

60-R-10

A RESOLUTION

Authorizing the City Manager to Execute a Declaration of Easements Agreement with Northwestern University for Certain Utility Easements Beneath Sheridan Road

WHEREAS, the City of Evanston, Cook County, Illinois, (the “City”) is a home rule unit of government under the Illinois Constitution of 1970; and

WHEREAS, Northwestern University (“NU”) desires to install utility sleeves beneath Sheridan Road, approximately two hundred fifty feet (250’) east of the intersection of Chicago Avenue and Sheridan Road, in order to accommodate future steam pipes, chilled water and fiber optic cables; and

WHEREAS, given that said utility sleeves must be installed by open trench, it is advisable to install them during the Sheridan Road construction currently underway, in order to avoid potential damage to the existing utilities located beneath Sheridan Road, and Sheridan Road itself; and

WHEREAS, the City and NU wish to negotiate and execute, by and between them, a declaration of easements agreement (the “Agreement”) regarding the installation of said utilities,

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

SECTION 1: That the City Manager is hereby authorized and directed to negotiate all necessary terms of the Agreement as he may determine to be in the best interests of the City, and which shall be approved as to form by the Corporation Counsel.

SECTION 2: That the Agreement shall grant NU certain utility easements beneath Sheridan Road, to be located approximately two hundred fifty feet (250') east of the intersection of Chicago Avenue and Sheridan Road, to accommodate installation of Northwestern University utilities.

SECTION 3: That NU is and shall be solely responsible for the utility sleeve installation project and shall fund the project in its entirety.

SECTION 4: That the initial easement term shall not exceed twenty-five (25) years from the effective date of this Resolution.

SECTION 5: That, pursuant to the Agreement, NU shall pay the City an annual utility easement fee. For the first year of the Agreement, said fee shall be one thousand, one hundred two dollars and fifty cents (\$1,102.50), which equals fifty cents per square foot (\$0.50/sq.ft.) for two thousand, two hundred five square feet (2,205 sq. ft.). For every subsequent year of the term of the Agreement, the annual fee shall increase by two and one-half percent (2.5%) over the prior year's fee. At the end of said initial term, the City shall revisit the easement fee and negotiate any additional necessary conditions in order to renew the easement agreement with NU.

SECTION 6: That this Resolution 60-R-10 shall be in full force and effect from and after its passage and approval in the manner provided by law.

Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene, City Clerk

Adopted: _____, 2010