

85-R-97

A RESOLUTION

Authorizing the Grant of a License
to Jeffrey Strange Permitting the
Overhang of a Roof Over the
Rights-of-Way at 2934 Central Street

WHEREAS, Jeffrey Strange is the owner of the property at 2934 Central Street,
Evanston, Illinois; and

WHEREAS, the Licensee seeks permission for a roof overhang of 4.5 feet over the
rights-of-way of Central Street and Hurd Avenue located at 2934 Central Street on said
property described as follows:

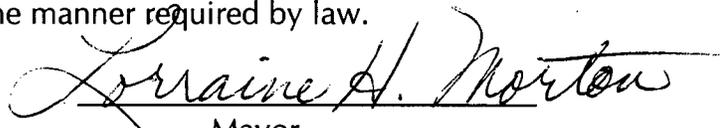
THAT PART OF CENTRAL STREET AND HURD AVENUE DESCRIBED AS
FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF CENTRAL STREET AND HURD
AVENUE, THENCE SOUTHERLY ALONG THE EAST LINE OF HURD AVENUE A
DISTANCE OF 134.5 FEET, THENCE WESTERLY AT RIGHT ANGLE TO THE LAST
DESCRIBED LINE A DISTANCE OF 4.5 FEET, THENCE NORTHERLY ALONG A LINE
PARALLEL TO THE EAST LINE OF HURD AVENUE A DISTANCE OF 139 FEET,
THENCE EASTERLY ALONG A LINE PARALLEL TO THE SOUTH LINE OF CENTRAL
STREET A DISTANCE OF 68 FEET, THENCE SOUTHERLY TO THE INTERSECTING
POINT ON THE SOUTH LINE OF CENTRAL STREET, THENCE ALONG THE SOUTH
LINE OF CENTRAL STREET TO THE POINT OF BEGINNING, ALL APPROXIMATELY
35 FEET ABOVE THE SIDEWALK ELEVATION, IN WEST ½ OF NORTHEAST 1/4 OF
SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL
MERIDIAN IN COOK COUNTY, ILLINOIS.

WHEREAS, the City Council of the City of Evanston finds and determines that the best
interests of the City and its residents would be served by the grant of a license to permit the
aforesaid roof overhang on the rights-of-way,

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 sign, and the City Clerk hereby authorized and directed to attest on behalf of the City of Evanston, a License Agreement in substantial conformity with that attached hereto as Exhibit 1 and made a part hereof, between the City, as Licensor, and Jeffrey Strange, as Licensee, providing for Licensee's permission to have a roof overhang of 4.5 feet over the rights-of-way of Central Street and Hurd Avenue located at 2934 Central Street, Evanston, Illinois.

SECTION 2: That this Resolution shall be in full force and effect from and after the date of its passage and approval in the manner required by law.



Mayor

ATTEST:



City Clerk

Adopted: November 10, 1997

EXHIBIT I

REVOCABLE LICENSE AGREEMENT

The City of Evanston, an Illinois municipal corporation, ("City"), for good and valuable consideration, receipt of which is acknowledged, does hereby grant to Jeffrey Strange ("Licensee"), a license permitting a roof overhang of 4.5 feet over the rights-of-way of Central Street and Hurd Avenue located at 2934 Central Street, Evanston. Said overhang is located in the area legally described as Exhibit A attached hereto and incorporated by reference. The License is made by the City and accepted by the Licensee upon these terms and conditions, and Licensee agrees that should the Licensee at any time violate any of said terms or conditions, or use or attempt to use said property for any other or different purpose than that specified herein, then the City may, at its option, immediately revoke this License:

1. That the License is for the exclusive purpose of permitting a roof overhang of 4.5 feet over the rights-of-way of Central Street and Hurd Avenue at the Licensee's property at 2934 Central Street, described as follows:

See Exhibit A

2. That Licensee acquires no rights below the surface of the public way by virtue of this License.

3. That Licensee agrees to obtain any applicable permits required by the Evanston City Code, for the roof overhang.

4. As a material consideration to the City for entering into this License and without which the City would not enter into same, Licensee agrees to indemnify and save and hold harmless the City, its successors and assigns, from all liability for injuries to persons, deaths,

or losses or damages to property resulting from the giving of this License or arising out of or caused by the roof overhang on the public rights-of-way located in the area designated on Exhibit A. The Licensee shall, at his own expense, appear, defend and pay all charges of attorneys and all costs and other expenses arising from or incurred in connection with any of these provisions.

5. Prior to the signing of this License, Licensee will provide the City with adequate and satisfactory insurance coverage against all risk of harm or any injury to any party through a recognized surety. Said insurance will name the City an additional insured and will give the City thirty days' notice of cancellation. Licensee will keep said insurance in effect throughout the term of this License.

6. This License is not assignable or otherwise transferable by Licensee.

The CITY OF EVANSTON expressly reserves the right to revoke this Licensee upon thirty (30) days' written notice if it is determined in the best interest of the City to do so. In such event, Licensee shall have no recourse against the City, and, if directed by the City, Licensee shall either remove or modify portion of said roof which overhangs the rights-of-way to the satisfaction of the City.

IN WITNESSES WHEREOF, this License is executed this _____ day of _____, 1997.

By: _____
Jeffrey Strange

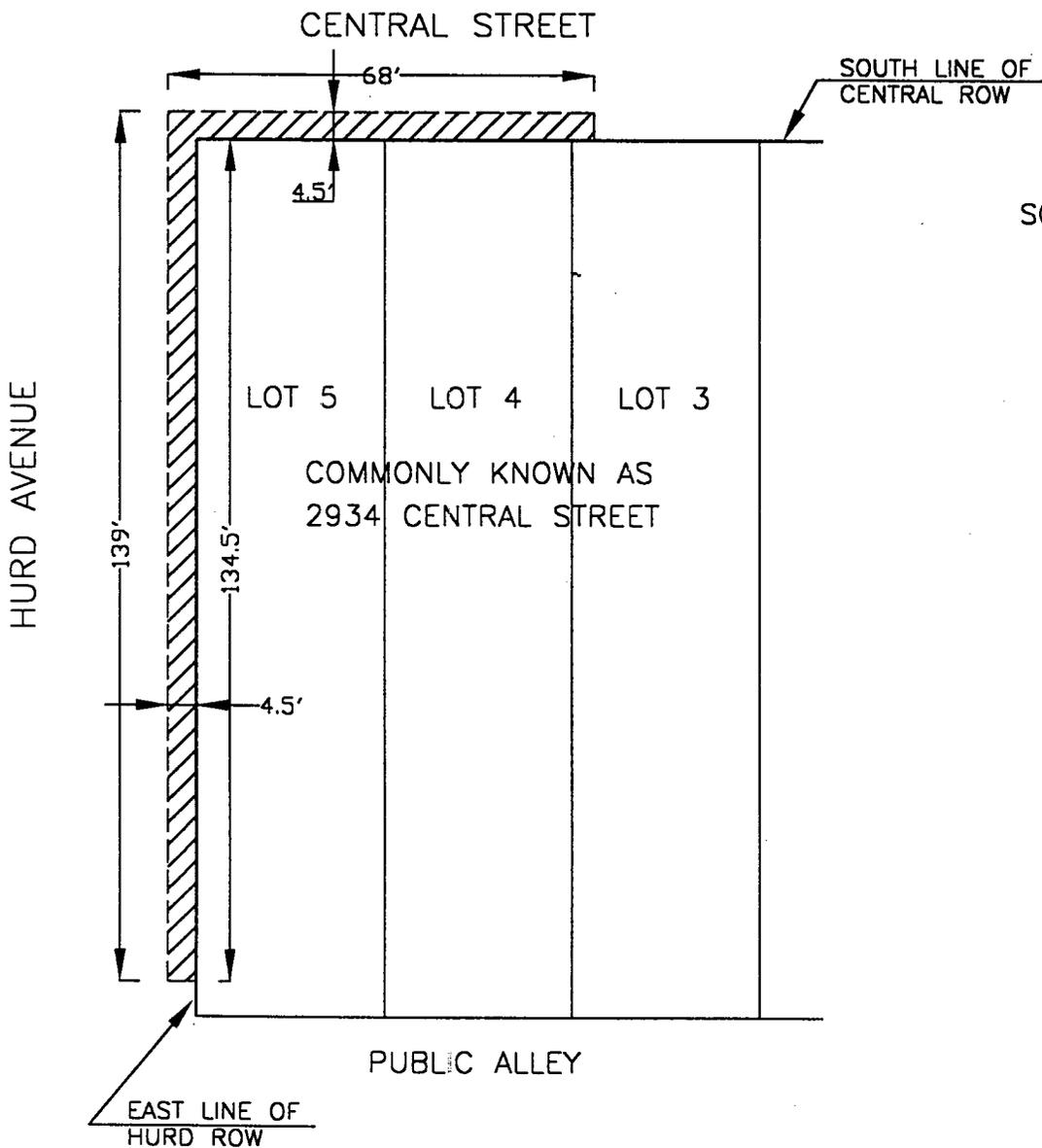
Attest: _____
Mary Morris

By: _____
Roger Crum, City Manager
City of Evanston

EXHIBIT "A" LICENSE AGREEMENT

T PART OF CENTRAL STREET AND HURD AVENUE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF CENTRAL STREET AND HURD AVENUE, THENCE SOUTHERLY ALONG THE EAST LINE OF HURD AVENUE A DISTANCE OF 134.5 FEET, THENCE WESTERLY AT RIGHT ANGLE TO THE LAST DESCRIBED LINE A DISTANCE OF 4.5 FEET, THENCE NORTHERLY ALONG A LINE PARALLEL TO THE EAST LINE OF HURD AVENUE A DISTANCE OF 139 FEET, THENCE EASTERLY ALONG A LINE PARALLEL TO THE SOUTH LINE OF CENTRAL STREET A DISTANCE OF 68 FEET, THENCE SOUTHERLY TO THE INTERSECTING POINT ON THE SOUTH LINE OF CENTRAL STREET, THENCE ALONG THE SOUTH LINE OF CENTRAL STREET TO THE POINT OF BEGINNING, ALL APPROXIMATELY 35 FEET ABOVE THE SIDEWALK ELEVATION, IN WEST 1/2 OF NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.



SCALE: 1"=30'