

4/15/99

29-R-99

A RESOLUTION

**Authorizing the City Manager to
Execute the First Amendment to
“Agreement With Northwestern University for
Exchange of Real Estate”**

WHEREAS, the City of Evanston (“City”) and Northwestern University (“University”) entered into that certain Agreement for Exchange of Real Estate dated as of January 20, 1999 (the “Agreement”), which set forth the terms and conditions upon which the City agreed to convey to the University the City Exchange Property in exchange for the University Exchange Property and the University agreed to convey to the City the University Exchange Property in exchange for the City Exchange Property; and

WHEREAS, pursuant to Section 3.2(c) of the Agreement, the City provided the University with certain environmental studies detailing the environmental condition of the City Exchange Property; and

WHEREAS, said studies disclosed the presence of certain hazardous materials in soil and groundwater samples collected from the City Exchange Property; and

WHEREAS, pursuant to Section 3.2(c) of the Agreement, the University provided the City with that certain environmental study detailing the environmental

condition of the University Exchange Property, entitled "Subsurface Soil Investigation, Maple Street Substation Property, Northwestern University, Evanston, Illinois"; and

WHEREAS, the University-Environmental Study concluded that there was no evidence of significant impacts to soil and groundwater at the University Exchange Property; and

WHEREAS, to accommodate the desire of the Parties to proceed with the transaction contemplated by the Agreement, the City and the University desire to amend the Agreement for the purpose of setting forth the terms and conditions upon which the City will remain responsible for the Hazardous Materials on the City Exchange Property, and the University will remain responsible for any Hazardous Materials on the University Exchange Property,

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 execute and the City Clerk is hereby authorized and directed to attest on behalf of the City of Evanston the First Amendment to the Exchange of Real Estate Agreement attached hereto as Exhibit A and incorporated herein by reference.

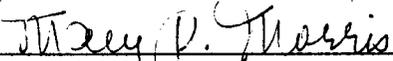
SECTION 2: That the City Manager is hereby authorized and directed to negotiate any additional terms and conditions as may be determined to be in the best interests of the City.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.



Mayor pro tem

ATTEST:



City Clerk

Adopted: April 20, 1999