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

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**RESOLUTION  
NUMBER 2016-004**

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**A RESOLUTION APPROVING A PERMIT WITH THE ILLINOIS  
DEPARTMENT OF TRANSPORTATION FOR THE USE OF  
SURFACE AREA UNDER THE WESTERN AVENUE BRIDGE IN  
BLUE ISLAND, ILLINOIS.**

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

**1st Ward TOM HAWLEY  
2nd Ward LETICIA VIEYRA  
3rd Ward NANCY RITA  
4th Ward CANDACE CARR  
5th Ward JANICE OSTLING  
6th Ward DEXTER JOHNSON  
7th Ward NANCY THOMPSON**

**GEORGE POULOS  
FRED BILOTTO  
KEVIN DONAHUE  
ALECIA SLATTERY  
KENNETH PITTMAN  
JAIRO FRAUSTO  
JAMES JOHANSON**

**Aldermen**

## **RESOLUTION NO. 2016-004**

### **A RESOLUTION APPROVING A PERMIT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE USE OF SURFACE AREA UNDER THE WESTERN AVENUE BRIDGE IN BLUE ISLAND, ILLINOIS**

Whereas, the Western Avenue bridge located in Blue Island, Illinois falls under the jurisdiction of the Illinois Department of Transportation and the City wishes to utilize certain areas under or adjacent to the bridge as a municipal parking lot; and

Whereas, the IDOT approves of such use contingent on certain conditions; and

Whereas, the appropriate city officials have considered and reviewed the permit terms attached as Exhibit 1 and find the same to be in the best interests of the City;

NOW AND THEREFORE, BE IT RESOLVED by the City Council of the City of Blue Island, Cook County, Illinois, as follows:

#### **SECTION 1: SCOPE OF AUTHORITY**

The authority under this Resolution shall extend to the execution of all necessary documents required to obtain the proper authorization, permission and permits to utilize the IDOT property identified herein. The City Council further authorizes the Mayor or his designee to execute any and all documentation that may be necessary to carry out the intent of this Resolution. The officers, employees, and/or agents of the City shall take all action necessary or reasonably required by the City to carry out, give effect to, and consummate the intent of this Resolution.

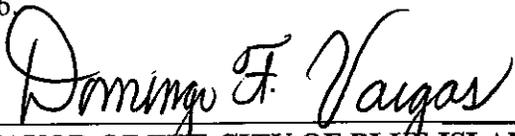
#### **SECTION 2: EFFECTIVE DATE**

This resolution shall be in full force and effect upon its passage and approval as required by law.

**ADOPTED** this 23rd day of February, 2016, pursuant to a roll call vote as follows:

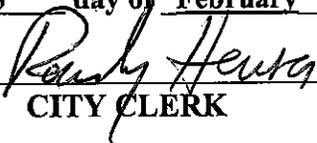
	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>	<b>ABSTAIN</b>
Alderman Hawley	X				
Alderman Poulos	X				
Alderman Vieyra	X				
Alderman Bilotto	X				
Alderman Rita			X		
Alderman Donahue	X				
Alderman Carr	X				
Alderman Slattery	X				
Alderman Ostling	X				
Alderman Pittman			X		
Alderman Johnson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

**APPROVED** by the Mayor on February 23, 2016

  
**MAYOR OF THE CITY OF BLUE ISLAND,  
 COUNTY OF COOK AND STATE OF ILLINOIS**

**ATTESTED** and Filed in my office this

23<sup>rd</sup> day of February, 2016.

  
 \_\_\_\_\_  
**CITY CLERK**



# Illinois Department of Transportation

Division of Highways / Region 1 / District 1  
201 West Center Court / Schaumburg, Illinois 60196-1096

## BUREAU OF LAND ACQUISITION

Location: Beneath Western Avenue Bridge/Cal-Sag Channel  
Job #: R-90-999-90  
Parcel #: OLP0162  
County: Cook County (Blue Island)

January 12, 2016

The Honorable Domingo F. Vargas  
Mayor  
City of Blue Island  
13051 Greenwood Avenue  
Blue Island, IL 60406

Dear Mayor Vargas:

Regarding your request to the Illinois Department of Transportation (Department) dated April 10, 2015, for the use of Department-owned property at the location referenced above; the District has determined the City of Blue Island (City) can use this property as proposed by securing a **Permit for Use of Surface Area Under Elevated Highway Structures or Adjacent to Highway Facilities (Permit)**. Enclosed are two (2) copies of this document.

The Permit allows the City to utilize the area, which is identified on Exhibits A and B attached to the Permit, for a public parking lot, as long as no fees are charged to the users of the lot. The Permit will be valid for a period of five (5) years, with the start date being the date of issuance/endorsement by the Department's Region One Engineer.

After reviewing the Permit, please execute both copies and return them to the Department for approval and proper signature. A fully executed copy will be returned to the City for your files.

If you have any questions or need additional information, please contact Michael Cullian, Chief, Property Management, at (847) 705-4280.

Very truly yours,

John Fortmann, P.E.  
Deputy Director of Highways,  
Region One Engineer

By:   
Jose Rios, P.E.  
Engineer of Program Development

## Attachments

cc: Sean P. Halloran, Management Analyst



City of Blue Island  
13051 Greenwood Avenue  
Blue Island, IL 60406  
www.blueisland.org

April 10, 2015

Jose Rios  
Engineer of Program Development  
Region One/District One  
Illinois Department of Transportation  
201 West Center Court  
Schaumburg, Illinois 60196-1096

RE: Proposed Use of IDOT Land under Western Avenue Bridge over Cal-Sag Channel in Blue Island, IL

Dear Mr. Rios,

The City of Blue Island wishes to utilize IDOT land under the Western Avenue Bridge (S.N. 016-0777) Spans 5, 6 and 7 just south of Canal Street in Blue Island, IL. Attached is a location map showing the proposed limits of this use.

The proposed use is for free public parking of vehicles for Blue Island residents and customers. We anticipate paving the parking area after the proposed replacement of the Western Avenue Bridge south approach spans is completed (Section No.: 0103BR-1, IDOT Contract No. 60K72), but we would like to begin use for parking without improvements as soon as possible prior to the bridge replacement.

I would be happy to discuss coordination with you further. If you have any questions or need additional information, please contact Jason Berry, Deputy Director of Community Development at [jberry@cityofblueisland.org](mailto:jberry@cityofblueisland.org) or (708) 396-7146.

Sincerely,

Domingo F. Vargas  
Mayor

**Office of the Mayor**  
p (708) 597 8602  
f (708) 597 1221

**City Clerk**  
p (708) 597 8603  
f (708) 396 7062

**City Treasurer**  
p (708) 396 7074  
f (708) 597 1807

**Finance**  
p (708) 396 7068  
f (708) 597 1807

**Fire**  
p (708) 396 7071  
f (708) 388 5778

**Marketing**  
p (708) 396 7035  
f (708) 597 1221

**Planning & Building**  
p (708) 597 8606  
f (708) 396 2686

**Police**  
p (708) 396 7004  
f (708) 597 8223

**Senior Citizens**  
p (708) 396 7085  
f (708) 396 7062

**Water & Sewer**  
p (708) 597 8605  
f (708) 396 7062

**Public Works**  
p (708) 597 8604  
f (708) 597 4260

**The Meadows  
Golf Club**  
2802 W. 123rd Street  
Blue Island, IL 60406  
p (708) 385 1994  
f (708) 385 1996



Limits of  
Proposed  
Barking

Middleton Canal

Canals

Murphy's Canal

W. Canal

St. John's Canal

Edwards  
Incorporated

Cherry Street

Broadway

Water

Edwards  
Incorporated

Edwards  
Incorporated

Edwards  
Incorporated



**Illinois Department  
of Transportation**

**Permit for Use of Surface Area Under  
Elevated Highway Structures or  
Adjacent to Highway Facilities**

Route	Beneath Western Avenue Bridge	Project	
Section	S side of Canal St	Job No.	R-90-999-90
County	Cook (Blue Island)	Parcel	OLP0162 Unit 01

The Illinois Department of Transportation, Division of Highways ("Department") hereby grants permission to **City of Blue Island** ("Permittee") a unit of local government to use property situated under an elevated highway structure or adjacent to highway facilities which property is described on the attached **Exhibits "A" and "B"** for the following purpose(s) only:

**Beneath the Western Avenue bridge (Spans 5, 6 and 7) just south of Canal Street to be utilized for free public parking for residents and City customers**

This permit is subject to the following terms and conditions:

1. This permit is valid for a period of five (5) years from the date of issuance unless revoked or terminated under paragraph 2 or 3.
2. This permit is revocable at will by the department upon thirty (30) days written notice to the permittee. This permit may be revoked immediately by the department upon written notice to the permittee for any breach by permittee of the terms and conditions of this permit or in the event the permittee ceases to use or abandons the premises.
3. Permittee may terminate this permit upon written notice to the department.
4. Upon revocation or termination or upon expiration of this permit, permittee agrees to immediately yield possession of said premises to the department and, at permittee's sole cost and expense, to restore said premises to a condition satisfactory to the department and to remove from the premises, all improvements, and appurtenances thereto, or any other property of any name or nature, utilized, owned or controlled by said permittee or anyone claiming under it, except by surfacing and column guards. Any such property not removed from premises within thirty (30) days after revocation or termination of said permit, may be removed and disposed of by the State of Illinois, its agents, employees, or contractors, in any manner it sees fit, at the sole cost and expense of the permittee, or, the department, in its discretion, may elect to declare the same the property of the department whereupon all rights, title and interest of the permittee therein shall terminate immediately.

5. The permittee shall submit to the department, for approval, a plan of operation specifically detailing the intended development, occupation and use of said premises, including the installation and location of any improvements to be situated thereon. No work shall commence until approval is received by the permittee. The cost of plan preparation as well as any improvements shall be the sole obligation of the permittee.
6. If the premises will be used by permittee for the purpose of parking motor vehicles, the plan of operation must give proper consideration to the need for the following:
  - a. Parking design or arrangement to assure orderly and functional parking.
  - b. Plantings or other screening measures to improve the esthetics and appearance of the area.
  - c. Surfacing, lighting, fencing, striping, curbs, wheel stops, pier protection devices, etc.
  - d. Access for fire protection and fire fighting equipment.
7. The permittee shall be responsible for ascertaining the correct location of property lines in connection with this permit.
8. The premises shall not be occupied or used by the permittee for other than the purpose(s) specified herein and in the approved plan of operation without written approval of the department.
9. No representations as to the condition, repair or suitability of the premises have been made to the permittee by the department, its agents or employees.
10. Any improvement made to the premises by permittee shall be fire resistant in accordance with the provisions of local applicable building codes. The premises shall not be used for the manufacture or storage of flammable material, explosive or hazardous material, nor for any occupation which is deemed by the department or the Federal Highway Administration to be a hazard to highway or non-highway users, nor for the conduct of any business or occupation causing the emission of fumes, vapors, odors, drippings, droppings, or discharges which are deemed by the department to adversely affect the highway facility or the use thereof.
11. The premises shall be maintained by permittee so as to assure that the structures and the area within the highway right-of-way boundaries will be kept in good condition, both as to safety and appearance. Such maintenance will be accomplished in a manner so as to cause no unreasonable interference with highway use. In the event permittee fails to fulfill its maintenance obligations, the department may enter the premises to perform the maintenance at the expense of the permittee.
12. The department and the Federal Highway Administration shall have the right to enter, inspect and view the premises at all times and shall have the right to take possession thereof in case of national or other emergency.
13. This permit is a temporary use permit subject to termination when transportation needs make it necessary to terminate the permit, e.g., maintenance, reconstruction, and emergency repairs. Termination of this permit would not create any real property rights or any relocation rights or benefits under the federal Uniform Relocation Assistance Act for the Permittee.
14. This permit shall not relieve the permittee from obtaining any license or permit as may be required by any other public body.
15. Permittee shall not transfer, assign, or convey its interests under this permit without prior written approval of the department. If the department approves such a transfer, assignment or conveyance, the terms and provisions of this permit shall extend to and be binding upon and inure to the benefit of any approved successor of the permittee.

- 16. Permittee shall not erect or allow to be erected any signs on the premises except as approved, in writing, by the department. Only signs pertaining to the use of the premises by the permittee shall be approved.
- 17. The permittee assumes liability for all losses, expenses, costs, actions, cause of action, demands, damages and claims in connection with or arising out of any injuries, or claimed or alleged injury (including, but not being limited to, death) to any person, or any damage or claimed or alleged damage, to any property of any person sustained, or claimed, or alleged to have been sustained in connection with, or to have arisen out of or to have resulted from, whether directly or indirectly, the occupation and use of the premises by permittee, or by any one or more of its contractors, agents, servants or employees including, but not being limited to, losses, costs, expenses or damages sustained by the department itself; and permittee agrees to indemnify and hold harmless department, its agents, servants and employees, from any and all such losses, expenses, costs, actions, causes of action, demands, damages and claims and agrees to defend any suit or action brought against any one or more of them based on any such alleged injury or damage, and to pay all damages, costs, losses and expenses incurred, including but not limited to, attorney's fees, in connection therewith or resulting therefrom.

ISSUED: \_\_\_\_\_

ACCEPTED:

City of Blue Island

X  
\_\_\_\_\_  
Permittee

X  
\_\_\_\_\_  
Print Name and Title

X  
\_\_\_\_\_  
Date

ILLINOIS DEPARTMENT OF  
TRANSPORTATION  
DIVISION OF HIGHWAYS

\_\_\_\_\_  
Regional Engineer

