

37-R-01

**A RESOLUTION**

**Authorizing the City Manager to Enter into  
An Easement Agreement With Focus Development, Inc.  
For Subsurface Footings, a Canopy & a  
Terrace Encroachment on the Public Way**

WHEREAS, Focus Development, Inc. ("Focus") has acquired the property at the southwest corner of Maple Avenue and Church Street; and

WHEREAS, Focus intends to build a seventeen-story residential/commercial building with parking; and

WHEREAS, the weight of the proposed building is such that underground vertical load supports, "Foundation caissons and caisson bell", are necessary to support the building; and

WHEREAS, caisson bells distribute the weight of the building to a depth at which the density of the soil provides the needed bearing capacity; and

WHEREAS, foundation caissons and caisson bells are circular shaped objects of the type called "caissons" as indicated on Exhibit A; and

WHEREAS, the foundation caissons and caisson bells will be located so as to encroach on the City's public right-of-way to a maximum of three feet along the north property line along Church Street; three feet along Maple Avenue; and one and one-half feet along the alley south of the development site; and

WHEREAS, the penthouse terrace on the 16<sup>th</sup> floor of the proposed building extends over the public right-of-way to a maximum of three feet along the east property line along Maple Avenue; and

WHEREAS, the steel and glass canopy to the retail entrance extends over the public right-of-way to a maximum of four feet along the east property line along Maple Avenue; and

WHEREAS, Focus and the City are desirous of entering into an easement agreement providing for the afore-described encroachment on the public right-of-way;

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

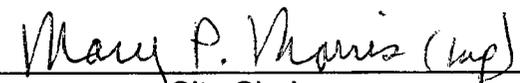
**SECTION 1:** That the City Manager is hereby authorized and directed to sign the Easement Agreement marked as Exhibit 1, attached hereto and incorporated herein by reference.

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

  
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Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
City Clerk

Adopted: May 21, 2001