

141-O-19

AN ORDINANCE

Authorizing the City Manager to Execute a Lease of City-Owned Real Property Located at 633 Howard Street with 633 Outpost, LLC, doing business as “Estación”

WHEREAS, the City of Evanston owns certain real property located at 633 Howard Street, Evanston, Illinois 60202, which is improved with a single story 2,643 square foot building and the total property square footage is 3,206 square feet (the “Property”); and

WHEREAS, 633 Outpost, LLC seeks to open a commercial restaurant in southeast Evanston; and

WHEREAS, the Parties have negotiated a long-term lease of the Property as a commercial restaurant to be called “**Estación**”; and

WHEREAS, the City Council has determined that the Property is not necessary to future City operations and leasing the Property to 633 Outpost, LLC, is in the City’s best interests,

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

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

SECTION 2: Pursuant to Subsection 1-17-4-1 of the Evanston City Code of 2012, as amended (the “City Code”), the City Manager is hereby authorized and directed to execute, on behalf of the City of Evanston, a long term lease agreement with

an initial term of five (5) years and one (1), two (2)-year option to renew the lease agreement, between the City of Evanston and 633 Outpost, LLC, with an option to purchase after three (3) years. The Lease Agreement shall be in substantial conformity with the Lease Agreement attached hereto as Exhibit "1" and incorporated herein by reference.

SECTION 3: Pursuant to Subsection 1-17-4-2-(B) of the Evanston City Code, 2012, as amended (the "City Code"), an affirmative vote of two-thirds ($\frac{2}{3}$) of the elected Aldermen is required to accept the recommendation of the City Manager on the lease agreement authorized herein.

SECTION 4: 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SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: 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.

SECTION 7: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Ayes: 8

Nays: 1

Introduced: November 11, 2019

Adopted: November 18, 2019

Attest:

Eduardo Gomez
~~Devon Reid, City Clerk~~
Eduardo Gomez, Deputy City Clerk

Approved:

February 6, 2019

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Approved as to form:

Nicholas Cummings
Nicholas Cummings, Deputy City Attorney

EXHIBIT 1
LEASE AGREEMENT