

64-R-02

A RESOLUTION

**Authorizing the City Manager to
Sign an Easement Agreement with Esskay
Development, LLC, For an Existing Sidewalk Vault**

WHEREAS, Esskay Development, LLC has acquired the property at the northwest corner of Chicago Avenue and Main Street; and

WHEREAS, Esskay Development, LLC intends to renovate the existing building, add one floor and provide a 5-story addition on the northern portion of the site, change the use to residential, and provide retail on the first floor; and

WHEREAS, the existing building foundation wall, which is necessary to support the building, runs along the east and south property lines which also have an existing sidewalk vault adjacent to this foundation wall; and

WHEREAS, sidewalk vault will be used as storage area for this property and public utility easement; and

WHEREAS, foundation wall and sidewalk vault are indicated on attached survey; and

WHEREAS, foundation wall and sidewalk vault are located so as to encroach on the City's public right-of-way to a maximum of 9.0 feet along the east property line and 14.21 feet along the south property line, from the corner in both directions for a distance of 83.94 feet along Chicago Avenue and 73.08 feet along Main Street; and

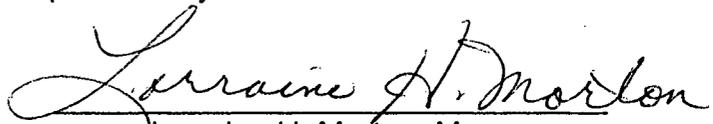
WHEREAS, Esskay Development, LLC and the City of Evanston are desirous of entering into an Easement Agreement providing for the aforescribed encroachment of the footing on the public right-of-way,

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, and the City Clerk hereby authorized and directed to attest on behalf of the City of Evanston, an Easement Agreement with Esskay Development, LLC, for an existing sidewalk fault and foundation wall at the northwest corner of Chicago Avenue and Main Street, marked as Exhibit A attached hereto and incorporated herein by reference.

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


Lorraine H. Morton, Mayor

ATTEST:


City Clerk

Adopted: August 12, 2002