

ORDINANCE

AN ORDINANCE APPROVING A FIFTH 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 May 31, 2016, a Third Amendment to July 31, 2016 and a Fourth Amendment to August 31, 2016; and

WHEREAS, the Parties now seek to further extend the term of the Agreement pursuant to a Fifth Amendment through October 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. Fifth 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 Fifth 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 6th day of September, 2016 pursuant to a roll call vote as follows:

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

APPROVED this 6th day of September, 2016.

Anan Abu-Taleb, Village President

ATTEST

Teresa Powell, Village Clerk

Published in pamphlet form this 6th day of September, 2016.

Teresa Powell, Village Clerk