

11/15/2005

**132-O-05**

**AN ORDINANCE**

**Authorizing the City Manager to Execute an  
Easement Agreement with the Metropolitan Water  
Reclamation District for a Storm Sewer at  
Colfax Street and Bryant Avenue on the Southeast  
Bank of the North Shore Channel**

**WHEREAS**, the City of Evanston ("Grantee") and the Metropolitan Water Reclamation District ("District") desire to enter into an Easement Agreement for a storm sewer at Colfax Street and Bryant Avenue on the southeast Bank of the North Shore Channel; and

**WHEREAS**, the Grantee desires a twenty-five (25) -year non-exclusive easement to construct, reconstruct, operate, maintain, repair, and remove a forty-two (42) -inch to forty-eight (48) -inch diameter storm sewer and outfall at Colfax Street and Bryant Avenue on the southeast bank of the North Shore Channel approximately twenty (20) feet wide and three hundred seventy eight (378) feet long containing 0.17 acres on the real estate legally described and depicted in Exhibit A of the Agreement which is attached hereto and made a part hereof; and

**WHEREAS**, the Grantee desires a two (2) -year non-exclusive temporary easement to construct said storm sewer and outfall, which is approximately one hundred (100) feet in width and three hundred seventy two

(372) feet in length containing 0.85 acres on the real estate, which is also legally described and depicted on Exhibit B of the Agreement attached hereto; and

**WHEREAS**, the District is willing to grant to the Grantee the easement aforesaid, upon the conditions hereinafter set forth; 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 marked as Exhibit 1, attached hereto and made a part hereof, between the City of Evanston and the Metropolitan Water Reclamation District for constructing, operating, maintaining, repairing, and removing a storm sewer on Colfax Street and Bryant Avenue on the southeast bank of the North Shore Channel.

**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: November 28, 2005

Adopted: December 12, 2005

Approved:

December 13, 2005

Lorraine H. Morton  
Lorraine H. Morton, Mayor

Attest:

Mary P. Morris  
Mary P. Morris, City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

