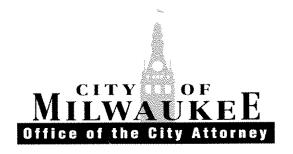
GRANT F. LANGLEY

City Attorney

RUDOLPH M. KONRAD LINDA ULISS BURKE VINCENT D. MOSCHELLA Deputy City Attorneys



THOMAS O. GARTNER

BRUCE D. SCHRIMPF

ROXANE L. CRAWFORD SUSAN D. BICKERT

STUART S. MUKAMAL

THOMAS J. BEAMISH

MAURITA F. HOUREN

MICHAEL G. TOBIN DAVID J. STANOSZ

SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER HEIDI WICK SPOERL KURT A. BEHLING GREGG C. HAGOPIAN ELLEN H. TANGEN

MELANIE R. SWANK JAY A. UNORA DONALD L. SCHRIEFER EDWARD M. EHRLICH

LEONARD A. TOKUS VINCENT J. BOBOT MIRIAM R. HORWITZ

MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

ELOISA DE LEÓN

ADAM B. STEPHENS KEVIN P. SULLIVAN BETH CONRADSON CLEARY

THOMAS D. MILLER
Assistant City Attorneys

KATHRYN M. ZALEWSKI MEGAN T. CRUMP

November 30, 2006

VIA HAND-DELIVERY AND E-MAIL

Public Works Committee of the Common Council 200 City Hall

Attn: Terry McDonald

Re:

File 060807, MPS Easement to DOT

Dear Members of the Public Works Committee:

Recall that at the October 31, 2006 hearing of the Public Works Committee, File 060807 was held so that a concern about the duration of the proposed easement from MPS to DOT could be addressed. Subsequent to that meeting, I discussed the matter with DOT attorneys, and DOT agreed to the inclusion in the proposed easement agreement of new paragraph 12 that allows MPS to terminate the easement once DOT completes construction of the on-ramp adjacent to the MPS building.

In light of the above, we enclose for the file the substitute Easement Agreement allowing MPS the right to terminate. File 060807 would then seek approval of this substituted document.

I understand this matter can be taken up at the Public Works Committee special hearing on December 12th. Thank you very much. Please call if you have questions or comments.

Very truly yours:

GREGG HAGOPIAN Assistant City Attorney

GCH/mll:112637 Enclosure

c: Clark Wantoch (w/encl., via email)

Jim Thiel, DOT (w/encl., via email) Joan Aguado, MPS (w/encl., via email) Rick Moore, MPS (w/encl., via email)

1034-2006-996