
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2016-023**

**AN ORDINANCE AMENDING ORDINANCE NO. 2000-301
ENTITLED "AN ORDINANCE GRANTING RIGHT OF WAY
TO WEST SHORE PIPE LINE COMPANY" ENACTED ON
MARCH 28, 2000.**

**DOMINGO F. VARGAS, Mayor
Randy Heuser, City Clerk**

1st Ward	TOM HAWLEY	GEORGE POULOS
2nd Ward	LETICIA VIEYRA	FRED BILOTTO
3rd Ward	NANCY RITA	KEVIN DONAHUE
4th Ward	CANDACE CARR	ALECIA SLATTERY
5th Ward	JANICE OSTLING	KENNETH PITTMAN
6th Ward	DEXTER JOHNSON	JAIRO FRAUSTO
7th Ward	NANCY THOMPSON	JAMES JOHANSON

Aldermen

ORDINANCE NO. 2016-023

AN ORDINANCE AMENDING ORDINANCE NO. 2000-301 ENTITLED "AN ORDINANCE GRANTING RIGHT OF WAY TO WEST SHORE PIPE LINE COMPANY." ENACTED ON MARCH 28, 2000

BE IT ORDAINED by the City Council of the City of Blue Island, Cook County, Illinois:

SECTION ONE

Permission and authority hereby are given and granted to West Shore Pipe Line Company, its successors and assigns, upon the terms and subject to the conditions of this ordinance to excavate for, install, maintain, operate, use, remove, replace and repair a private pipeline for the transmission and transportation of oil, petroleum and petroleum products, consisting of steel pipe approximately eight (8) inches in diameter encased at all street crossings in a steel sleeve approximately twelve (12) inches in diameter, for a period of five (5) years, under, along and across the following public streets and highways in the City of Blue Island, to wit:

Under and across Thornton Road in a southwesterly direction at a point approximately sixty-five (65) feet northwesterly of the center line of the north track of the Baltimore and Ohio, Chicago Terminal Railroad measured along the center line of said Thornton Road.

Under the crossing where Chatham Street passes over the railroad right of way of the Baltimore and Ohio, Chicago Terminal Railroad at a point approximately six (6) feet south of the center line of the north track of said railroad.

Under the crossing where Western Avenue passes over the right of way of the Baltimore and Ohio, Chicago Terminal Railroad at a point approximately twenty-two (22) feet south of the center line of the south track of said railroad.

Beginning at a point on the westerly boundary line of the property of the Chicago, Rock Island and Pacific Railroad approximately five (5) feet south of the north line of 135th Street, thence running westerly parallel with 135th Street in a line approximately five (5) feet south of and parallel with the north line of said street for a distance of approximately one thousand four hundred forty (1,440) feet.

The location of said pipeline shall be as shown on the print hereto attached which, by reference, is made a part of this ordinance. Said pipeline shall be maintained under the supervision of and to the satisfaction of the City of Blue Island but at the sole cost and expense of the grantee and in accordance with the ordinances of the City of Blue Island and the direction of the City of Blue Island. The grantee shall, as soon as possible, after any excavation, restore said streets and public ways to the same condition as they existed prior to the commencement of such construction and shall keep that portion of the public way over said pipeline in good condition and repair, safe for public travel, to the satisfaction of the City of Blue Island.

SECTION TWO

The grantee agrees to pay the City of Blue Island as compensation for the privileges herein granted the sum of Seven Thousand Seven Hundred Twenty and 00/100 Dollars (\$7720.00) per annum, in advance, the first payment to be made as of the date of the passage of this ordinance, and each succeeding payment on the first day of May annually thereafter. In case of the termination of the privileges herein granted, the grantee shall, nevertheless, remain liable to the City of Blue Island for the annual compensation which shall have become due and payable under the provisions hereof.

SECTION THREE

This ordinance is subject to amendment, modification or repeal, and the permission and authority herein granted may be revoked by the Mayor, for good cause, at any time without the

consent of said grantee. The structures and appliances may remain in place even though the structures and appliances are inactive or idled; provided that all applicable Federal and State procedures and requirements for such idling be followed by the grantee. In event of the failure, neglect or refusal of said grantee to conform to all applicable Federal and State procedures and requirements for such idling of the structures and appliances, the City of Blue Island may do such work and charge the cost thereof to said grantee.

SECTION FOUR

In the construction, installation and maintenance of said pipeline and its appurtenances, the grantee shall not damage or otherwise interfere with any existing sewer line, water main, gas main, electrical conduit of the City of Blue Island or of any public utility existing in any of the public streets or ways aforesaid unless specific permission to do so is first had and obtained, and then only upon condition that the grantee shall assume all costs and expenses in connection with the protection of and/or the reconstruction or relocation of such sewer line, water main, gas main, electrical conduit or of any public utility existing therein, whether the work be done by the grantee, by the City of Blue Island or the public utility company.

SECTION FIVE

The grantee shall fully and completely defend, indemnify, hold and save the City of Blue Island harmless of and from any and all liability, including attorney's fees, in any manner arising out of the grants and permission contained in this ordinance and for the cost of removal, relocation, alteration, repair or maintenance of the structures or appliances herein authorized and from any and all damages thereto or liabilities arising therefrom, on account of the location, construction, reconstruction, alteration, repair or maintenance of any public ways, bridges, subways, tunnels, vaults, sewers, water mains, sewer mains, conduits, pipes, poles and other utilities.

SECTION SIX

The grantee shall fully and completely defend, indemnify, hold and save the City of Blue Island harmless of and from any and all liabilities, judgments, costs, damages and expenses, including attorney's fees incurred, which may in any wise come against said city in consequence of the permission given by this ordinance, or which may accrue against, be charged to or be recovered from said city by reason or on account of any act or thing done, omitted or neglected to be done by the grantee in and about the construction, reconstruction, operation, maintenance, use and removal of said structures or appliances and the restoration of the public way as herein required. To further assure grantees compliance with this requirement concerning its indemnification of the City of Blue Island, the grantee and each independent contractor engaged in the operation or maintenance of the pipeline and its appurtenances shall obtain and keep in force at all times a good and sufficient policy or policies of insurance, written by a company or companies acceptable to the city and naming the City of Blue Island as one of the insureds, protecting and indemnifying the City of Blue Island in the amount of not less than \$1,500,000.00 for injuries to one person per occurrence and not less than \$5,000,000.00 for injuries to two or more persons and further providing insurance of not less than \$1,000,000.00 for damages to property as a result of any act or thing done, omitted or neglected to be done by the grantee and/or its contractors in and about said pipeline and its appurtenances, including restoration of the aforesaid streets and public ways to the same condition as they existed prior to the installation of the pipeline.

A policy or certificate of insurance shall be filed by grantee with the City Clerk annually on the anniversary of the passage date of this ordinance.

The grantees obligation to indemnify the city, as described herein, is not diminished, relinquished or waived by the requirement that it provide insurance for the protection of the City of Blue Island. Furthermore, the grantees obligation to indemnify the city, as described herein, is not diminished, relinquished or waived by the idling of the structures or appliances.

SECTION SEVEN

It is expressly understood that the City of Blue Island has not and does not warrant that it has the full right, power and authority to make this grant, and that no such warranty shall be implied from the act of the city in making this grant and that this grant shall be binding upon the city only insofar as the city now has the right, power and authority to make this grant as to all or any part or portion of the streets and public ways affected hereby.

SECTION EIGHT

The requirements and agreements embodied in this ordinance shall, upon acceptance of this ordinance by the grantee, become and be binding upon the grantee, its successors and assigns.

SECTION NINE

Ordinance 2000-301 and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

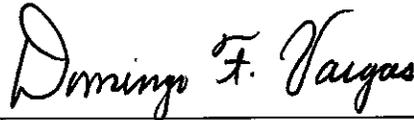
SECTION TEN

This ordinance shall take effect and be in force from and after its passage, provided said grantee files a written acceptance of this ordinance, together with evidence of insurance hereinabove provided for, with the City Clerk within sixty (60) days after the passage of this ordinance.

ADOPTED this 12th day of July, 2016, pursuant to a roll call vote as follows:

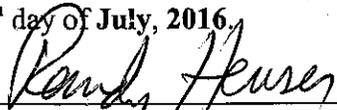
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman Hawley			X		
Alderman Poulos			X		
Alderman Vieyra	X				
Alderman Bilotto	X				
Alderman Rita	X				
Alderman Donahue	X				
Alderman Carr	X				
Alderman Slattery	X				
Alderman Ostling	X				
Alderman Pittman	X				
Alderman Johnson			X		
Alderman Frausto			X		
Alderman Thompson			X		
Alderman Johanson	X				
Mayor Vargas					
TOTAL	9		5		

APPROVED by the Mayor on July 12, 2016.



DOMINGO F. VARGAS
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and **Filed** in my office this
 12th day of July, 2016.



RANDY HEUSER
CITY CLERK

PUBLISHED in pamphlet form this
 12th day of July, 2016.



RANDY HEUSER
CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF COOK) ss.

CERTIFICATE

I, Randy Heuser, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **July 12, 2016** the Corporate Authorities of such municipality passed and approved Ordinance No. **2016 - 023** entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 2000-301 ENTITLED "AN ORDINANCE GRANTING RIGHT OF WAY TO WEST SHORE PIPE LINE COMPANY" ENACTED ON MARCH 28, 2000.** Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2016 - 023** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **July 12, 2016** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **12th** day of **July, 2016**.

(SEAL)



Municipal Clerk