

ORDINANCE NO. 008-70

AN ORDINANCE AUTHORIZING CONSENT  
TO A SUB-LICENSE AGREEMENT  
BETWEEN BOARD OF TRUSTEES OF  
COMMUNITY COLLEGE DISTRICT #508 AND  
WILSON YARD DEVELOPMENT I, LLC, FOR  
CERTAIN CHICAGO TRANSIT AUTHORITY  
PROPERTY LOCATED WEST OF NORTH  
BROADWAY AVENUE, BETWEEN WEST  
WILSON AVENUE AND WEST MONTROSE  
AVENUE, CHICAGO ILLINOIS (RED LINE)

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

WHEREAS, Chicago Transit Board Ordinance No. 005-146, dated October 11, 2005, authorized a license agreement with the Board of Trustees of Community College District #508, ("City Colleges") for a portion of the Authority's Property, including approximately 80,000 square feet, as a parking facility for City Colleges' employees and students, effective November 1, 2005, at a rental rate of \$24,000 per year with 5% annual escalations ("Licensed Premises"); and

WHEREAS, Said license agreement extends for a maximum annual term of five years (October 31, 2010), and month to month thereafter, and includes a ninety day mutual cancellation provision; and

WHEREAS, City Colleges has fulfilled all obligations of the license agreement including maintenance of the premises, payment of rent, and has submitted appropriate insurance coverage; and

WHEREAS, City Colleges has requested that the Authority consent to the sub-license of the south part of the Licensed Premises, which includes approximately 12,000 square feet, for a term of two years, to Wilson Yard Development I, LLC ("Developer"); and

WHEREAS, Developer requires use of the south part of the Licensed Premises for construction staging, parking of vehicles and storage of materials for the Wilson Yard project located immediately adjacent to the Authority's Red Line elevated structure and right-of-way; and

WHEREAS, The license provides that consent to the sub-license agreement is subject to the Authority's prior written consent; and

ORDINANCE NO. 008-70  
(Continued) -2

WHEREAS, Under the terms of the consent to sub-license, licensee shall remain liable to the Authority as principal for performance thereunder for the duration of the License Agreement; and

WHEREAS, Authority staff recommends approval of the sub-license agreement so long as certain conditions regarding use have been satisfied by the parties; now, therefore:

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

SECTION 1. The Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute the Consent to Sub-license, substantially in the form attached as Exhibit A, from City Colleges to Developer, for the south part of the Authority's property located west of North Broadway Avenue, between West Wilson and West Montrose Avenues, Chicago, Illinois, (Red Line) as depicted on the attached Exhibit B.

SECTION 2. All terms and conditions of the license agreement dated November 1, 2005, shall remain in effect and City Colleges shall remain liable for the obligations under the aforesaid License during the term of the agreement.

SECTION 3. The Authority's approval is subject to the following conditions:

- 1) The area under the elevated structure is limited to vehicle parking. The parties cannot store materials under the structure.
- 2) Trailers and/or containers cannot be placed under the elevated structure at any time.
- 3) CTA does not object to the placement of trailers or containers to the adjacent area west of the elevated structure. However, a 20' access roadway must exist along CTA's active right of way.
- 4) After construction staging is complete, the parties must return the site to its original gravel.

ORDINANCE NO. 008-70  
(Continued) -3

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

May 14, 2008

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Assistant Secretary

May 14, 2008