

## **ORDINANCE**

### **AN ORDINANCE APPROVING A FOURTH AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND ROBINSON'S NO. 1 RIB, INC. AND AUTHORIZING ITS EXECUTION**

**WHEREAS**, the Village of Oak Park ("Village") is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, as a home rule unit of government, the Village is expressly empowered to perform any function pertaining to its government and affairs, including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

**WHEREAS**, the Village has the authority to lease property pursuant to its home rule powers and pursuant to Section 11-76-1 of the Illinois Municipal Code, 65 ILCS 5/11-76-1; and

**WHEREAS**, the Village owns commercial property located at 934-946 Madison Street, Oak Park, Illinois ("Property") and leases said property to Robinson's No. 1 Rib, Inc. ("Tenant") pursuant to a Lease Agreement dated March 24, 2015; and

**WHEREAS**, the original term of the Lease Agreement was extended from November 30, 2015 and that term was extended pursuant to a First Amendment to the Agreement to March 31, 2016, a Second Amendment to the Agreement to May 31, 2016 and a Third Amendment to the Agreement to July 31, 2016; and

**WHEREAS**, the Parties now seek to further extend the term of the Agreement pursuant to a Fourth Amendment through August 31, 2016, subject to the Tenant becoming current on its rent payments and water and sewer utility services payments to the Village.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois ("Village"), in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein as though fully set forth.

**Section 2. Fourth Amendment to Lease Agreement Approved.** The Village approves the attached Fourth Amendment to the Lease Agreement with Tenant for the Village owned property located at 934-946 Madison Street, Oak Park, Illinois, subject to the Tenant becoming current on its rent payments and water and sewer utility services payments to the Village.

**Section 3. Execution of Fourth Amendment.** The Village Manager is authorized and directed to execute the Fourth Amendment to the Lease Agreement in substantially the form attached.

**Section 4. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

**ADOPTED** this 1<sup>st</sup> day of August, 2016 pursuant to a roll call vote as follows:

Voting	Aye	Nay	Absent	Abstain
President Abu-Taleb				
Trustee Barber				
Trustee Brewer				
Trustee Button Ott				
Trustee Lueck				
Trustee Salzman				
Trustee Tucker				

**APPROVED** this 1<sup>st</sup> day of August, 2016.

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Anan Abu-Taleb, Village President

**ATTEST**

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Teresa Powell, Village Clerk

Published in pamphlet form this 1<sup>st</sup> day of August, 2016.

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Teresa Powell, Village Clerk