

ORDINANCE

WHEREAS, the City of Chicago (the "City") is a home rule unit of government under Article VII, Section 6(a) of the Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City Council of the City approved an ordinance on September 24, 1980, that vacated certain portions of N. LaSalle Street and N. Clark Street for the development of the property at 100 West Randolph Street in the City, previously known as the James R. Thompson Center ("Property"), with such ordinance published in the Journal of the Proceedings of the City Council (the "Journal") for such date at pages 3994 and 3994, and a copy was recorded with the Cook County Recorder of Deeds on February 2, 1982 as document numbered 26130931 ("Vacation Ordinance"); and

WHEREAS, pursuant to Sections 2 and 3 of the Vacation Ordinance, the City reserved an easement for pedestrian walks ("Pedestrian Walks Easement"); and

WHEREAS, JRTC Holdings, LLC, an Illinois limited liability company, ("Owner") now owns the Property and wishes to redevelop the Property; and

WHEREAS, the Owner and the Commissioner of Transportation of the City ("Commissioner") have determined that a reduction in the Pedestrian Walks Easement is appropriate for the redevelopment of the Property and will continue to adequately serve the public uses of the Pedestrian Walks Easement; and

WHEREAS, Owner wishes to amend the Pedestrian Walks Easement to provide such reduction in return for providing significant additional public improvements, including the reconfiguration of the existing CTA station on the Property and the Pedway connections thereto, all of which will better serve the public than the present configurations; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated in and made part of this ordinance as though fully set forth herein.

SECTION 2. The Commissioner is authorized to execute an Amendment To Pedestrian Walks Easement in substantially the form of **Exhibit 1** which is attached hereto and incorporated herein.

SECTION 3. The Commissioner is hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver such agreements and instruments and take such other actions as may be necessary or appropriate to carry out and comply with the provisions of this ordinance.

SECTION 4. To the extent that any ordinance, resolution, rule, order, or provision of the Code, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provisions of this ordinance.

SECTION 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Exhibit 1 (of the Ordinance) – Amendment of Easement

**THIS INSTRUMENT
PREPARED BY AND AFTER
RECORDING RETURN TO:**

Akerman LLP
Attn: Chris A. Leach
71 South Wacker Drive
47th Floor
Chicago, Illinois 60606

This space reserved for Recorder's use only.

AMENDMENT TO PEDESTRIAN WALKS EASEMENT

This Amendment To Reservation of Rights Pedestrian Walks Easement ("Amendment") is made this ____ day of _____, 2024, between **JRTC HOLDINGS, LLC**, an Illinois limited liability company, ("**Owner**") and the **CITY OF CHICAGO**, an Illinois municipal corporation and home rule unit of local government (the "**City**").

BACKGROUND

A. WHEREAS, Grantor is the fee owner of a certain parcel of land in the County of Cook, State of Illinois, commonly known as 100 West Randolph Street, Chicago, Illinois, legally described in Exhibit A, attached hereto and made a part hereof (hereinafter referred to as the "Thompson Center Parcel"); and

B. WHEREAS, pursuant to ordinance adopted by the City Council of the City of Chicago (the "City Council"), on September 24, 1980, and published in the Journal of the Proceedings of the City Council (the "Journal") for such date at pages 3994 and 3994, and recorded with the Cook County Recorder of Deeds on February 2, 1982 as document numbered 26130931 (hereinafter referred to as the "Vacation Ordinance"), the City Council approved the vacation of the east seventeen (17) feet of North LaSalle Street and the west sixteen (16) feet of North Clark Street lying between the south line of West Lake Street and the north line of West Randolph Street; and

C. WHEREAS, pursuant to Sections 2 and 3 of the Vacation Ordinance, the City reserved an easement for pedestrian walks as follows:

"Section 2. The City of Chicago hereby reserves an easement for pedestrian walks between horizontal planes which are 14.00 feet and 29.00 feet respectively above Chicago City Datum (C.C.D.) over and across all that part of N. LaSalle Street and N. Clark Street, as herein vacated subject to building columns or appurtenances to be constructed to support a super-structure over and above said easement and a right of ingress and egress to said areas for purposes of installation and maintenance.

"Section 3. The People of the State of Illinois, Capital Development Board shall be solely responsible for the lighting and maintenance of said easement area and is granted a right of access and ingress for said purpose. All improvements below or above said easement areas to be constructed will be subject to approval of the City Agencies concerned and the easement area will require the construction which will afford suitable lighting and protection for the public. The People of the State of Illinois, Capital Development Board will be responsible for all damages to the sidewalks caused by the construction and shall indemnify and hold harmless the City of Chicago against all claims for injuries, deaths, damages, suits, judgments, costs and expenses which in any way may accrue against the City arising out of the contemplated overall construction. If any judgment shall be rendered against the City for such matters the People of the State of Illinois, Capital Development Board or its insurance carriers shall satisfy and discharge the same.

"The provisions establishing obligations herein upon the People of the State of Illinois, Capital Development Board are covenants running with the land and run with the easement. Any grantees, or successors in title to the fee of said property are subject to the conditions and provisions of this easement agreement."

(the easement created is hereinafter referred to herein as the "Pedestrian Walks Easement"); and

D. WHEREAS Owner and City wish to amend the Pedestrian Walks Easement by (a) reducing the area and height of both that part of vacated North LaSalle Streets burdened by the Pedestrian Walks Easement (hereinafter referred to as "Original LaSalle Street Easement Parcel") and that part of vacated North Clark Street burdened by the Pedestrian Walks Easement (hereinafter referred to as "Original Clark Street Easement Parcel") and (b) restating the terms and conditions related to Owner's improvement and use of the Pedestrian Walks Easement, all as stated below; and

E. WHEREAS, the northeast corner of the existing building façade located on the Thompson Center Parcel projectsand encroaches into a small portion of the West Lake Street public right of way near its intersection with North Clark Street. The City desires to grant an exclusive easement over that portion of West Lake Street as depicted and legally described in Exhibit D, attached hereto and made a part hereof (hereinafter referred to as "Façade Projection Easement Parcel").

NOW, THEREFORE, in consideration of the sum of Ten and No/100 Dollars (\$10.00), the above recitals, mutual agreements, covenants and amended easements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and City agree to amend the Pedestrian Walks Easement as follows:

1. **INCORPORATION.** The parties hereby acknowledge that foregoing recitals are true and correct.

2. AMENDMENT. The Pedestrian Walks Easement as set forth in Sections 2 and 3 of the Vacation Ordinance is hereby amended as follows:

a. The Original LaSalle Street Easement Parcel is reduced as legally described in Exhibit D, attached hereto and made a part hereof (hereinafter referred to as "Amended LaSalle Street Easement Parcel") and those portions of the Original LaSalle Street Easement Parcel located outside the Amended LaSalle Street Easement Parcel are hereby released from the Pedestrian Walks Easement; and

b. The Original Clark Street Easement Parcel is reduced as legally described in Exhibit E, attached hereto and made a part hereof (hereinafter referred to as "Amended Clark Street Easement Parcel") and those portions of the Original Clark Street Easement Parcel outside the Amended Clark Street Easement Parcel are hereby released from the Pedestrian Walks Easement; and

c. Pedestrian Walks Easement is hereby amended to provide that upon the approval of City's Commissioner of Transportation ("Commissioner") Owner may construct install, use maintain, repair, replace and remove building columns or appurtenances to support a super-structure, canopy structures, seating structures, landscaping, planter boxes, bollards, and door swings in, over, across, upon and above the Amended LaSalle Street Easement Parcel and the Amended Clark Street Amendment Parcel and upon such approval, Owner shall have a right of ingress and egress to perform such work in said areas in accordance with plans submitted to and approved by the Commissioner (the Pedestrian Walks Easement as amended in this Section 2 is referred to herein as the "Amended Pedestrian Walks Easement").

3. SOLE AMENDMENT. This Amendment contains the sole amendment to the Pedestrian Walks Easement to date. In all other respects, the Pedestrian Walks Easement shall remain in full force and effect as originally reserved.

4. AUTHORITY. The person signing this Amendment on behalf of the Owner represents and warrants that Owner is an Illinois limited liability company duly organized, validly existing, and in good standing under the laws of the State of Illinois, with full power and authority as owner of the fee interest in the Thompson Center Parcel, including the Original LaSalle Street Easement Parcel and the Original Clark Street Easement Parcel, with sufficient title to enter into this Amendment, to amend the Pedestrian Walks Easement and to bind the Thompson Center Parcel to the provisions hereof, and that the person signing this Amendment on behalf of Owner has the authority to do so. The City's execution of this Amendment is authorized by ordinance adopted by the City Council on _____, 2024 (C.J. pp. _____ - _____).

5. COVENANTS RUNNING WITH THE LAND; SUCCESSORS AND ASSIGNS. All of the terms, covenants, conditions and easements contained herein shall run with the land and be binding on the parties hereto and their respective successors and assigns and shall inure to the benefit of all other owners of property subject to this Amendment and their respective successors and assigns, tenants, occupants and users.

6. RECORDING. Owner shall cause this Amendment to be recorded along with other documents incidental thereto and shall provide the City with a copy of the recorded Amendment.

7. COUNTERPARTS. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute a single, integrated instrument.

(Signature Page Follow)

Handwritten signature and initials. The signature is a stylized, cursive 'J' with a long horizontal line extending to the left. Above the signature, the initials 'RZ' are written in a simple, blocky font.

IN WITNESS WHEREOF, the parties have caused this Amendment To Reservation of Rights Pedestrian Walks Easement to be signed and delivered on or as of the date first above written.

OWNER:

JRTC HOLDINGS, LLC, an
Illinois limited liability company,

By: _____

Name: _____

Title: _____

CITY OF CHICAGO,
an Illinois municipal corporation

By: _____
Commissioner
Department of Transportation

Approved as to form and legality:

By: _____
Department of Law

EXHIBIT A (to Exhibit 1 of the Ordinance)

Legal Description of the Thompson Center Parcel

PARCEL 1:

BLOCK 34 IN ORIGINAL TOWN OF CHICAGO IN THE SOUTH EAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THEREFROM THE WEST 3 FEET THEREOF, TAKEN FOR WIDENING NORTH LASALLE STREET), IN COOK COUNTY, ILLINOIS;

PARCEL 2:

THE VACATED WEST 16 FEET OF CLARK STREET LYING EAST OF AND ADJOINING BLOCK 34 IN ORIGINAL TOWN OF CHICAGO IN THE SOUTH EAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

Property Address: 100 West Randolph Street, Chicago, Illinois

Real Estate Tax PINs: 17-09-434-020-0000
17-09-434-021-0000
17-09-434-022-0000
17-09-434-023-0000

EXHIBIT B (to Exhibit 1 of the Ordinance)

Legal Description of the Original LaSalle Street Easement Parcel

ALL THAT PART OF N. LASALLE STREET VACATED BY ORDINANCE PASSED JANUARY 14, 1982 AND RECORDED FEBRUARY 2, 1982 AS DOCUMENT NO. 26130931 AND RESERVED AS EASEMENT TO THE CITY OF CHICAGO FOR PEDESTRIAN WALK BETWEEN HORIZONTAL PLANES WHICH ARE 14.00 FEET AND 29.00 FEET ABOVE CHICAGO CITY DATUM, BEING ALSO THE EAST 17 FEET OF THE WEST 20 FEET OF BLOCK 34 IN ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 100 West Randolph Street, Chicago, Illinois

Real Estate Tax PINs: 17-09-434-021-0000
17-09-434-023-0000

EXHIBIT C (to Exhibit 1 of the Ordinance)

Legal Description of the Original Clark Street Easement Parcel

ALL THAT PART OF N. CLARK STREET VACATED BY ORDINANCE PASSED JANUARY 14, 1982 AND RECORDED FEBRUARY 2, 1982 AS DOCUMENT NO. 26130931 AND RESERVED AS EASEMENT TO THE CITY OF CHICAGO FOR PEDESTRIAN WALK BETWEEN HORIZONTAL PLANES WHICH ARE 14.00 FEET AND 29.00 FEET ABOVE CHICAGO CITY DATUM, LYING EAST OF AND ADJOINING BLOCK 34 IN ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 100 West Randolph Street, Chicago, Illinois

Real Estate Tax PINs: 17-09-434-020-0000
17-09-434-022-0000

EXHIBIT D (to Exhibit 1 of the Ordinance)

Legal Description of the Amended LaSalle Street Easement Parcel

THE WEST EIGHT FEET SEVEN INCHES OF THAT PART OF N. LASALLE STREET VACATED BY ORDINANCE PASSED JANUARY 14, 1982 AND RECORDED FEBRUARY 2, 1982 AS DOCUMENT NO. 26130931 AND RESERVED AS EASEMENT TO THE CITY OF CHICAGO FOR PEDESTRIAN WALK BETWEEN HORIZONTAL PLANES WHICH ARE 14.00 FEET AND 26.00 FEET ABOVE CHICAGO CITY DATUM, BEING ALSO THE WEST 8 FEET 7 INCHES OF THE EAST 17 FEET OF THE WEST 20 FEET OF BLOCK 34 IN ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 100 West Randolph Street, Chicago, Illinois

Real Estate Tax PINs: 17-09-434-021-0000
17-09-434-023-0000

EXHIBIT E (to Exhibit 1 of the Ordinance)

Legal Description of the Amended Clark Street Easement Parcel

ALL THAT PART OF N. CLARK STREET VACATED BY ORDINANCE PASSED JANUARY 14, 1982 AND RECORDED FEBRUARY 2, 1982 AS DOCUMENT NO. 26130931 AND RESERVED AS EASEMENT TO THE CITY OF CHICAGO FOR PEDESTRIAN WALK BETWEEN HORIZONTAL PLANES WHICH ARE 14.00 FEET AND 26.00 FEET ABOVE CHICAGO CITY DATUM, LYING EAST OF AND ADJOINING BLOCK 34 IN ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 100 West Randolph Street, Chicago, Illinois

Real Estate Tax PINs: 17-09-434-020-0000
17-09-434-022-0000