

17-R-93

A RESOLUTION

Authorizing the City Manager to Dismiss
the Eminent Domain Proceeding against
646 Pitner Avenue

WHEREAS, the City Council on March 23, 1992 adopted ordinance 26-0-92 which authorized the City Manager to institute condemnation proceedings in the name of the City for the purpose of acquiring title and possession to the property commonly known as 646 Pitner Avenue, Evanston; and

WHEREAS, the City has instituted the eminent domain proceedings; and

WHEREAS, pursuant to the terms of an indemnification agreement between the City of Evanston and Joseph J. Freed and Associates (Freed), Freed has the right, at any time during the eminent domain proceedings to direct the City to terminate the proceedings; and

WHEREAS, upon the termination of eminent domain proceedings, Freed is required to reimburse the City for all costs incurred in connection with the eminent domain proceedings, including but not limited to attorneys fees; and

WHEREAS, on January 19, 1993, Freed provided the City written notice to terminate the eminent domain proceeding, a copy of said notice marked as Exhibit A is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to said notice, Freed has acknowledged its obligation to reimburse the City for all cost associated with the eminent domain proceedings;

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

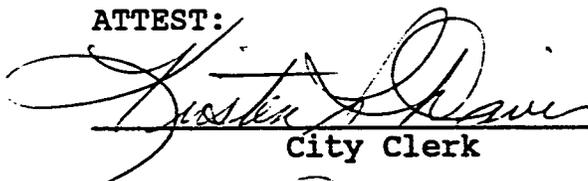
SECTION 1: That the City Manager is directed to take any and all actions necessary to terminate the eminent domain proceedings on the property known as 646 Pitner Avenue, Evanston, Illinois, and legally described as Exhibit B.

SECTION 2: This resolution shall be in full force and effect following its passage and approval in the manner provided by law.



Mayor

ATTEST:



City Clerk

Adopted: January 15, 1993

LEGAL DESCRIPTION

Lot 1 in Hess' Subdivision of part of the North 300 feet of the West two thirds of the South West Quarter of the South West Quarter of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

and

Lot 1 in Hartrey - Keeney Corporation Resubdivision of part of the North 5 feet of Lot A in Oakton Consolidation in the South West Quarter of the South West Quarter of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois and all of Lot 2 in Hess' Subdivision of part of the North 300 feet of the West two thirds of the South West Quarter of the South West Quarter of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois

and

That part of the North 150 feet of the West two thirds of the South West Quarter of the South West Quarter of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the Easterly right of way line of Chicago and Northwestern Railway Company with the North line of said Southwest Quarter of the Southwest Quarter of Section 24, thence East on said Line 53.12 feet, thence South at right angles to said North Line 100 feet, thence West parallel to said North Line 99.15 feet more or less to the Easterly Line of Right of Way of said Railway Company, thence Northeasterly along the said Right of Way Line 110.09 feet more or less to the Point of Beginning, in Cook County, Illinois.