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Chicago, Illinois 60611

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Fax

To: John Koty **From:** Susan Morakalis

Fax: 708-460-2157 **Pages:** 6

Phone: 708-460-1725 **Date:** 07/19/04

Re: Gas Main Easement **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

• Comments:

John,

Attached is a copy of the Board of Commissioner's Order authorizing the issuance of the easement to Peoples' Gas Light & Coke.

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OFFICIAL FILE

I.C.C. DOCKET NO. 04-614

Jant Exhibit No. 40

Witness _____

Date 6-17-05 Reporter J.Y.

JOINTLY STIPULATED
EXHIBIT 000040



July 15, 2004

To the Honorable President and Members of
the Board of Commissioners of the Metropolitan
Water Reclamation District of Greater Chicago

Ladies and Gentlemen:

The General Superintendent reports that he is in receipt of a communication from the Attorney consisting of two (2) pages and an attachment concerning the issuance of Orders authorizing a thirty-five (35)-year easement to Peoples Gas Light & Coke Company to construct, reconstruct, maintain, repair, operate, and remove an underground gas main, together with appurtenances thereto within a ten (10)-foot wide strip of District land running along a thirty (30)-foot portion of Main Channel Atlas Parcels 42.16 and 42.05, located at 3154 South California Avenue, in Chicago, Illinois, for the period commencing August 1, 2004 and ending June 14, 2039. Consideration shall be \$10.00. (A copy of said letter is attached hereto and made a part hereof).

The General Superintendent recommends passage of appropriate Orders as requested in said letter.

Your Committee, having considered the matter, recommends passage of the following orders:

ORDERED: That the issuance of a thirty-five (35)-year easement to Peoples Gas Light & Coke Company to construct, reconstruct, maintain, repair, operate and remove an underground gas main, together with appurtenances thereto within a ten (10)-foot wide strip of District land running along a thirty (30)-foot portion of Main Channel Atlas Parcels 42.16 and 42.05, located at 3154 South California Avenue, in Chicago, Illinois, for a period commencing August 1, 2004, and ending June 14, 2039, for a consideration of \$10.00, be and the same is hereby authorized and approved; and it is further

ORDERED: That the Chairman of the Committee on Finance and the Clerk be and they are hereby authorized and directed to execute said easement, after same is approved by the Attorney as to form and legality; and it is further

ORDERED: That the attached letter be printed in full in the Record of Proceedings.

Approved as to Form and Legality:

Respectfully submitted,



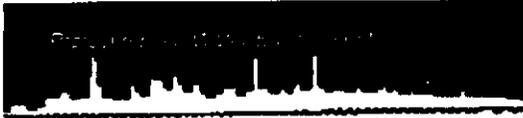
Head Assistant Attorney

HON. TERRENCE J. O'BRIEN, Chairman
Committee on Real Estate

APPROVED:

Attorney

HON. TERRENCE J. O'BRIEN, President
Board of Commissioners of the Metropolitan
Water Reclamation District of Greater
Chicago



Metropolitan Water Reclamation District of Greater Chicago

Transmittal Letter For Board Meeting

July 1, 2004
(For the Board Meeting of July 15, 2004)

Mr. John C. Farnan
General Superintendent
O F F I C E

COMMITTEE ON REAL ESTATE

AGENDA SUMMARY: Issue Orders Authorizing a 35-Year Easement to Peoples Gas Light & Coke Co. to Construct, Reconstruct, Maintain, Repair, Operate, and Remove an Underground Gas Main Together with Appurtenances Thereto Within a Ten- (10) Foot Wide Strip of District Land Running Along a 30-Foot Portion of Main Channel Atlas Parcels 42.16 and 42.05 Located at 3154 South California Avenue in Chicago, Illinois, for the Period Commencing August 1, 2004, and Ending June 14, 2039. Consideration Shall be \$10.00.

Dear Sir:

Peoples Gas Light & Coke Co. (Peoples) is requesting a 35-year easement to construct, reconstruct, maintain, repair, operate, and remove an underground gas main together with appurtenances thereto within a ten-foot wide strip of District land running along a 30-foot portion of Main Channel Atlas Parcels 42.16 and 42.05 located at 3154 South California Avenue in Chicago, Illinois. The purpose of this easement is to provide gas service to District tenant Recycling Systems Inc. (RSI) at its adjacent leasehold site located at 3014 West 31st Street in Chicago, Illinois.

The easement is being granted to Peoples directly since it will be responsible for the installation and continued maintenance of that portion of the gas main. Because the gas main will be constructed on and run through an easement previously granted to RSI, it is recommended that the easement fee be \$10.00.

The technical departments have reviewed this easement request and have no objections thereto.

It is respectfully requested that the General Superintendent recommend to the Board of Commissioners that it authorize and approve the issuance of a 35-year easement to Peoples Gas Light & Coke Co. to construct, reconstruct, maintain, repair, operate, and remove an underground gas main together with appurtenances

Mr. John C. Farnan
General Superintendent

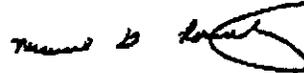
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July 1, 2004
(For Board Meeting of July 15, 2004)

thereto within a ten-foot wide strip of District land running along a 30-foot portion of Main Channel Atlas Parcels 42.16 and 42.05 located at 3154 South California Avenue in Chicago, Illinois, for a period commencing August 1, 2004, and ending June 14, 2039. Consideration shall be \$10.00.

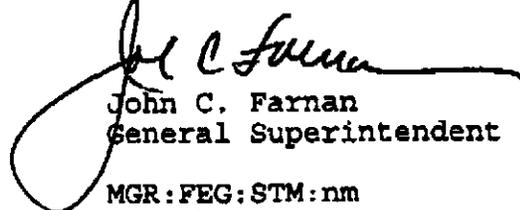
It is also respectfully requested that the General Superintendent recommend to the Board of Commissioners that the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute said easement after it is approved by the Attorney as to form and legality.

Respectfully submitted,



Michael G. Rosenberg
Attorney

Approved by:



John C. Farnan
General Superintendent

MGR:FEG:STM:nm
Attachment

Prepared by:



Susan T. Morakalis
Senior Assistant Attorney

