

ORDINANCE

WHEREAS, the City of Chicago ("City") is a duly constituted and existing municipality within the meaning of Section 1, Article VII, of the 1970 Constitution of the State of Illinois ("Constitution"), and is a home rule unit of local government under Section 6(a), Article VII, of the Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, TLP 4130 Morgan LLC, an Illinois limited liability company ("Seller"), is the owner of the property identified on Exhibit A attached hereto (the "Property"), which is located in the New City Community Area; and

WHEREAS, the Property consists of approximately 8.06 acres of land and is improved with a 168,350 square foot industrial building; and

WHEREAS, the Seller desires to sell the Property to the City for Twenty Million Eight Hundred Thousand and 00/100 Dollars (\$20,800,000.00) (the "Purchase Price"), and the City, acting by and through its Department of Fleet and Facility Management ("2FM"), desires to purchase the Property for the Purchase Price in order to establish and operate a Streets & Sanitation ("S&S") facility to replace the facility S&S currently operates at 1717 West Pershing Road; and

WHEREAS, the Purchase Price for the Property shall be paid from legally available funds of the City, which are hereby appropriated for such purpose; *now, therefore*,

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

SECTION 1. The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

SECTION 2. It is hereby determined, declared and found that it is useful, desirable and necessary that the City acquire the Property for operation of a Streets & Sanitation facility and other public purposes.

SECTION 3. The City's purchase of the Property from the Seller for the Purchase Price, plus closing costs and post-closing adjustments and other amounts due and payable under the Purchase Agreement (as hereafter defined), together with the City's performance of its other obligations and indemnity undertakings under the Purchase Agreement, are hereby approved.

SECTION 4. The Commissioner of AIS (the "AIS Commissioner"), or a designee of the AIS Commissioner, is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute, and deliver a purchase agreement for the Property ("Purchase Agreement"), and to execute such other documents and take such other actions as may be necessary or appropriate to consummate the City's purchase of the Property and to accept a deed to the Property, with such changes, deletions, insertions, terms and provisions, including indemnification, as the Commissioner deems appropriate.

SECTION 5. 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 6. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall be effective upon its passage and approval.