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VILLAGE OF RIVER GROVE

ORDINANCE

90572750

90572750 NUMBER

1990 - 5

DEPT-09 MISC \$19.00
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#0123 + E *-90-572750
COOK COUNTY RECORDER

AN ORDINANCE GRANTING AN EASEMENT TO THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

BE IT ORDAINED, be the President and Board of Trustees of the Village of River Grove, Cook County, Illinois, in open meeting assembled:

Section 1. That subject always to the conditions herein stated, a perpetual easement, right and authority be and the same is hereby granted to the District to construct, reconstruct, repair, maintain and operate the North Avenue Relief Sewer, Upper DesPlaines 10A (82-169-2S), together with the appurtenances thereto, hereinafter called "Relief Sewer", upon, under and through the streets and highways, within the Village of River Grove, hereinafter referred to as "Village" traversed by the right-of way of said Relief Sewer, as shown on Exhibit 11A attached hereto and made a part hereof, legally described as follows:

That portion of the right-of way of North Avenue, as depicted on said Exhibit 11A, bounded generally on the West by the Westerly right-of way line of First Avenue and extending Easterly along the right-of way of said North Avenue a distance of 1000 feet, more or less, lying within Section 2, Township 39 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois

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Section 2. That the location, size, and manner of construction on the Relief Sewer shall be in accordance with plans and specifications prepared by the District, as approved by the Village engineers.

Section 3. That the rights hereby granted to the District are so granted upon the following conditions:

- (a) That the District shall, at its own cost and expense, make such changes in the location of the police and fire alarms and street lighting, electric wires of the Village as may be rendered necessary by the construction of the Relief Sewer of the District.
- (b) That the District shall, at its cost and expense, install all such safety devices and traffic control signals as may become necessary and required by the Village for the public convenience, health and safety, as a result of any routing or rerouting of traffic caused by the construction contemplated in this ordinance.
- (c) That the Relief Sewer of the District shall be constructed, reconstructed, repaired, and efficiently maintained and operated solely by The District at its sole expense and cost; and the Village shall not be held responsible in any manner for the location or manner of construction, reconstruction, repair, or operation of the same.
- (d) That the District shall indemnify, save, and keep harmless The Village from any and all claims for damage to real and personal property and injuries to or death suffered by persons by reason of the construction, reconstruction, repair, maintenance or operation by the District of the Relief Sewer within the corporate limits of the Village.
- (e) That the District shall, at its sole cost and expense, restore to their former condition of usefulness the pavements of all streets, public alleys and highways, as well as all other structures, shrubs, trees and sod which may be disturbed or interfered with or damaged by the construction, maintenance, repair, or operation of the Relief

Sewer, as well as all walks, crosswalks, curbs, gutters, catch basins, and ditches as soon as practicable, and shall thereafter maintain such restoration from time to time as may be necessary, but not to exceed two (2) years. All surplus excavation and other spoil shall be removed from the paved streets, public alleys, and highways by the District.

- (f) That The Village does hereby order and direct all persons, partnerships, or corporations which shall at the time of the construction of the Relief Sewer own, operate, or maintain any conduits, wires, poles, pipes, gas mains, cables, electric, steam and street railway tracks and equipment or other structures within any portion of the streets, public alleys and highways to be excavated in the construction of the Relief Sewer, at his, its, or their own expense, to make such changes in the location of such conduits, wires, poles, pipes, gas mains and cables, electric, steam and street railway tracks, and equipment or other structures as may be rendered necessary by the construction of the Relief Sewer.
- (g) That the District and its contractors are hereby given and granted the right to use in the construction of the Relief Sewer such motor trucks, excavators, hoisting engines, and other plant equipment as may be necessary for the complete construction of said work.
- (h) That the District shall, at its own expense and cost, make such alterations in the location of the water-mains of The Village may be rendered necessary by the construction of the Relief Sewer of the District. And in all such cases, where it shall become and be necessary that water service pipes be removed, cut off, or damaged in any way on account of the construction of the Relief Sewer, the District is hereby authorized to remove, alter, repair, and replace such water service pipes at its own cost and expense, providing any water service pipes disturbed shall be replaced by the District; provided, however, that all work done on the said water mains and water service pipes shall be subject to the approval of The Village Engineer.
- (i) The Village, in consideration of the passage of this ordinance and the mutual benefits thereby give, grant, and issue without fees or other cost therefor, to the District or to any contractor to whom this

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work or any part thereof specified in this Ordinance shall be awarded, all permits or licenses required for doing said work upon application and shall not require the District or its contractors to deposit any sum of money required under any ordinance of the Village for similar work.

(j) That the District shall notify the Village of any interruption in utility services to residents of the Village to be caused by the construction program. Such notice shall be given at least twenty four (24) hours before the interruption is to occur. In the case of an emergency interruption in utility services caused by the District's construction process, the Village shall be immediately notified of such interruption. The District shall earnestly endeavor to promptly restore any utility service so interrupted. Where the interruption would continue for some period of time, the District shall construct facilities for temporary utility services. The utility services herein included shall comprise those of the Village and those furnished by any public utility.

(k) All easements, approvals, permissions and authorities herein stated to be granted and given by Village shall be only coextensive with the power and authority of the Village in that regard and shall not be extended or interpreted so as to usurp the authority of any other public body or agency having jurisdiction in the area. The attention of the District is called to:

1) The existance in the area of a water facility with supply mains owned and operated by the Village of Melrose Park pursuant to authority granted by the Village of River Grove.

2) The jurisdiction of the Forest Preserve District of Cook County.

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3) The jurisdiction of the Illinois Department of Transportation
4) The possible right to other public bodies having jurisdiction to the benefit of assurances, notices and indemnities contained in this ordinance and required of District.

5) the Village has no water mains in the area.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Thomas J. Dwyer
PRESIDENT

ATTEST:

Joseph L. Converse
VILLAGE CLERK

PRESENTED: March 1, 1990 and March 15, 1990

PASSED: March 15, 1990

APPROVED: March 15, 1990

<u>TRUSTEES:</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>AYE</u>	<u>NAY</u>
PALDO	_____	<u>✓</u>	_____	_____
WARCHOL	<u>✓</u>	_____	<u>✓</u>	_____
WEINER	<u>✓</u>	_____	<u>✓</u>	_____
WIEBE	_____	<u>✓</u>	_____	_____
MAHEP	<u>✓</u>	_____	<u>✓</u>	_____
MCEVOY	<u>✓</u>	_____	<u>✓</u>	_____

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STATE OF ILLINOIS)
COUNTY OF COOK)
VILLAGE OF RIVER GROVE)

I, JOSEPH R. COMPELL, Clerk of The Village of River Grove, Cook County, Illinois, keeper of the records, files and seal of the said Village, do hereby certify that the above and foregoing is a true and exact copy of an ordinance passed by the Board of Trustees of The Village of River Grove on the 15th day of MARCH A.D., 1990, as approved by the Mayor of said Village, who signed the same on the 20th day of MARCH A.D., 1990, as appears from the records and files in my office remaining.

I further certify that the seal hereto affixed is the corporate seal of The Village of River Grove.

Given under my hand and seal this 20th day of MARCH A.D., 1990.

Joseph R. Compell
Clerk, Village of River Grove

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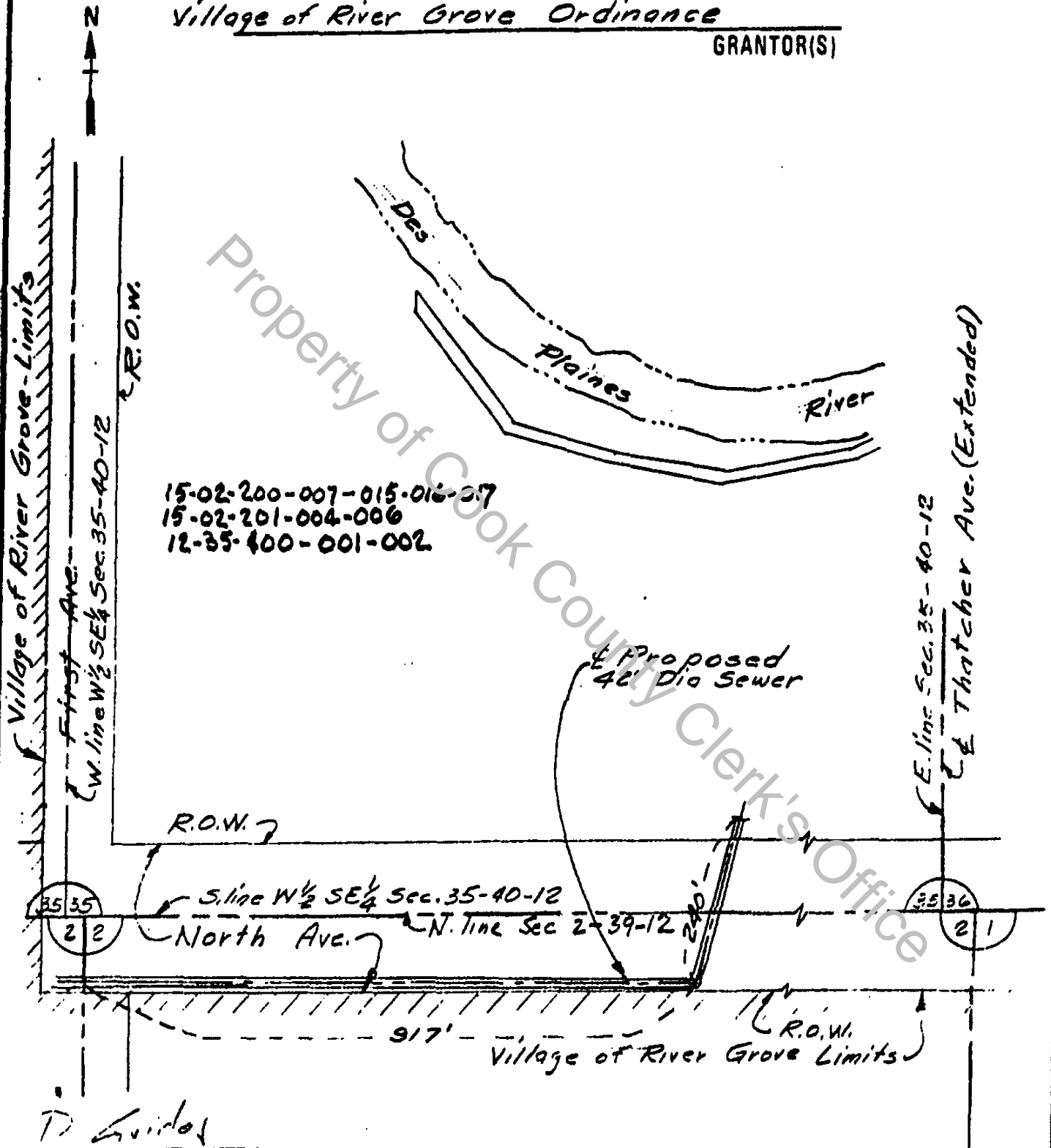
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METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

AND

Village of River Grove Ordinance

GRANTOR(S)



15-02-200-007-015-016-017
 15-02-201-004-006
 12-35-400-001-002

T. Guidry
 NEGOTIATOR
Moesika
 DRAWN BY
2-16-90
 DATE

North Ave. Relief Sewer - Upper Des Plaines 10A
 PROJECT
82-169-25
 P C M S NO

EXHIBIT 11A

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METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

Right of Way File No. 11

Grantor: Village of River Grove

Contract No.: 82-169-2S

Contract Name: North Avenue Relief Sewer, Upper Des Plaines 10A

APPROVED AS TO ENGINEERING:

[Signature]
Engineer of Field Services

[Signature]
Engineer of Sewer Design

[Signature]
Assistant Chief Engineer of Administration

[Signature]
Chief Engineer

APPROVED AS TO FORM AND LEGALITY:

[Signature] 4-9-90
Head Assistant Attorney

[Signature] 4-9-90
Attorney

APPROVED:

[Signature] 4/10/90
General Superintendent

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