

ORDINANCE NO 001-203

AN ORDINANCE AUTHORIZING
THE EXECUTION OF MONTH-TO -
MONTH LEASE AGREEMENTS
WITH EXISTING TENANTS AT THE
CHICAGO TRANSIT AUTHORITY
PROPERTY LOCATED AT 4600-4618
NORTH BROADWAY AND 1100 -
1110 AND 1114 WEST WILSON
AVENUE, CHICAGO, ILLINOIS

WHEREAS, The Chicago Transit Authority ("Authority") owns the property located at 4600-4618 North Broadway and 1100-1110 and 1114 West Wilson Avenue, Chicago, Illinois ("Premises"); and

WHEREAS, Chicago Transit Board Ordinance No. 83-122 authorized a Master Lease Agreement by which the Authority leased the Premises to American National Bank and Trust Company as Trustee under Trust No. 59754; and

WHEREAS, The Master Lease Agreement expired by its own terms on March 31, 1999; and

WHEREAS, The Authority desired to retain the five sub-tenants under the Master Lease Agreement: American Fast Food Corporation d/b/a/ Popeye's Fried Chicken; Payless Shoe Source, Inc.; Charles Stempien (Lake View Foods); Barney Lewis (Barney's Popcorn); and Linh Lee (Alpha Electronics) ("Tenants"); and

WHEREAS, Chicago Transit Board Ordinance No. 99-57 authorized month-to-month lease agreements with the Tenants at an increased rent for a total time not to exceed two years, ending March 31, 2001; and

WHEREAS, The Tenants have continued their tenancies on a month-to-month basis under the terms and conditions previously approved by the Transit Board; and

WHEREAS, The Premises may be impacted by the planned CTA Wilson Red Line Reconstruction Project, which would preclude long-term tenancies at the Premises; and

WHEREAS, In the interim, Staff has recently negotiated with the Tenants terms of a lease agreement for month-to-month tenancies, commencing January 1, 2002, for a term not to exceed two years; and

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WHEREAS, The Authority would receive an increase in revenues for lease of the Premises, based on application of the consumer price index rate; and

WHEREAS, During the lease period, Staff will develop a plan to determine the most appropriate long term use of this property in relation to plans for the Red Line Reconstruction; and

WHEREAS, Section 53.3-5 of the Authority's Regulations Governing Purchase and Sales Transactions provides that competitive bidding is not required in circumstances where the Chicago Transit Board finds it to be disadvantageous; now, therefore:

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

SECTION 1. Based upon the facts presented, the Chicago Transit Board finds competitive bidding to be disadvantageous.

SECTION 2. That the Chairman of the Chicago Transit Board, or her designee, is authorized to execute a month-to-month Lease Agreement commencing January 1, 2002, between the Chicago Transit Authority, as Lessor, and American Fast Food Corporation, d/b/a/ Popeye's Fried Chicken, as Lessee, for property commonly known as 4604 North Broadway Avenue, Chicago, Illinois, at a rental rate of \$4,905.00 per month, for a total time period not to exceed two years in substantially the form attached as Exhibit A hereto.

SECTION 3. That the Chairman of the Chicago Transit Board, or her designee, is authorized to execute a month-to-month lease Agreement commencing January 1, 2002, between the Chicago Transit Authority, as Lessor, and Payless Shoe Source Inc., as Lessee, for property commonly known as 4608 North Broadway Avenue, Chicago, Illinois, at a rental rate of \$3,447.00 per month, for a total time period not to exceed two years in substantially the form attached as Exhibit A hereto.

SECTION 4. That the Chairman of the Chicago Transit Board, or her designee, is authorized to execute a month-to-month Lease Agreement commencing January 1, 2002, between the Chicago Transit Authority as Lessor, and Charles Stempien (Lake View Foods), as Lessee, for property commonly known as 4612 North Broadway Avenue, Chicago, Illinois, at a rental rate of \$1,326.00 per month, for a total time period not to exceed two

years in substantially the form attached as Exhibit A hereto.

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SECTION 5. That the Chairman of the Chicago Transit Board, or her designee, is authorized to execute a month-to-month Lease Agreement commencing January 1, 2002, between the Chicago Transit Authority, as Lessor, and Barney Lewis (Barney's Popcorn), as Lessee, for property commonly known at 1110 W. Wilson Avenue, Chicago, Illinois, at a rental rate of \$838.00 per month, for a total time period not to exceed two years in substantially the form attached as Exhibit A hereto.

SECTION 6. That the Chairman of the Chicago Transit Board, or her designee, is authorized to execute a month-to-month Lease Agreement commencing January 1, 2002, between the Chicago Transit Authority, as lessor, and Linh Lee (Alpha Electronics), as Lessee, for property commonly known at 1114 W. Wilson Avenue, Chicago, Illinois, at a rental rate of \$3,692.00 per month, for a total time period not to exceed two years in substantially the form attached as Exhibit A hereto.

SECTION 7. That this ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

December 5, 2001

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