

ORDINANCE

WHEREAS, the City of Chicago (the "City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Board of Education of the City of Chicago (the "Board") is a body corporate and politic, created pursuant to Article 34 of the School Code of the State of Illinois, 105 ILCS 5/1-1 et seq. (the "School Code"); and

WHEREAS, the City is the owner of the parking lot located at 3500-08 South Wallace Street, Chicago, Illinois, as legally described on Exhibit A attached hereto (the "Premises"); and

WHEREAS, the Premises were used as a parking lot for the Chicago Police Department's former 9th District Police Station, located across the alley to the west of the Premises at 3501 South Lowe Avenue, and the parking lot is presently vacant and does not have a present municipal use; and

WHEREAS, the Tenant owns and operates the administrative building known as the CPS Bridgeport Office, located at 501 West 35th Street, and the school, Minnie Minoso Academy, located across the street to the east of the Premises at 3527 South Wallace Street, Chicago, Illinois;

WHEREAS, the Tenant does not have sufficient parking on-site at either the administrative building or the school and requires additional parking to accommodate its employees; and

WHEREAS, the Tenant wishes to access the Premises for use by the Tenant's employees five (5) days per week, Monday through Friday, between the hours of 7:00 a.m. and 6:00 p.m. from November 1 through March 31 and between the hours of 7:00 a.m. to 5:00 p.m. from April 1 through October 31 of any year throughout the term (the "Activity"); and

WHEREAS, the Tenant will be responsible for securing the lot, removal of snow, removal of weeds, and removal and disposal of any litter on and about the Premises; and

WHEREAS, the location and scope of the Activity shall be limited to the Premises as it is described herein; and

WHEREAS, the City has agreed to lease to the Tenant, and the Tenant has agreed to lease from the City, the Premises to be used as non-general parking only for the Tenant's employees, upon the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the covenants, and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

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

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

SECTION 2. The 2FM Commissioner or a designee of the 2FM Commissioner is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver an amendment to the Agreement in substantially the form attached hereto as Exhibit B, with such changes, deletions and insertions as shall be approved by the Commissioner or the Commissioner's designee, and such other documents as may be necessary or appropriate to carry out and comply with this ordinance.

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. This ordinance shall take effect immediately upon its passage and approval.

Attachment: Exhibit A—Legal Description
Exhibit B – Form of Lease