

ORDINANCE NO. 009-47

AN ORDINANCE ENTERING INTO A
LICENSE AGREEMENT WITH THE SIMON
PROPERTY GROUP (ILLINOIS), L.P., FOR
CERTAIN PROPERTY LOCATED AT THE
LINCOLNWOOD TOWN CENTER, 3333
WEST TOUHY AVENUE, LINCOLNWOOD,
ILLINOIS

WHEREAS, The Lincolnwood Town Center shopping mall is located at the southwest corner of West Touhy Avenue and North McCormick Boulevard, commonly known as 3333 West Touhy Avenue, Lincolnwood, Illinois; and

WHEREAS, The Lincolnwood Town Center is owned by the Simon Property Group (Illinois), L.P., an Illinois limited partnership ("Owner"); and

WHEREAS, The Authority has licensed certain property at the Lincolnwood Town Center ("Property") for use as a bus turnaround since 2004; and

WHEREAS, The most recent license for the bus turnaround expired on February 28, 2009; and

WHEREAS, Staff entered into a license agreement for a term not to exceed six months, effective March 1, 2009; and

WHEREAS, The Authority requires continued use of the Property at this location to operate transit service into the Lincolnwood Town Center; and

WHEREAS, The Lincolnwood Town Center vehicles and Authority buses jointly use the bus turnaround on the Property; and

WHEREAS, The Authority's bus operators are permitted to use the washroom facilities located at the Lincolnwood Town Center; and

WHEREAS, The Authority, at its sole option, is permitted under the License to operate one additional bus route on the Property; and

WHEREAS, Staff has negotiated a license agreement with the Owner for continued use of the Property as a bus turnaround, for a term of one year with a four year option at a license fee of one dollar (\$1.00); now, therefore:

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

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SECTION 1. The Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute a license agreement between the Simon Property Group (Illinois) L.P., as Licensor, and the Chicago Transit Authority, as Licensee, for certain property located at the Lincolnwood Town Center, 3333 West Touhy Avenue, Lincolnwood, Illinois, further described on Exhibit A, for use by the Authority as a bus turnaround for a term of one year with a four year option, commencing June 1, 2009, and terminating no later than June 1, 2014.

SECTION 2. That said license agreement shall be substantially in the form attached hereto as Exhibit B and shall include an annual license fee of One Dollar (\$1.00), a mutual indemnification clause and a mutual cancellation provision of one hundred and eighty days as well as such other terms set forth in Exhibit B.

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

APPROVED:

PASSED:

Chairman

May 13, 2009

Assistant Secretary

May 13, 2009