

SUBSTITUTE ORDINANCE

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

WHEREAS, the City owns and, through its Chicago Department of Aviation ("CDA"), operates the airports known as Chicago O'Hare International Airport ("O'Hare Airport") and Chicago Midway International Airport ("Midway Airport"); and

WHEREAS, CDA has determined that it is useful, desirable, and necessary to lease office space with convenient proximity to O'Hare Airport for use by CDA's employees, contractors and consultants in support of ongoing development and projects at O'Hare Airport, and

WHEREAS, CDA conducted market investigation to identify potential lease and sublease opportunities for furnished space with immediate availability and convenient proximity to O'Hare Airport and in response, received various proposals for potentially-compatible space for lease; and

WHEREAS, FCA Fund Chicago II, LLC, a Delaware limited liability company ("Landlord"), is the owner of the real property known as US Cellular Plaza, which is improved with three (3) multi-story office buildings with addresses of 8410 Bryn Mawr Avenue (the "8410 Building"), 8420 Bryn Mawr Avenue (the "8420 Building"), and 8430 Bryn Mawr Avenue, Chicago, Illinois (the "8430 Building") (collectively, the "Buildings"), and Landlord is presently marketing lease opportunities within the Buildings; and

WHEREAS, United States Cellular Corporation, a Delaware corporation, through its subsidiary, USCC Services, LLC, a Delaware limited liability company, ("U.S. Cellular") is a current tenant within the Buildings and is presently marketing sublease opportunities for its leased space, including, without limitation, for the full 5th, 6th, 7th, 8th and 9th floors in the 8420 Building, which collectively contain approximately 99,421 square feet of fully-furnished space (the "Premises"), said sublease opportunity for the Premises being immediately available through expiration of the U.S. Cellular lease on October 31, 2025; and

WHEREAS, Landlord desires to lease the Premises following expiration of Landlord's current lease with U.S. Cellular, for periods commencing on or after November 1, 2025; and

WHEREAS, CDA has reviewed the potential opportunities and proposals for furnished office space and determined that the Premises represents the most suitable opportunity with immediate availability and convenient proximity to O'Hare Airport, and that it is in the best interests of the City to enter into a sublease with U.S. Cellular for the City's immediate use of the Premises together with a lease with Landlord for the City's continued use of the Premises following expiration of the foregoing sublease; ***now, therefore***

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

SECTION 1. The above recitals are hereby incorporated by reference as if fully set forth herein and adopted as findings of the City Council.

SECTION 2. The Commissioner of CDA, or a designee of the Commissioner, is hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver a sublease for the Premises, in substantially the form attached

hereto as Exhibit A, together with a subsequent lease for the Premises, in substantially the form attached hereto as Exhibit B, and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the sublease or the lease, with such changes, deletions and insertions as shall be approved by the persons executing such lease and sublease.

SECTION 3. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 4. All other ordinances, resolutions, motions, or orders of the City Council in conflict with this ordinance are hereby amended to the extent of such conflict.

SECTION 5. This ordinance shall be effective upon its passage and approval.