



# Office of the City Clerk



O2012-5799

Office of the City Clerk

## City Council Document Tracking Sheet

<b>Meeting Date:</b>	9/12/2012
<b>Sponsor(s):</b>	Emanuel, Rahm (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	Grant of easement to Illinois Department of Transportation for improvement of Mannheim Road for highway purposes
<b>Committee(s) Assignment:</b>	Committee on Aviation

AVIAT.



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

September 12, 2012

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Aviation, I transmit herewith an ordinance authorizing a grant of easement to the Illinois Department of Transportation.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor



1921-22

1921-22

1921-22

## ORDINANCE

WHEREAS, the City of Chicago ("City") owns certain parcels of real property which are adjacent to O'Hare International Airport ("Airport") and are described in Exhibit A-1 and depicted in Exhibit A-2, each of which is attached hereto and incorporated herein by reference ("City Property"); and

WHEREAS, the Illinois Department of Transportation ("IDOT") currently holds jurisdiction over the public way known as Mannheim Road (US Route 12/45) between Higgins Road (IL Route 72) and Irving Park Road (IL Route 19) ("Mannheim Road") pursuant to the Illinois Highway Code, 605 ILCS 5/1-101, *et seq.*; and

WHEREAS, the City Property is located adjacent to Mannheim Road and is currently used for various highway and utility purposes that support aviation purposes and the operation of the Airport; and

WHEREAS, in connection with IDOT's project for the improvement of Mannheim Road, which will benefit traffic circulation in and around the Airport, IDOT has requested that the City grant to it certain temporary and permanent easements in the City Property for highway purposes on the terms and conditions described in Exhibit B which is attached hereto and incorporated herein by reference ("Easements"); and

WHEREAS, the granting of such Easements would not interfere with the highway and utility purposes to which the City Property is currently devoted, nor with the City's operation of the Airport; and

WHEREAS, the City of Chicago is an Illinois home rule municipality pursuant to Section 6(a) Article VII of the Illinois Constitution of 1970 and as such may exercise any power and perform any function related to its government and affairs; now, therefore,

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The City Council hereby approves the grant of Easements to IDOT in consideration of the following amounts: (a) Twenty Five Thousand Eight Hundred and no/100 Dollars (\$25,800.00) for the Easements in Parcels 0HT0009PE and 0HT0009TE; (b) Sixteen Thousand and no/100 Dollars (\$16,000.00) for the Easements in Parcel 0HT0010PE; (c) One Hundred Ten Thousand Two Hundred Fifty and no/100 Dollars (\$110,250.00) for the Easements in Parcels 0HT0011PE-A and 0HT0011PE-B; and (e) Nine Hundred Twenty Two Thousand Five Hundred and no/100 Dollars (\$922,500.00) for the Easements in Parcel 0HT0012PE. Such amounts represent the appraised fair market value of such easement interests, as determined by independent appraisers retained by the City and IDOT. Such grant is subject to the prior receipt of all approvals required from the Federal Aviation Administration ("FAA") and any other government body having jurisdiction over such City Property and the use of such City Property for Airport purposes.

**SECTION 2.** Upon receipt of all required FAA approvals and other governmental approvals (if any), the Commissioner of the Department of Aviation ("Commissioner") is hereby authorized to execute a grant of Easements to IDOT in, on, over and under the City Property on substantially the terms and conditions as described in Exhibit B, subject to the approval of the Corporation Counsel as to form and legality. Further, the Commissioner is also authorized to execute such additional agreements and documents as are reasonably necessary or appropriate to implement this ordinance and the grant of Easements authorized hereby, including, without limitation, an easement, use or other agreement with the Northwest Suburban Municipal Joint Action Water Agency, a municipal corporation of the State of Illinois ("JAWA") or other commitment to adjust or relocate conflicting or overlapping easements or interests in real property held by the City, IDOT (after such grant) and JAWA with comparable easements or interests, and also including those for utility or other public service facilities, subject to the approval of the Corporation Counsel.

**SECTION 3.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

**SECTION 4.** All ordinances, resolutions, motions or orders inconsistent with this ordinance are hereby superseded to the extent of such conflict.

**SECTION 5.** This ordinance shall take effect immediately upon its passage and approval.

**EXHIBIT A-1**

**City Property**

[See Attached Legal Description]

**EXHIBIT A-2**

**City Property**

[See Attached Depiction]

**EXHIBIT A-1**

**City Property**

Route : Mannheim Rd (US Route 12/45)  
Section: at Higgins & Lawrence  
Job No: R-90-026-11  
County: Cook  
Parcel : 0HT0009PE  
Sta. : 11+98.06 to  
Sta. : 12+15.61  
Owner: City of Chicago  
Pin No.: 12-16-200-001 (pt)

The North 50.00 feet of the west 16.50 feet (16 ½ feet) of the North Half of the Northwest Quarter of the Northeast Quarter of Section 16, Township 40 North, Range 12, East of the Third Principal Meridian, situated in the County of Cook and State of Illinois.

Said Parcel Containing 0.019 acres, more or less

Dated: June 5, 2012

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JUN 05 2012 *MLC*  
PLATS & LEGALS

Route : Mannheim Rd (US Route 12/45)  
Section: at Higgins & Lawrence  
Job No: R-90-026-11  
County: Cook  
Parcel : 0HT0009TE  
Sta. : 11+97.44 to  
Sta. : 12+14.57  
Owner: City of Chicago  
Pin No.: 12-16-200-001 (pt)

That part of the west 16.50 feet (16 ½ feet) of the North Half of the Northwest Quarter of the Northeast Quarter of Section 16, Township 40 North, Range 12, East of the Third Principal Meridian, described as follows:

Commencing at the northwest corner of said Northeast Quarter; thence South 00 degrees 21 minutes 07 seconds East, along the west line of said Northeast Quarter, 50.01 feet to a point on a line 50.00 feet south of and parallel with the north line of said Northeast Quarter, also being the Point of Beginning; thence North 88 degrees 14 minutes 18 seconds East, along the last described parallel line, 16.50 feet; thence South 08 degrees 52 minutes 37 seconds West, 32.56 feet; thence North 81 degrees 10 minutes 28 seconds West, 11.42 feet to a point on the west line of said Northeast Quarter; thence North 00 degrees 21 minutes 07 seconds West, along said west line, 29.91 feet to the Point of Beginning, situated in the County of Cook and State of Illinois.

Said Parcel Containing 0.010 acres, more or less

Dated: November 10, 2011

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NOV 14 2011  
PLATS & LEGALS

Route : Mannheim Rd (US Route 12/45)  
Section: at Higgins & Lawrence  
Job No: R-90-026-11  
County: Cook  
Parcel : 0HT0010PE  
Sta. : 12+31.12 to  
Sta. : 13+32.50  
Owner: City of Chicago  
Pin No.: 12-16-201-002

That part of Lots 21, 22, 23 and 24, in Block 22, in Fairview, Eberhart and Royce's Subdivision, being a subdivision of the West Half of the Southeast Quarter of Section 9, and the North Half of the Northeast Quarter of the Southwest Quarter of Section 9, and the North Half of the Northwest Quarter of the Northeast Quarter of Section 16, all in Township 40 North, Range 12, East of the Third Principal Meridian, except a strip of land 16 ½ feet wide off of the west end of the North Half of the Northwest Quarter of the Northeast Quarter of said Section 16 according to the plat thereof recorded June 8, 1891 as document 1483103, described as follows:

Beginning at the northwest corner of said Lot 24; thence North 88 degrees 14 minutes 18 seconds East, along the north line of said Block 22, also being a line 33.00 feet south of and parallel with the north line of said Northeast Quarter, 101.08 feet; thence South 80 degrees 02 minutes 27 seconds West, 102.48 feet to a point on the west line of said Block 22, also being a line 33.00 feet east of and parallel with the west line of said Northeast Quarter; thence North 00 degrees 21 minutes 07 seconds West, along the last described line, 14.62 feet to the Point of Beginning, situated in the County of Cook and State of Illinois.

Said Parcel Containing 0.017 acres, more or less

Dated: June 5, 2012

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PLATS & LEGALS

Route : Mannheim Rd (US Route 12/45)  
Section: at Higgins & Lawrence  
Job No: R-90-026-11  
County: Cook  
Parcel : 0HT0011PE-A  
Sta. : 175+19.79 to  
Sta. : 175+72.54  
Owner: City of Chicago, a Municipal  
Corporation  
Pin No.: 09-33-311-018

That part of the Southwest Quarter of Section 33, Township 41 North, Range 12 East of the Third Principal Meridian, described as follows:

Beginning at the southwest corner of said Southwest Quarter; thence North 00 degrees 17 minutes 04 seconds West, along the west line of said Southwest Quarter, 50.04 feet to a point on the north line of the south 50.00 feet of said Southwest Quarter; thence North 87 degrees 21 minutes 56 seconds East, along the last described line, 66.06 feet to a point on a line 66.00 feet east of and parallel with the west line of said Southwest Quarter; thence South 00 degrees 17 minutes 04 seconds East, along the last described line, 5.54 feet; thence South 36 degrees 25 minutes 11 seconds East, 53.50 feet to a point on the south line of said Southwest Quarter; thence South 87 degrees 21 minutes 56 seconds West, along the last described line, 97.63 feet to the Point of Beginning, situated in the County of Cook and State of Illinois.

Said Parcel Containing 0.092 acres, 0.038 of which was previously dedicated, more or less

Dated: June 5, 2012

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PLATS & LEGALS

Route : Mannheim Rd (US Route 12/45)  
Section: at Higgins & Lawrence  
Job No.: R-90-026-11  
County: Cook  
Parcel : OHT0011PE-B  
Sta. : 174+99.00 to  
Sta. : 175+20.44  
Owner: City of Chicago, a Municipal  
Corporation  
Pin No.: 12-04-101-004

That part of the Northwest Quarter of Section 4, Township 40 North, Range 12 East of the Third Principal Meridian, described as follows:

Commencing at a point on the north line of said Northwest Quarter, 364.32 feet east of the northwest corner thereof; thence North 87 degrees 21 minutes 56 seconds East, 100.08 feet to a point on the east line of Mannheim Road relocated and as dedicated per document 21459698; thence South 00 degrees 17 minutes 04 seconds East, along the last described line, 3.45 feet to the Point of Beginning; thence South 36 degrees 25 minutes 11 seconds East, 20.35 feet; thence North 89 degrees 42 minutes 56 seconds East, 32.00 feet to a point on a line 44.00 feet east of and parallel with said east right of way line; thence South 00 degrees 17 minutes 04 seconds East, along the last described line, 5.00 feet; thence South 89 degrees 42 minutes 56 seconds West, perpendicular to the last described course, 44.00 feet to a point on said east right of way line of Mannheim Road; thence North 00 degrees 17 minutes 04 seconds West, along the last described course, 21.43 feet to the Point of Beginning, situated in the County of Cook and State of Illinois.

Said Parcel Containing 0.007 acres or 319 square feet, more or less

Dated: June 5, 2012

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PLATS & LEGALS

Route : Mannheim Rd (US Route 12/45)  
Section: at Higgins & Lawrence  
Job No : R-90-026-11  
County: Cook  
Parcel : 0HT0012PE  
Sta. : 174+68.72 to  
Sta. : 186+47.58  
Owner: City of Chicago, Illinois, a Municipal  
Corporation  
Pin No.: 09-32-403-006  
12-04-100-001

That part of the Southeast Quarter of Section 32, Township 41 North, Range 12 East of the Third Principal Meridian and the Northwest Quarter of Section 4, Township 40 North, Range 12 East of the Third Principal Meridian, described as follows:

Commencing at the intersection of the west line of the east 33.00 feet of said Southeast Quarter with the south line of said Southeast Quarter; thence South 87 degrees 14 minutes 11 seconds West, along said south line, 20.44 feet; thence South 10 degrees 52 minutes 17 seconds West, 40.93 feet; thence South 87 degrees 27 minutes 54 seconds West, 16.54 feet to a point on the west line of Mannheim Road as dedicated per document 890188, also being the Point of Beginning; thence continuing South 87 degrees 27 minutes 54 seconds West, 202.29 feet to a point on the southerly extension of a line 280.00 feet west of and parallel with the east line of said Southeast Quarter; thence North 00 degrees 17 minutes 04 seconds West, along the last described line, 35.83 feet; thence North 89 degrees 42 minutes 58 seconds East, 169.04 feet; thence North 00 degrees 17 minutes 02 seconds West, perpendicular to the last course, 3.00 feet; thence North 89 degrees 42 minutes 58 seconds East, perpendicular to the last course, 19.00 feet; thence North 00 degrees 17 minutes 02 seconds West, perpendicular to the last course, 15.07 feet; thence North 19 degrees 48 minutes 04 seconds East, 49.38 feet to a point on a line 75.00 feet west of and parallel with the east line of said Southeast Quarter; thence North 00 degrees 17 minutes 04 seconds West, along the last described parallel line, 854.00 feet; thence North 05 degrees 02 minutes 53 seconds West, 132.46 feet; thence North 39 degrees 02 minutes 09 seconds West, 118.71 feet to a point on the southwesterly line of a Department of the Army easement for road or street, granted per document 21742199; thence South 73 degrees 07 minutes 08 seconds East, along said southwesterly easement line, 19.59 feet to a point of curvature; thence southeasterly 152.54 feet, along said easement, being the arc of a circle to the right, having a radius of 120.00 feet, and whose chord bears South 36 degrees 42 minutes 06 seconds East, 142.48 feet to a point on the west line of Mannheim Road as dedicated per document 21459698; thence South 00 degrees 17 minutes 04 seconds East, along the last described line, 859.30 feet to a point on the west line of Mannheim Road as dedicated per said document 890188; thence southwesterly 192.32 feet along the last described west line, being the arc of a non-tangent circle to the right, having a radius of 5696.60 feet, and whose chord bears South 05 degrees 56 minutes 39 seconds West, 192.31 feet to the Point of Beginning, situated in the County of Cook and State of Illinois.

Said Parcel Containing 0.655 acres, more or less

Dated: January 17, 2012

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EXHIBIT A-2

City Property





**EXHIBIT B**

**EASEMENT TERMS AND CONDITIONS**

1. The City will grant and convey to IDOT, permanent non-exclusive easements in Parcels 0HT0009PE, 0HT0010PE, 0HT0011PE-A, 0HT0011PE-B, and 0HT0012PE of the City Property for purposes of construction, operation, maintenance, repair, relocation, reconstruction, renewal, and use of a highway and other highway purposes ("Permanent Easements"), provided that such highway uses and purposes shall not interfere with the City's operation of the Airport.
2. The City will grant and convey to IDOT a temporary easement, for a term not to exceed five years in Parcel 0HT0009TE of the City Property for purposes of construction and installation of the project authorized in the Permanent Easements ("Temporary Easement").
3. IDOT shall be solely responsible, at IDOT's expense, for all construction, operation, maintenance, repair, relocation, reconstruction, renewal, and use of all improvements installed or constructed by it.
4. The grants of the Permanent Easements and the Temporary Easement shall be subject to such terms and conditions, and subject to all FAA requirements, including, without limitation, regarding the reservation of a right of flight over the City Property, and prohibitions on interference with or obstructions to air navigation or operations to or from the Airport, including, communication facilities serving the Airport.
5. The grants of the Permanent Easements and Temporary Easement shall be on a quitclaim basis and shall be subject to all existing encumbrances and rights including the rights, if any, of the Northwest Suburban Municipal Joint Action Water Agency, a municipal corporation of the State of Illinois ("JAWA").
6. The Permanent Easements and Temporary Easements shall be granted on an "as is" condition concerning environmental conditions of the City Property.
7. The grants of Permanent Easements and Temporary Easement shall be subject to the approval of the Corporation Counsel as to form and legality.

**SUBJECT PARCEL LOCATIONS  
FOR EASEMENTS**

**O'HARE  
AIRPORT**

OHT0011  
and  
OHT0012

MANHEIM ROAD

OHT0009  
and  
OHT0010

