



Legislation Details (With Text)

**File #:** 22-1011      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 8/21/2022      **In control:** City Council

**On agenda:** 9/6/2022      **Final action:** 9/6/2022

**Title:** Pass the ordinance authorizing the execution of a purchase and sale agreement, temporary construction easement agreement, grant of permanent easement agreement, and encroachment license agreement pertaining to portions of real property located at 22 E. Chicago Avenue

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Purchase, Sale, Temp Easement, Permanent Easement , Encroachment at 22 E Chicago Av, 2. Exhibit A to the Ordinance: Depiction of 22 E. Chicago Avenue, 3. Exhibit B to the Ordinance: Legal Description of 22 E. Chicago Avenue, 4. Exhibit C to the Ordinance: Purchase and Sale Agreement for 22 E. Chicago Avenue, 5. Exhibit D to the Ordinance: Temporary Construction Easement Agreement for 22 E. Chicago Avenue, 6. Exhibit E to the Ordinance: Grant of Permanent Easement Agreement for 22 E. Chicago Avenue, 7. Exhibit F to the Ordinance: Encroachment License Agreement for 22 E. Chicago Avenue

Date	Ver.	Action By	Action	Result
9/6/2022	1	City Council	passed	

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance authorizing the execution of a purchase and sale agreement, temporary construction easement agreement, grant of permanent easement agreement, and encroachment license agreement pertaining to portions of real property located at 22 E. Chicago Avenue

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** William J Novack, Director/City Engineer

**BOARD/COMMISSION REVIEW:**

N/A

**BACKGROUND:**

Due to its structural condition the City must replace the downtown Washington Street bridge over the west branch of the DuPage River. This is a very large and comprehensive project which includes the following components:

1. Complete removal and replacement of the bridge and its supports
2. Replacement of the sanitary sewer siphon under the river on the west side of the bridge
3. Installation of a new watermain under the river on the east side of the bridge
4. Installation of an electric duct bank under the river on the east side of the bridge
5. Relocation by AT&T of their existing "long-line" duct package hanging from the bottom of the bridge to an underground package on the east side of the bridge

6. Addition of right-turn lanes for southbound Washington Street at Aurora Avenue and for eastbound Aurora Avenue at Washington Street

Construction of all this work will take two years and it will be completed one half at a time. In the first stage the east side of the existing bridge will be demolished and the east half of the new bridge along with all utilities and other work on the east side will be completed. Before the second stage can begin AT&T will have to splice and cut over their duct package. This process itself will take two to three months. After AT&T completes their work the west half of the bridge and elements on that side will be constructed.

**DISCUSSION:**

To complete all of this work the City needs to acquire property and easements from six different private property owners. CR River Square, LLC, a Delaware limited liability company which is authorized to conduct business in the State of Illinois, with offices located at 230 Park Avenue, 12<sup>th</sup> Floor, New York, New York 10169 owns the property at 22 E. Chicago Avenue. The City needs property, a permanent easement and a temporary construction easement for the project. The new bridge will be wider than the existing one, with most of the additional width being placed on the east side. The property being acquired will be used for the roadway transition for the additional bridge width.

A permanent easement is needed for the sidewalk, traffic signal equipment and utilities near the intersection of Chicago Avenue and Washington Street. Finally, the owner is granting a temporary construction easement on a portion of the property to allow for transitions between the new roadway for Washington Street and their existing driveway access onto Washington Street.

The owner currently has outdoor dining located on their private property along Washington Street. With the acquisition of land for the project the existing railing for the dining area slightly encroaches into the new right of way. City staff has evaluated the railing and determined that its encroachment into the right of way will not interfere with the operation of the adjacent roadway or infrastructure. Included is an Encroachment License Agreement allowing the railing to encroach into the right of way.

The City is compensating the owner \$288,500 for the property being permanently acquired, \$85,000 for the permanent easement and \$26,500 for the temporary easement.

**FISCAL IMPACT:**

The total cost for all the acquisitions at this address is \$400,000. Appropriate funds were budgeted in the current CIP to accommodate these costs.