

7/15/2015

106-O-15

AN ORDINANCE

**Granting a Special Use Permit for a Type 2 Restaurant Located at
1700 Maple Avenue in the RP Research Park District (“Red Robin
Burger Works”)**

WHEREAS, the Zoning Board of Appeals (“ZBA”) met on July 7, 2015, pursuant to proper notice, to consider case no. 15ZMJV-0047, an application filed by Brad Smith, property development manager of the property legally described in Exhibit A, attached hereto and incorporated herein by reference, commonly known as 1700 Maple Avenue (the “Subject Property”) and located in the RP Research Park District, for a Special Use Permit to establish, pursuant to Subsection 6-12-2-3 of the Evanston City Code, 2012, as amended (“the Zoning Ordinance”), a Type 2 Restaurant, “Red Robin Burger Works,” on the Subject Property; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for a Special Use Permit for a Type 2 Restaurant met the standards for Special Uses in Section 6-3-5 of the Zoning Ordinance and recommended City Council approval thereof; and

WHEREAS, at its meeting of July 27, 2015, the Planning and Development Committee of the City Council (“P&D Committee”) considered the ZBA’s record and findings and recommended the City Council accept the ZBA’s recommendation and approve the application in case no. 15ZMJV-0047; and

WHEREAS, at its meetings of July 27, 2015 and August 17, 2015, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and P&D Committee, as amended,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council hereby approves the Special Use Permit for a Type 2 Restaurant on the Subject Property as applied for in case no. 14ZMJV-0047.

SECTION 3: Pursuant to Subsection 6-3-5-12 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Applicant's Special Use Permit, violation of any of which shall constitute grounds for penalties or revocation of said Permit pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- A. Compliance with Applicable Requirements:** The Applicant shall develop and use the Subject Property in substantial compliance with: all applicable legislation; the Applicant's testimony and representations to the ZBA, the P&D Committee, and the City Council; and the approved plans and documents on file in this case.
- B. Litter Collection Plan:** The Applicant shall implement and adhere to a Litter Collection Plan that requires the policing of an area located within a radius of two hundred fifty feet (250') of the Subject Property. The Applicant shall police this area at least once every three (3) hours during the hours the Special Use is in operation and shall keep it free of all litter, from any source. For the purpose of this ordinance, "litter" shall include, but is not limited to: food, food waste, and beverages; solid waste, including paper, wrappings, containers, cardboard, napkins, straws, utensils, plates, cans, glass, crockery, cigarette butts, ashes and similar materials; animal waste and dead animals; yard clippings and leaves; and all other waste materials which, if thrown or deposited as herein prohibited, may create a danger to public health, safety, or welfare.

- C. **Hours of Operation:** The Applicant shall operate the Type 2 Restaurant authorized by this ordinance only between the hours of 6:00 a.m. and midnight on any given Sunday through Thursday and between the hours of 6:00 a.m. and 1:00 a.m. on any given Friday or Saturday.
- D. **Employee Parking:** Employees shall not park on the street during hours of operation.
- E. **Recordation:** Before it may operate the Special Use authorized by the terms of this ordinance, the Applicant shall record, at its cost, a certified copy of this ordinance with the Cook County Recorder of Deeds.

SECTION 4: When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's agents, assigns, and successors in interest."

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 8: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: July 27, 2015

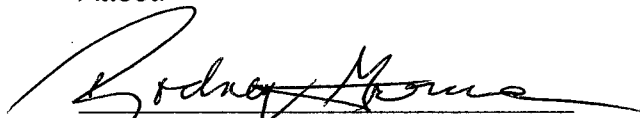
Adopted: August 17, 2015

Approved:

August 27, 2015


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


W. Grant Farrar, Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION OF LAND

PARCEL A:

FEE PARCEL 1:

LOT 1 IN CHURCH MAPLE SECOND RESUBDIVISION, BEING RESUBDIVISION OF PART OF CHURCH MAPLE RESUBDIVISION RECORDED JUNE 2, 1999 AS DOCUMENT NO. 99528041 AND ALSO PART OF CHURCH MAPLE FIRST RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT 00766687, BEING IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 22, 2001 AS DOCUMENT 0010548879, ALL IN COOK COUNTY ILLINOIS.

EASEMENT PARCEL 2:

EASEMENTS FOR THE BENEFIT OF THAT PART OF PARCEL 1 FALLING WITHIN LOT 1 IN FINAL PLAT OF CHURCH MAPLE FIRST RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT 00766687 IN COOK COUNTY, ILLINOIS AS DESCRIBED IN THE MINI-ANCHOR PARCEL EASEMENT AGREEMENT DATED OCTOBER 12, 2000 RECORDED OCTOBER 27, 2000 AS DOCUMENT 00847577 AND ADDENDUM TO MINI-ANCHOR PARCEL EASEMENT AGREEMENT DATED AUGUST 13, 2002 AND RECORDED AUGUST 27, 2002 AS DOCUMENT 0020941069 MADE BY AND BETWEEN THE CITY OF EVANSTON AND CHURCH STREET PLAZA, LLC AN ILLINOIS LIMITED LIABILITY COMPANY OVER THE FOLLOWING DESCRIBED LAND:
LOT 2 IN FINAL PLAT OF CHURCH MAPLE FIRST RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT 00766687, BEING A RESUBDIVISION OF LOT 2 IN CHURCH MAPLE RESUBDIVISION, BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE OF EVANSTON, COOK COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS; AND PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE BEING IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 2, 1999 AS DOCUMENT 99528041, ALL IN COOK COUNTY, ILLINOIS, DEFINED AS THE "CITY PROPERTY" FOR THE FOLLOWING PURPOSES:

(A) FOR THE CONSTRUCTION, INSTALLATION, USE, INSPECTION, MAINTENANCE, REPAIR, REPLACEMENT AND OPERATION OF THE MINI-ANCHOR IMPROVEMENTS IN THE AIR SPACE ABOVE THE "CITY PROPERTY".

(B) FOR THE CONSTRUCTION, INSTALLATION, INSPECTION, REPAIR, REPLACEMENT AND OPERATION OF PEDESTRIAN AND VEHICULAR ACCESS WAYS AND PARKING AREAS AND LOADING DOCKS UPON THE "CITY PROPERTY".

(C) FOR THE USE OF PEDESTRIAN AND VEHICULAR ACCESS WAYS AND PARKING AREAS AND LOADING DOCKS LOCATED FROM TIME TO TIME ON THE "CITY PROPERTY".

(D) FOR USE OF THE "CITY PROPERTY" FOR THE CONSTRUCTION, USE, INSPECTION, MAINTENANCE, REPAIR AND REPLACEMENT OF FOOTINGS, FOUNDATIONS AND COLUMNS SUPPORTING THE MINI-ANCHOR IMPROVEMENTS CONSTRUCTED WITHIN THE AIR SPACE PARCEL.

(E) FOR ENTRY UPON, ABOVE AND BELOW AND FOR INGRESS AND EGRESS THROUGH THE "CITY PROPERTY" WITH MEN, MATERIALS AND EQUIPMENT TO THE EXTENT REASONABLY NECESSARY IN THE PERFORMANCE OF THE CONSTRUCTION, INSTALLATION, MAINTENANCE, INSPECTION, TESTING, REPAIR AND REPLACEMENT OF THE MINI-ANCHOR IMPROVEMENTS WITHIN THE AIR SPACE PARCEL, THE FOOTINGS, FOUNDATIONS AND COLUMNS LOCATED WITHIN THE "CITY PROPERTY" WHICH PROVIDE STRUCTURAL SUPPORT FOR THE MINI-ANCHOR IMPROVEMENTS, THE PEDESTRIAN AND VEHICULAR ACCESS WAYS LOCATED UPON THE "CITY PROPERTY" AND THE PARKING AREAS LOCATED UPON THE "CITY PROPERTY".

(F) FOR THE CONSTRUCTION, INSTALLATION, USE, MAINTENANCE, REPAIR, REPLACEMENT AND RELOCATION OF PAVING, PAVERS, CURBS, GUTTERS, LIGHTING, STORM WATER CATCH BASIN FACILITIES, UNDERGROUND PIPES AND OTHER SIMILAR OR RELATED FACILITIES NECESSARY FOR DRAINAGE OF STORM WATER AS NECESSARY TO EFFECTUATE THE INTENT OF THE AFOREMENTIONED EASEMENTS.

X LEASE PARCEL 3:

THE ESTATE OR INTEREST IN THE LAND DESCRIBED BELOW AND COVERED HEREIN IS: THE LEASEHOLD ESTATE CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: THE CITY OF EVANSTON, A MUNICIPAL CORPORATION, AS LESSOR, AND CHURCH STREET PLAZA, LLC, AS LESSEE, DATED OCTOBER 12, 2000, A COPY OF WHICH LEASE WAS RECORDED OCTOBER 27, 2000 AS DOCUMENT 00847578 AS ASSIGNED TO CHURCH STREET PLAZA SPE, LLC BY ASSIGNMENT AND ASSUMPTION OF PARKING LEASES AGREEMENT RECORDED SEPTEMBER 9, 2005 AS DOCUMENT 0525226127, WHICH LEASE DEMISES THE FOLLOWING PORTIONS OF THE LAND:

SUFFICIENT PARKING SPACES TO COMPLY WITH THE CITY OF EVANSTON'S ZONING ORDINANCE, AS THAT ORDINANCE MAY BE MODIFIED FROM TIME TO TIME FOR THE BENEFIT OF THE TENANT'S REAL ESTATE, AS IMPROVED AND AS LEGALLY DESCRIBED ON EXHIBIT A TO SAID LEASE, HOWEVER, SAID SPACES WHEN COMBINED WITH THE SPACES LEASED BY THE CITY FOR THE MAIN PAVILION RETAIL UNDER RESOLUTION NO. 36-R-99 SHALL NOT EXCEED 341. THE SPACES SHALL BE UNASSIGNED AND UNRESERVED AUTOMOBILE PARKING SPACES AND SHALL BE LOCATED AT THE PLANNED NEW PUBLIC PARKING GARAGE (AS DEFINED IN SAID LEASE) LOCATED ON THE REAL ESTATE LEGALLY DESCRIBED ON EXHIBIT B TO SAID LEASE. TENANT SHALL HAVE, AS APPURTENANT TO THE SPACES, RIGHTS TO USE IN COMMON: {A} THE COMMON LOBBIES, CORRIDORS, STAIRWAYS, STAIRWELLS, ESCALATORS AND ELEVATORS OF THE GARAGE IN COMMON WITH OTHERS AND {B} COMMON WALKWAYS, PARKING AREAS AND DRIVEWAYS NECESSARY FOR COMMON INGRESS AND EGRESS TO THE GARAGE LAND FOR A TERM OF YEARS BEGINNING ON THE DATE THE LAND DESCRIBED AS PARCEL 1 IS TRANSFERRED BY THE CITY PURSUANT TO PARAGRAPH 7 OF THE REDEVELOPMENT AGREEMENT AND SHALL EXPIRE ON THE FORTIETH ANNIVERSARY OF THE OPENING FOR BUSINESS OF THE IMPROVEMENTS CONSTRUCTED ON THE LAND DESCRIBED AS PARCEL 1.

(MAPLE AVENUE GARAGE)

LOT 4 IN CHURCH MAPLE RESUBDIVISION, BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE OF EVANSTON COOK, COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS; AND PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE; BEING IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, ACCORDING TO THE PLAT THEREOF

RECORDED JUNE 2, 1999 AS DOCUMENT 99528041, ALL IN COOK COUNTY, ILLINOIS.

EASEMENT PARCEL 4:

NON-EXCLUSIVE EASEMENTS APPURTENANT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AFORESAID, AS SET FORTH IN THE EASEMENT AND OPERATING AGREEMENT DATED AUGUST 20, 2001 AND RECORDED AUGUST 23, 2001 AS DOCUMENT 0010778595 MADE BY OPTIMA MAPLE EVANSTON LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP AND CHURCH STREET PLAZA, LLC OVER THE LAND DESCRIBED THEREIN.

PARCEL B:

FEE PARCEL 5:

LOT 1 IN DAVIS CHURCH SECOND RESUBDIVISION BEING A RESUBDIVISION OF LOT 1 IN DAVIS CHURCH RESUBDIVISION RECORDED OCTOBER 2, 2000 AS DOCUMENT NUMBER 00766688, IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN CITY OF EVANSTON, ACCORDING TO THE PLAT OF DAVIS CHURCH SECOND RESUBDIVISION RECORDED APRIL 12, 2002 AS DOCUMENT NUMBER 0020426116, IN COOK COUNTY, ILLINOIS

EASEMENT PARCEL 6:

NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS AND UTILITIES AS DISCLOSED BY EASEMENT AND OPERATING AGREEMENT DATED APRIL 11, 2002 AND RECORDED APRIL 12, 2002 AS DOCUMENT NUMBER 0020426117 AND AMENDED AND RE-STATED EASEMENT AND OPERATING AGREEMENT RECORDED APRIL 12, 2002 AS DOCUMENT 0020426632 MADE BY AND BETWEEN DAVIS CHURCH OFFICE DEVELOPMENT, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY AND CHURCH STREET PLAZA, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY.

LEASE PARCEL 7:

THE ESTATE OR INTEREST IN THE LAND DESCRIBED BELOW AND COVERED HEREIN IS: THE LEASEHOLD ESTATE, CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: THE CITY OF EVANSTON, A MUNICIPAL CORPORATION, AS LESSOR, AND CHURCH STREET PLAZA, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, AS LESSEE, DATED MARCH 19, 2002, WHICH LEASE WAS RECORDED APRIL 12, 2002 AS DOCUMENT 0020426633 AS AMENDED BY FIRST AMENDMENT TO PARKING LEASE RECORDED DECEMBER 9, 2004 AS DOCUMENT 0434404091 AS ASSIGNED TO CHURCH STREET PLAZA SPE, LLC BY ASSIGNMENT AND ASSUMPTION OF PARKING LEASES AGREEMENT RECORDED SEPTEMBER 9, 2005 AS DOCUMENT 0525226127, WHICH LEASE DEMISES THE FOLLOWING DESCRIBED LAND FOR A TERM OF YEARS BEGINNING MARCH 19, 2002 AND ENDING ON THE FORTIETH (40TH) ANNIVERSARY OF THE COMMENCEMENT DATE.

(MAPLE AVENUE GARAGE)

LOT 4 IN CHURCH MAPLE RESUBDIVISION BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE (NOW CITY) OF EVANSTON, COOK COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 AND IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS AND PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE; BEING IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 2, 1999 AS DOCUMENT 99528041, ALL IN COOK COUNTY

ILLINOIS.

PARCEL C:

FEE PARCEL 8:

LOT 1 IN CHURCH MAPLE RESUBDIVISION, BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE OF EVANSTON, COOK COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTH WESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS; AND PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE; BEING IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 2, 1999 AS DOCUMENT 99528041, ALL IN COOK COUNTY, ILLINOIS.

FEE PARCEL 9:

FROM THE SOUTH LINE OF CLARK STREET TO THE NORTH LINE OF CHURCH STREET, A STRIP OF LAND 5 FEET WIDE DESCRIBED AS FOLLOWS:
THE WEST 5 FEET OF THE EAST 100 FEET OF LOTS 1, 2, 3, 4, 5 AND 6 IN BLOCK 18 IN THE VILLAGE OF EVANSTON, IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LEASE PARCEL 10:

THE ESTATE OR INTEREST IN THE LAND DESCRIBED BELOW AND COVERED HEREIN IS: THE LEASEHOLD ESTATE CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASES, EXECUTED BY: THE CITY OF EVANSTON, A MUNICIPAL CORPORATION, AS LESSOR, AND CHURCH STREET PLAZA, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, AS LESSEE, DATED JUNE 8, 1999, A MEMORANDUM OF WHICH WAS RECORDED DECEMBER 22, 2003 AS DOCUMENT 0335650053 AS ASSIGNED TO CHURCH STREET PLAZA SPE, LLC BY ASSIGNMENT AND ASSUMPTION OF PARKING LEASES AGREEMENT RECORDED SEPTEMBER 9, 2005 AS DOCUMENT 0525226127, WHICH LEASE DEMISES THE FOLLOWING DESCRIBED LAND FOR A TERM OF 40 YEARS FROM THE COMMENCEMENT DATE AS DEFINED IN SAID LEASE:

(MAPLE AVENUE GARAGE)

LOT 4 IN CHURCH MAPLE RESUBDIVISION, BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE (NOW CITY) OF EVANSTON, COOK COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS; AND

PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE; BEING IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 1999 AS DOCUMENT 99528041, ALL IN COOK COUNTY.

LEASE PARCEL 11:

THE ESTATE OR INTEREST IN THE LAND DESCRIBED BELOW AND COVERED HEREIN IS: THE LEASEHOLD ESTATE CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE

GROUND LEASE, EXECUTED BY: CHICAGO TRANSIT AUTHORITY, A MUNICIPAL CORPORATION, AS LESSOR, AND CITY OF EVANSTON, A MUNICIPAL CORPORATION, DATED SEPTEMBER 15, 1999; THE ASSIGNMENT AND ASSUMPTION AGREEMENT DATED DECEMBER 21, 1999 BETWEEN THE CITY OF EVANSTON AND CHURCH STREET PLAZA, L.L.C., AND THE FIRST AMENDMENT TO GROUND LEASE BETWEEN CHICAGO TRANSIT AUTHORITY, A MUNICIPAL CORPORATION, AS LESSOR, AND CHURCH STREET PLAZA, LLC, AS TENANT, AS LESSEE/ASSIGNEE, WHICH LEASE AND AMENDMENT WAS RECORDED JULY 27, 2005, AS DOCUMENT 0520802166, WHICH LEASE DEMISES THE FOLLOWING DESCRIBED LAND FOR A TERM OF YEARS BEGINNING NOVEMBER 18, 1999 AND ENDING NOVEMBER 17, 2019:

FROM THE SOUTH LINE OF CLARK STREET TO THE NORTH LINE OF CHURCH STREET, A STRIP OF LAND 30 FEET WIDE DESCRIBED AS FOLLOWS:

THE EAST 30 FEET OF THE WEST 35 FEET OF THE EAST 100 FEET OF LOTS 1, 2, 3, 4, 5, AND 6 IN BLOCK 18 IN THE VILLAGE OF EVANSTON, IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property: 1705 Maple Ave
Evanston, IL 60201

PIN 11-18-125-014-0000
11-18-117-009-0000
11-18-125-016-0000
11-18-303-013-0000