

4/13/2017

36-R-17

A RESOLUTION

Authorizing the City Manager to Grant an Easement for Electric and Communication Service Line Installation on Sheridan Road

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


SECTION 1: The City Manager is hereby authorized and directed to sign an Easement Agreement (the "Agreement") by and between the City and Northwestern University for the City to grant an easement for the installation of electric and communication service lines below ground on Sheridan Road, south of Emerson Street and north of Sheridan Road. The Agreement is attached hereto as Exhibit 1 and incorporated herein by reference.

SECTION 2: The City Manager is hereby authorized and directed to negotiate any additional conditions of said Agreement that he deems to be in the best interests of the City.

SECTION 3: This resolution 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: April 24, 2017

EXHIBIT 1

EASEMENT AGREEMENT

**GRANT OF NON-EXCLUSIVE PUBLIC
UTILITY EASEMENT**

In consideration of the payment of the easement fee in the amount of Fifty-Seven Thousand Four Hundred Thirty-Seven and 00/100 Dollars (\$57,437.00) and other good and valuable consideration ("Easement Fee"), the receipt of which hereby is acknowledged, **THE CITY OF EVANSTON**, of the State of Illinois, County of Cook and its successors, assignees and transferees (all hereinafter referred to as "Grantor"), hereby grants to **NORTHWESTERN UNIVERSITY**, of the State of Illinois, County of Cook and its successors, assignees and transferees (all hereinafter referred to as "Grantee") a non-exclusive permanent easement for the period between May 1, 2017 through April 30, 2067 for a total of fifty (50) years ("Easement Term") for the purpose of the installation of utility conduits to accommodate electrical and communication lines, and appurtenances in, over, upon, through, along, across and under the following described real estate, with an area of approximately 1,000 sq. ft. as described below:

A Public Utility Easement,

A 20.00 foot Utility Easement below ground level not to exceed a maximum depth of 16.00 feet (as measured from the existing centerline of Sheridan Road) of that part of Sheridan Road described as follows: Commencing at the Southwesterly corner of Haven Street and Sheridan Road, being also the Northeast corner of Block 84 in the Northwestern University Subdivision in fractional sections 7 and 18, Township 41 North, Range 14 East of the third principal meridian, according to the plat thereof recorded February 13, 1875 as Document No. 13935; thence South 00°05'38" West on an assumed bearing along the Easterly line of said Block 84 being also the West line of Sheridan Road a distance of 122.50 feet to the point of beginning; thence South 89°52'58" East a distance of 100.60 feet to the East line of Sheridan Road; thence South 00°07'02" West along said East line of Sheridan Road a distance of 20.00 feet; thence North 89°52'58" West a distance of 100.59 feet to said West line of Sheridan Road, thence North 00°05'38" East a distance of 20.00 feet to the point of beginning, in Cook County, Illinois, situated in the County of Cook, State of Illinois and at Sheridan Road south of Emerson Street Street and north of Sheridan Road and hereby releases and waives all right under and by virtue of the Homestead Exemption Laws of the State of Illinois. The above-described real estate and improvements located thereon are herein referred to as the "Premises." Attached as Exhibit A is the Plat of Easement depicting said Easement on the Premises and contains the legal description for said Easement.

Grantor hereby grants, conveys, warrants and dedicates to the Grantee, its agents, servants, employees, its successors and assigns, a non-exclusive public utilities easement to survey, construct, reconstruct, use, operate, maintain, test, inspect, repair, or alter the steam service pipe(s), condensate service pipe(s), electrical/communication line(s), and related appurtenances and to inspect and make alterations to the above describe systems, both only in consultation with the City of Evanston's Public Works Agency and any and all of parameters and restrictions on said use described, in, over, upon, thru, along, across and under the Premises together with related attachments, equipment and appurtenances thereto (collectively "Public Utilities") in upon, under, along and across the Premises, with the right of access thereto, including all

reasonable rights of ingress and egress across any adjoining lands of Grantor necessary for the exercise of the rights herein granted.

Grantor shall have and retain all rights to use and occupy the premises and access to Grantor's remaining property, except as herein expressly granted; provided, however, Grantor's use and occupation of the premises may not interfere with Grantee's use of the premises for the purposes herein described.

Grantor, without limiting the interest above granted and conveyed, acknowledges that upon payment of the agreed consideration, all claims arising out of the above acquisition have been settled, including without limitation, any diminution in value to any remaining property of the Grantor caused by opening, improving, and using the premises for highway purposes. This acknowledgment does not waive any claim for trespass or negligence against the Grantee or Grantee's agents which may cause damage to Grantor's remaining property.

This grant shall constitute a covenant, which runs with the land, and shall be binding upon the legal representatives, successors and assigns of Grantor.

Dated this _____ day of _____, 2017.

GRANTOR:

By: _____
Wally Bobkiewicz, City Manager
CITY OF EVANSTON

ATTEST:

By: _____
Rodney Greene, City Clerk
CITY OF EVANSTON

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, _____, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that Wally Bobkiewicz, City Manager of the City of Evanston who is personally know to me to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

Given under by hand and notarial seal this _____ day of _____, 2017

Notary Public

GRANTEE:

Northwestern University
Facilities Management Operations

By: _____
Signature

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, _____, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that Charles Davidson, Facilities Management Operations who is personally know to me to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

Given under by hand and notarial seal this _____ day of _____, 2017

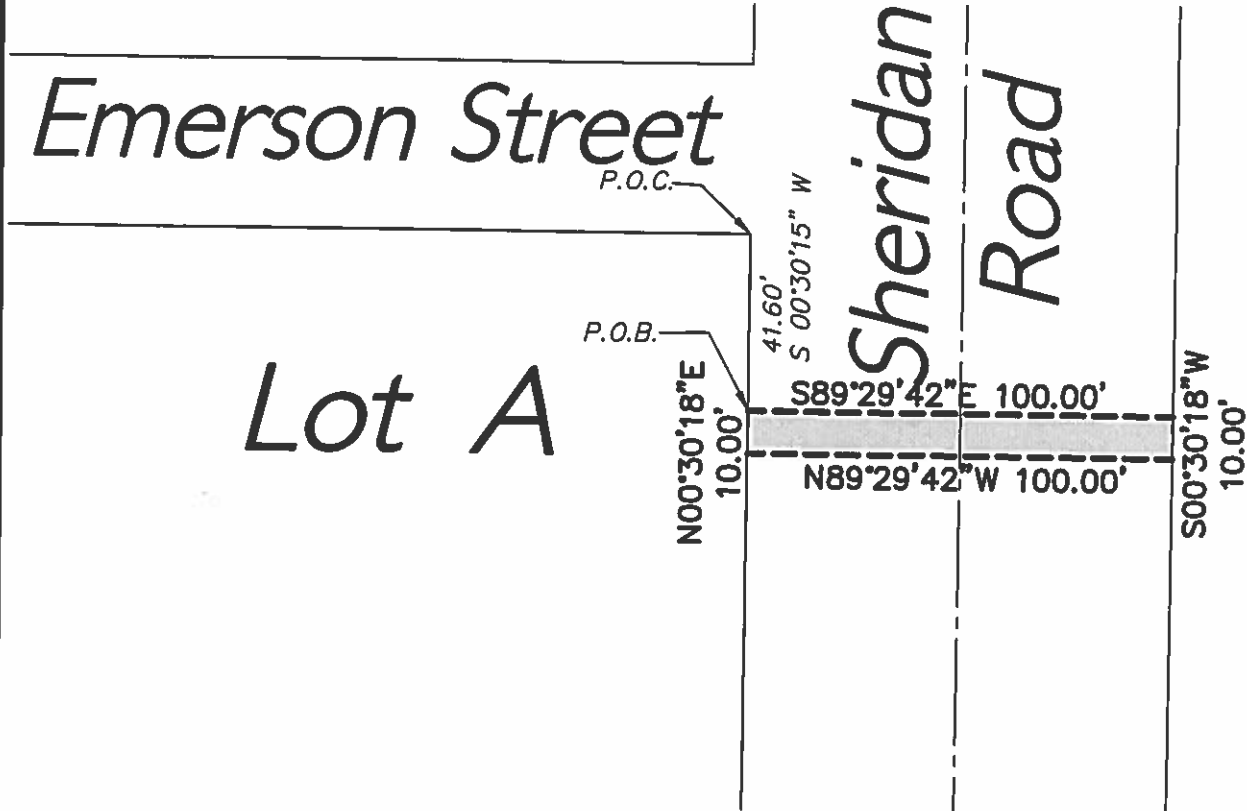
Notary Public

EXHIBIT A
PLAT OF EASEMENT

PLAT OF EASEMENT OF

A 10.00 FOOT UTILITY EASEMENT BELOW GROUND LEVEL NOT TO EXCEED A MAXIMUM DEPTH OF 8.00 FEET (AS MEASURED FROM THE EXISTING CENTERLINE OF SHERIDAN ROAD) OF THAT PART OF SHERIDAN ROAD DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWESTERLY CORNER OF EMERSON STREET AND SHERIDAN ROAD, BEING ALSO THE NORTHEAST CORNER OF LOT A IN THE PLAT OF CONSOLIDATION OF PARTS OF BLOCKS 2, 5, 9 AND 10 IN THE VILLAGE (NOW CITY) OF EVANSTON SUBDIVISION IN FRACTIONAL SECTIONS 7 AND 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 10, 1974 AS DOCUMENT NO. 22680757; THENCE SOUTH 00°30'18" WEST ON AN ASSUMED BEARING ALONG THE EASTERLY LINE OF SAID LOT A, BEING ALSO THE WEST LINE OF SHERIDAN ROAD A DISTANCE OF 41.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°29'42" EAST A DISTANCE OF 100.00 FEET TO THE EAST LINE OF SHERIDAN ROAD; THENCE SOUTH 00°30'18" WEST ALONG SAID EAST LINE OF SHERIDAN ROAD A DISTANCE OF 10.00 FEET; THENCE NORTH 89°29'42" WEST A DISTANCE OF 100.00 FEET TO THE WEST LINE OF SAID SHERIDAN ROAD; THENCE NORTH 00°30'18" EAST ALONG THE WEST LINE OF SHERIDAN ROAD A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS. CONTAINING 1000 SQ. FT.

1" = 40'



STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF EVANSTON,
COOK COUNTY, ILLINOIS ON THIS _____ DAY OF _____, 2017.

BY: _____ CITY CLERK, EVANSTON, ILLINOIS

STATE OF ILLINOIS)
COUNTY OF LAKE) S.S.

GEWALT HAMILTON ASSOCIATES, INC., DO HEREBY CERTIFY THAT WE HAVE PREPARED THIS PLAT OF EASEMENT FROM EXISTING PLATS AND PLANS FOR THE PURPOSE OF GRANTING THE UTILITY EASEMENT AS SHOWN HEREON.

I HEREBY AUTHORIZE A REPRESENTATIVE FOR THE CITY OF EVANSTON TO RECORD THIS PLAT WITH THE COOK COUNTY RECORDERS OFFICE.

GEWALT HAMILTON ASSOCIATES, INC. DATED THIS 15TH. DAY OF FEBRUARY, 2017.

EDWARD A. HEDGE, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3026
MY LICENSE EXPIRES NOVEMBER 30, 2018



GHA GEWALT HAMILTON ASSOCIATES, INC.
625 Forest Edge Drive ■ Vernon Hills, IL. 60061
TEL 847.478.9700 ■ FAX 847.478.9701

SHERIDAN ROAD
BLOCK 11
NORTHWESTERN UNIVERSITY

FILE: 4550.071_PLAT.dwg

DRAWN BY: EAH	GHA PROJECT #
DATE 4/6/17	4550.071
CHECKED BY:	SCALE 1" = 40'

Easement Fee Calculation for Resolution 36-R-17
Utility Easement Across Sheridan Road 50 feet South of Emerson Street

	year	rate/SF	SF	Cost
1	2017	0.678	1,000	\$ 678.00
2	2018	0.692	1,000	\$ 692.00
3	2019	0.706	1,000	\$ 706.00
4	2020	0.720	1,000	\$ 720.00
5	2021	0.734	1,000	\$ 734.00
6	2022	0.749	1,000	\$ 749.00
7	2023	0.764	1,000	\$ 764.00
8	2024	0.779	1,000	\$ 779.00
9	2025	0.795	1,000	\$ 795.00
10	2026	0.811	1,000	\$ 811.00
11	2027	0.827	1,000	\$ 827.00
12	2028	0.844	1,000	\$ 844.00
13	2029	0.861	1,000	\$ 861.00
14	2030	0.878	1,000	\$ 878.00
15	2031	0.896	1,000	\$ 896.00
16	2032	0.914	1,000	\$ 914.00
17	2033	0.932	1,000	\$ 932.00
18	2034	0.951	1,000	\$ 951.00
19	2035	0.970	1,000	\$ 970.00
20	2036	0.989	1,000	\$ 989.00
21	2037	1.009	1,000	\$ 1,009.00
22	2038	1.029	1,000	\$ 1,029.00
23	2039	1.050	1,000	\$ 1,050.00
24	2040	1.071	1,000	\$ 1,071.00
25	2041	1.092	1,000	\$ 1,092.00
26	2042	1.114	1,000	\$ 1,114.00
27	2043	1.136	1,000	\$ 1,136.00
28	2044	1.159	1,000	\$ 1,159.00
29	2045	1.182	1,000	\$ 1,182.00
30	2046	1.206	1,000	\$ 1,206.00
31	2047	1.230	1,000	\$ 1,230.00
32	2048	1.255	1,000	\$ 1,255.00
33	2049	1.280	1,000	\$ 1,280.00
34	2050	1.306	1,000	\$ 1,306.00
35	2051	1.332	1,000	\$ 1,332.00
36	2052	1.359	1,000	\$ 1,359.00
37	2053	1.386	1,000	\$ 1,386.00
38	2054	1.414	1,000	\$ 1,414.00
39	2055	1.442	1,000	\$ 1,442.00
40	2056	1.471	1,000	\$ 1,471.00
41	2057	1.500	1,000	\$ 1,500.00
42	2058	1.530	1,000	\$ 1,530.00
43	2059	1.561	1,000	\$ 1,561.00
44	2060	1.592	1,000	\$ 1,592.00
45	2061	1.624	1,000	\$ 1,624.00
46	2062	1.656	1,000	\$ 1,656.00
47	2063	1.689	1,000	\$ 1,689.00
48	2064	1.723	1,000	\$ 1,723.00
49	2065	1.757	1,000	\$ 1,757.00
50	2066	1.792	1,000	\$ 1,792.00
			total cost	\$ 57,437.00

Rate/SF increased 2% per year

Starting cost based on Rate/SF charged to Evanston by MWRD

2% increase based on 14 year history of payments to MWRD