

# UNOFFICIAL COPY

## MEMORANDUM OF AGREEMENTS



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RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 06/23/2021 01:18 PM PG: 1 OF 3

*[Above for Recorder's Use Only]*

**PIN:** 11-19-500-002 & 11-19-501-013

**ADDRESS:** 600 MAIN STREET, EVANSTON, ILLINOIS 60202, COOK COUNTY

This Memorandum of Agreements (“**MOA**”) is recorded to place of public record certain undertakings between the Commuter Rail Division of the Regional Transportation Authority (“**Metra**”) and the Union Pacific Railroad Company (“**Railroad**”), or their respective predecessors.

Metra and Railroad have entered into an Amended and Restated Purchase of Service Agreement dated January 28, 2010, as subsequently amended (“**Agreement**”), which under which property described on the attached **Exhibit A**, is Contract Services Property. Pursuant to Article 3.01(a) of the Agreement, Railroad has agreed that it will not sell, lease, abandon, scrap, or otherwise dispose of any of Contract Services Property, if such disposition will impair the performance by Railroad of the Contract Services under the Agreement. Contract Services is defined to include Public Transportation Services. Impairment of the Contract Services to provide Public Transportation Services would include, but not be limited to, eliminating or reducing the currently available number of commuter parking spaces, reducing the size or altering the character of station facilities available for commuter use and reducing or impeding commuter access to platforms and trains.

The respective predecessors of Metra and Railroad, have entered into a fixed facilities agreement dated June 14, 1983 (“**FFA**”) under which state and federal grant funds have been used to construct improvements on real property used for Contract Services. The FFAs has been amended over sixty times to add additional construction projects on real property used for Contract Services in original amounts totaling approximately three hundred forty-five million (\$345,000,000) dollars. The FFA provides, among other things, that i) the fixed facilities constructed under the FFA shall be and remain the property of Metra, ii) that the fixed facilities will be used for Commuter Service,



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Exhibit A  
Legal Description

THAT PART OF THE UNION PACIFIC RAILROAD COMPANY LANDS IN PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY (FORMERLY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY) AND THE SOUTH LINE OF MAIN STREET, THENCE RUNNING EASTERLY ALONG SAID SOUTH LINE OF MAIN STREET, AN APPROXIMATE DISTANCE OF 63 FEET, TO THE POINT OF BEGINNING (SAID POINT OF BEGINNING IS IN LINE WITH THE TRACK FACE OF THE EXISTING EASTERLY COMMUTER PLATFORM),

THENCE RUNNING IN AN EASTERLY DIRECTION FROM THE POINT OF BEGINNING, ALONG THE SOUTH LINE OF MAIN STREET, AN APPROXIMATE DISTANCE OF 68 FEET, TO A POINT;

THENCE RUNNING IN A SOUTHERLY DIRECTION, FROM THE LAST DESCRIBED POINT, AN APPROXIMATE DISTANCE OF 148 FEET, TO A POINT;

THENCE RUNNING IN AN EASTERLY DIRECTION, FROM THE LAST POINT DESCRIBED POINT, AN APPROXIMATE DISTANCE OF 25 FEET, TO A POINT ON THE EASTERLY LINE OF THE UNION PACIFIC RAILROAD COMPANY (FORMERLY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY);

THENCE RUNNING SOUTHERLY FROM THE LAST POINT DESCRIBED POINT, ALONG THE EASTERLY LINE OF THE UNION PACIFIC RAILROAD COMPANY (FORMERLY THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY), AN APPROXIMATE DISTANCE OF 221 FEET TO THE NORTH LINE OF WASHINGTON STREET,

THENCE RUNNING IN A WESTERLY DIRECTION ALONG THE NORTH LINE OF WASHINGTON STREET, AN APPROXIMATE DISTANCE OF 64 FEET, TO A POINT (SAID POINT IS IN LINE WITH THE TRACK FACE OF THE EXISTING EASTERLY COMMUTER PLATFORM);

THENCE RUNNING IN A NORTHWESTERLY DIRECTION FROM THE LAST POINT DESCRIBED POINT, IN LINE WITH THE TRACK FACE OF THE EXISTING EASTERLY COMMUTER PLATFORM, TO THE POINT OF BEGINNING.

ALL WITHIN COOK COUNTY, ILLINOIS.