

ORDINANCE NO. 005-146

AN ORDINANCE AUTHORIZING A 1-YEAR
LICENSE AGREEMENT WITH THE BOARD
OF TRUSTEES OF ILLINOIS COMMUNITY
COLLEGE DISTRICT #508 FOR CHICAGO
TRANSIT AUTHORITY PROPERTY
LOCATED WEST OF NORTH BROADWAY
AVENUE, BETWEEN WEST WILSON AND
WEST MONTROSE AVENUES, CHICAGO,
ILLINOIS

WHEREAS, The Chicago Transit Authority ("Authority") is the owner of certain real estate property located west of North Broadway Avenue, between West Wilson and West Montrose Avenues, Chicago, Illinois ("Authority's Property") commonly known as the Wilson Yards; and

WHEREAS, Chicago Transit Board Ordinance No. 76-26 authorized a lease agreement with the Board of Trustees of Illinois Community College District #508, County of Cook and State of Illinois ("City Colleges"), for a portion of the Authority's Property, including approximately 198,000 square feet, as a parking facility for City Colleges' employees and students, commencing February 1, 1976, and ending July 31, 1985, at a rate of \$400 per month; and

WHEREAS, Chicago Transit Board Ordinance No. 85-84 authorized the extension of the aforementioned lease agreement commencing July 1, 1985, and ending June 30, 1990, at a rental rate of \$500 per month, with one 5-year option term; and

WHEREAS, City Colleges executed its option to renew the lease agreement commencing July 1, 1990, and ending June 30, 1995, at a rental rate of \$2,000 per month; and

WHEREAS, The lease agreement was extended on a month-to-month basis effective July 1, 1995, at a rental rate of \$2,000 per month and includes all terms and conditions previously approved by the Transit Board; and

WHEREAS, Chicago Transit Board Ordinance No. 004-168, dated December 16, 2004, authorized the sale of a portion of the Authority's Property to the City of Chicago for development of the Wilson Yards Project, which included a portion of the property currently leased to City Colleges; and

WHEREAS, City Colleges has requested permission to license a portion of the Authority Property which will not be included in the sale to the City of Chicago; and

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WHEREAS, Said Property is an irregularly shaped parcel of land which includes approximately 80,000 square feet which will provide approximately 181 parking spaces ("Licensed Premises"); and

WHEREAS, Staff has negotiated a license agreement with City Colleges commencing October 1, 2005, and continuing on an annual basis to September 30, 2006, at an annual license fee of \$24,000 with 5% annual escalation; and

WHEREAS, After the 5-year period, the license shall continue on a month-to-month basis; and

WHEREAS, The subject license includes a 90-day cancellation provision and includes a reduced amount of parking spaces, from 342 to 181 parking spaces; and

WHEREAS, The proposed license agreement requires City Colleges to perform all maintenance and repair work required for the parking lot and has agreed to indemnify and hold CTA harmless concerning incidents occurring at the Leased Premises during the term of the License Agreement; and

WHEREAS, The current lease agreement shall be cancelled, effective October 31, 2005; 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 1-year license agreement commencing November 1, 2005, and extending through October 31, 2006, between the Chicago Transit Authority, as Licensor, and City Colleges, as Licensee, for Authority Property located west of Broadway Avenue, between Wilson Avenue and Montrose Avenue, Chicago, Illinois, further described on Exhibit A, substantially in the form attached as Exhibit B hereto. Said license agreement shall include a 90-day cancellation provision. Said license agreement shall also allow annual renewals to a maximum license period of five years, with month-to-month renewals thereafter.

SECTION 2. Staff is hereby authorized to cancel the current lease agreement.

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

APPROVED:

PASSED:

Chairman

Assistant Secretary

October 11, 2005

October 11, 2005