

ORDINANCE NO. 001-110

AN ORDINANCE AUTHORIZING A LEASE
AGREEMENT WITH THE METROPOLITAN
WATER RECLAMATION DISTRICT OF
GREATER CHICAGO FOR PROPERTY
LOCATED BETWEEN CENTRAL STREET AND
ISABELLA STREET, EVANSTON, ILLINOIS

WHEREAS, The Chicago Transit Authority's Purple Line operates through Evanston, Illinois, and extends to the Linden Terminal in Wilmette, Illinois; and

WHEREAS, The Metropolitan Water Reclamation District of Greater Chicago (the "District") owns five (5) parcels of real estate along the Authority's Purple Line right-of-way between Central Street and Isabella Street, in Evanston, Illinois (the "Property"); and

WHEREAS, The Authority has leased the Property for use as additional Purple Line right-of-way and for embankment and retaining wall purposes since 1953; and

WHEREAS, Chicago Transit Board Ordinance No. 92-41 authorized a Lease Agreement for continued use of the Property for a term of ten (10) years effective July 1, 1991, at a rental rate of \$15,360 per year during the first five years of the Lease; and

WHEREAS, Chicago Transit Board Ordinance No. 97-135 authorized acceptance of an adjustment in the rental fee during the second five years of the Lease from \$15,360 to \$16,640 per year; and

WHEREAS, Said Lease Agreement expired on June 30, 2001; and

WHEREAS, The Authority requires continued use of the Property for Purple Line rapid transit operations indefinitely; and

WHEREAS, Staff has negotiated a new Lease Agreement for continued use of the Property located between Central Street and Isabella Street, Evanston, Illinois, for a term of thirty-nine (39) years, commencing July 1, 2001, and ending June 30, 2040, at an annual rental rate of thirty thousand four hundred dollars (\$30,400); 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 June 21, 2001, meeting; now, therefore:

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

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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 five parcels of real estate located along the Purple Line right-of-way between Central Street and Isabella Street, Evanston, Illinois, legally described on Exhibit A and depicted on Exhibit B, for use by the Authority for rapid transit operations purposes for a term of thirty-nine (39) years, commencing July 1, 2001 and ending June 30, 2040.

SECTION 2. That the Lease Agreement shall provide for an annual rental fee of thirty thousand four hundred dollars (\$30,400) and includes an indemnification of the property owner by the Authority. Said Lease Agreement shall also require that the Authority conduct a Phase I environmental assessment report of the Property every five (5) 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

July 11, 2001

July 11, 2001