

WHEREAS, Chicago Avenue Corp. has agreed to pay the City the sum of \$7,850 for the benefit of said subsurface easement; 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, a Subsurface Easement Agreement, attached hereto as Exhibit 1 and made a part hereof, between the City of Evanston and 525 Chicago Avenue Corporation for installation of electrical service facilities on the public right-of-way adjacent to 525 Chicago 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: July 14, 2003

Adopted: July 28, 2003

Approved: July 29, 2003
Lorraine H. Morris
Mayor

ATTEST:
Mary J. Morris
City Clerk

Approved as to form:
[Signature]
Corporation Counsel