

47-R-02

A RESOLUTION

**Authorizing the City Manager to Execute an
Easement Agreement with 1881 Oak, LLC
for Subsurface Footings Encroachment
on Public Ways**

WHEREAS, Grantee has acquired the property legally described on Exhibit "A", attached hereto and by this reference incorporated herein (hereinafter referred to as the "1881 Land"); and

WHEREAS, Grantee intends to build an office building (hereinafter referred to as the "Building") on the 1881 Land; and

WHEREAS, the weight of the Building is such that underground vertical load supports, commonly known as footings, are necessary to support the Building; and

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

WHEREAS, footings are rectilinear objects of the type called "spread footings"; and

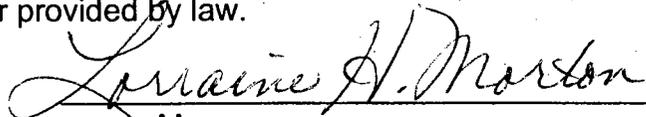
WHEREAS, two footings (hereinafter referred to as the "Footings") will be located so as to encroach (hereinafter referred to as the "Encroachments") on portions of the Grantor's public rights-of-way (hereinafter referred to collectively as "Public Rights-of-Way") commonly known as "Emerson Street" and Oak Avenue" as depicted on Exhibit "B" attached hereto and by this reference incorporated herein (said portions are hereinafter referred to collectively as the "Easement Parcels"),

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 is hereby authorized and directed to attest on behalf of the City of Evanston, an Easement Agreement, attached hereto as Exhibit A and made a part hereof, between the City of Evanston and 1881 Oak, LLC for subsurface footings encroachment on the public ways adjacent to the property at 1880 Oak.

SECTION 2: That the City Manager is hereby authorized and directed to negotiate any additional terms of the Agreement 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

ATTEST:


City Clerk

Adopted: June 10, 2002