

ORDINANCE NO. 003-14

AN ORDINANCE AUTHORIZING A LEASE
AGREEMENT WITH THE METROPOLITAN
WATER RECLAMATION DISTRICT OF
GREATER CHICAGO FOR PROPERTY
LOCATED AT DEVON AVENUE AND KEDZIE
AVENUE IN LINCOLNWOOD, ILLINOIS

WHEREAS, The Metropolitan Water Reclamation District of Greater Chicago ("District") owns a parcel of real estate located at the northwest corner of West Devon Avenue and North Kedzie Avenue in Lincolnwood, Illinois ("Property"); and

WHEREAS, The Chicago Transit Authority ("Authority") has leased the Property for use as a bus turnaround since 1948; and

WHEREAS, The Authority's lease agreement with the District for use of the Property expired in 1998; and

WHEREAS, Since 1998, the Authority and the District have entered into successive one year or six month Permit Agreements to permit the Authority to continue to use the Property as a bus turnaround; and

WHEREAS, The last one year Permit Agreement expired on August 31, 2002; and

WHEREAS, The Authority and the District agreed to extend the Permit Agreement for an additional three month term from September 1, 2002, to November 30, 2002, in order to complete negotiations for long-term use of the Property by the Authority; and

WHEREAS, Because the Property is used as a bus turnaround for four bus routes providing bus service to customers on the north side of Chicago, staff has determined that the Authority will require continued use of the Property indefinitely; and

WHEREAS, Staff has negotiated a long-term Lease Agreement for continued use of the Property for a term of thirty-nine (39) years, commencing December 1, 2002, and ending November 30, 2041, at an annual rental rate of seventy-one thousand dollars (\$71,000); and

WHEREAS, The Authority is not permitted to terminate the Lease Agreement for any reason; and

WHEREAS, The District's Board of Commissioners approved entry into the Lease Agreement at its December 19, 2002, meeting; now therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. That the Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute a Lease Agreement between the Metropolitan Water Reclamation District of Greater Chicago, as Lessor, and the Chicago Transit Authority, as Lessee, for property located at the northwest corner of West Devon Avenue and North Kedzie Avenue, Lincolnwood, Illinois, legally described on Exhibit A and depicted on Exhibit B, for use by the Authority for bus operations for a term of thirty-nine (39) years, commencing December 1, 2002, and ending November 30, 2041.

SECTION 2. That the Lease Agreement shall provide for an annual rental fee of seventy-one thousand dollars (\$71,000) and includes an indemnification of the District by the Authority. Said Lease Agreement shall also require that the Authority conduct a Phase I environmental assessment report of the Property every five years, makes the Authority responsible for all environmental problems which may occur on the Property, does not permit the Authority to terminate it for any reason, and includes such other terms that are substantially in conformance with the terms set forth in Exhibit C.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

January 8, 2003

January 8, 2003