

7/2

ORDINANCE NO. F-0785

AN ORDINANCE OF THE CITY OF WHEATON, DUPAGE COUNTY, ILLINOIS,
AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CERTAIN LEASE
REGARDING PROPERTY LOCATED IN THE CITY OF WHEATON DOWNTOWN
WHEATON REDEVELOPMENT PROJECT AREA

WHEREAS, the Mayor and City Council of the City of Wheaton, DuPage County, Illinois (the "City"), have heretofore determined that it is necessary and advisable for the public health, safety, welfare and convenience of residents of the City that the City undertake a redevelopment project and have heretofore approved a redevelopment plan and designated a redevelopment project area (the "Area") for that portion of the City known as the City of Wheaton Downtown Wheaton Redevelopment Project Area, all as authorized by the Tax Increment Allocation Redevelopment Act, as amended;

WHEREAS, the City has acquired certain property within the Area for redevelopment purposes, such property commonly known as 315 W. Wesley Street (the "Subject Realty");

WHEREAS, 48th District Senator Peter J. Roskam (the "Tenant") desires to occupy a portion of the Subject Realty for a certain period of time;

WHEREAS, the City desires that the Subject Realty continue to be occupied until such time as the redevelopment plans for the Subject Property are finalized;

WHEREAS, the City and the Tenant have agreed upon the terms of a lease (the "Lease") regarding the Subject Realty; and

WHEREAS, said Lease is on file with the City Clerk of the City and available for public inspection.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, a home rule municipality in the exercise of its home rule powers, as follows:

Section 1: That the Mayor and City Clerk be and the same are hereby authorized to execute the Lease, in substantially the form attached hereto as Exhibit "A", and, by this reference, incorporated herein.

Section 2: That all ordinances and resolutions, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 3: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

PASSED and APPROVED by the Mayor and City Council of the City of Wheaton,
Illinois, this 2ND day of December, 2002.

ATTEST:

Emily M. Conroy
City Clerk



Mayor

Roll Call Vote:

Ayes:

Councilman Mork
Councilman Mouhelis
Councilman Gresk
Councilman Johnson
Mayor Carr
Councilwoman Johnson

Nays:

None
Absent:

Motion Carried Unanimously

Passed: December 2, 2002
Published: December 3, 2002

ANNUAL LEASE

This Lease, made this 8th day of January, 2003, between the CITY OF WHEATON, 303 West Wesley Street, Wheaton, DuPage County, Illinois, 60187, known herein as Lessor, and SENATOR PETER ROSKAM, known herein as Lessee.

WITNESSETH, that the Lessor in consideration of the agreements herein of Lessee, does hereby lease to Lessee the following described premises: (Include Square Footage of Office Space)

790 Square Feet in the Southeast Corner of the Building Commonly Located at 315 West Wesley Street, Wheaton, DuPage County, Illinois, 60187

to hold the same for twelve(24) months from January 1, 2003 through December 31, 2004. Lessee, in consideration of said lease, agrees to pay Lessor as rent the sum of Nine Hundred Thirteen (\$913) Dollars per month, in advance in the following manner: X Monthly, Quarterly, Semi-Annually, Annually.

Payment for rent pursuant to the LEASE shall be from sums appropriated to the General Assembly for such purposes. Obligations of the State shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly fails to appropriate or otherwise make available funds for this Lease.

This LEASE is subject to applicable constitutional and statutory provisions of the State of Illinois.

The Lessor certifies that the owners, trust beneficiaries and shareholders having an interest in the leased premises are set forth in the following Disclosure Statement which is incorporated into this Lease by reference.

The Lessor certifies that He/She is not barred from being awarded a contract or subcontract under Section 50-5 of the Illinois Procurement Code.

The Lessor certifies that He/She is not in default on an educational loan as provided in 5 ILCS 385/3. (A partnership shall be barred if any partner is in default on an educational loan.)

The Lessor certifies that He/She has not been barred from contracting with a unit of State or local government as a result of violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961.

The Lessor certifies that He/She will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of contract.

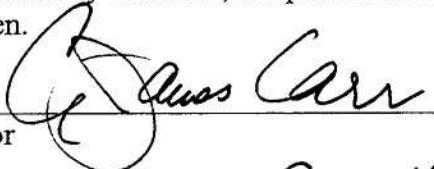
The Lessor certifies that He/She has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has the Lessor made an admission of guilt of such conduct which is a matter of record.

The Lessor certifies that neither it nor any substantially-owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act.

The contractor or bidder certifies that they are not barred from being awarded a contract under 30 ILCS 500. Section 50-11 prohibits a person from entering into a contract with a State agency if they know or should know that they are delinquent in the payment of any debt to the State as defined by the Debt Collection Board. The contractor further acknowledges that the contracting State agency may declare the contract void if this certification is false or if the contractor is determined to be delinquent in the payment of any debt during the term of the contract.

This LEASE consists of Two (2) pages, plus Three (3) Addendums.

In Testimony Whereof, the parties have set their hands in duplicate the day and year above written.


Lessor

36-6006153
FEIN Number of Lessor

Senator


Lessee Peter J. Roskam

ANNUAL LEASE - ADDENDUM NO. 1

REAL ESTATE DISCLOSURE STATEMENT

You are required by Illinois Law to complete this form (50 ILCS 105/3.1). The purpose of this form is to determine all of the name(s) of the owner(s) and beneficiary having any interest in the property real or personal of the leased premises. **FAILURE TO ACCURATELY PROVIDE ALL INFORMATION REQUESTED ON THIS FORM AND TO PROVIDE UPDATED INFORMATION WITHIN 30 DAYS OF ANY CHANGE OF OWNERSHIP MAY RESULT IN A MATERIAL BREACH OF THE LEASE AND/OR CRIMINAL SANCTIONS.** (If necessary, use separate sheet).

I. State the name of each individual having a beneficial interest in the lease and each individual, who, together with his spouse or minor children, has a beneficial interest in the lease. (Applies to individuals, partnerships, and/or corporations.) If no one individual owns more than 7 1/2% interest in such entity or if such corporation is publicly traded and there is no readily known individual having greater than 7 1/2% interest, then the requirements may be met by so state below.

City of Wheaton

No Private Owners

II. For land trusts, list the complete name and number of trust and trustee's address and names of all beneficiaries. If the property is held in a land trust, you must also complete a Land Trust Beneficial Interest Disclosure Application.

III. Are any of the persons listed above elected or appointed officials, employees of the State of Illinois or the spouse or minor child of same?

No Yes If "Yes", explain employment and/or relationship.

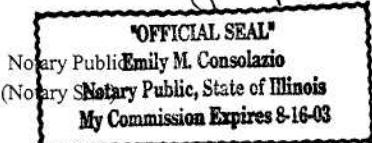
IV. I, C. James Carr, State on Oath or affirm that I am
(Title) Mayor of (firm/name) City of Wheaton,

and that the disclosure made above is true and correct to the best of my knowledge. I will provide any additional documentation requested by the State of Illinois. I further certify that the Lessor has not bribed or attempted to bribe an officer or employee of the State of Illinois.

James Carr 01/08/03
Signature Date

State of Illinois
County of DuPage

I, (Notary) Cindy M. Consalvo, certify that on January 8, 2003
C. James) Carr personally appeared before me and swore or affirmed
that he signed this document as (Title) Mayor of
(firm/name), Cities of Wheaton and that the information provided was true and correct.



Commission Expires August 16, 2003
Cindy M. Consalvo
Signature (Notary)

ANNUAL LEASE – ADDENDUM NO. 2

Under penalties of perjury, I certify that the name, taxpayer identification number, and the legal status listed below are correct.

*Name: City of Wheaton, Illinois

Federal Taxpayer Identification Number.

Social Security Number _____

or

Employer Identification Number 36-6006153

**(If you are an individual, enter your name and SSN as it appears on your Social Security Card. If completing this certification for a sole proprietorship, enter the owner's name followed by the name of the business and the owner's SSN. For all other entities, enter the name of the entity as used to apply for the entity's EIN and the EIN.)*

Legal Status (Check one):

<u>Individual</u>	<u>Corporation NOT providing or billing medical and/or health care services</u>
<u>Owner of Sole Proprietorship</u>	<u>X</u> <u>Governmental Entity</u>
<u>Partnership</u>	<u>Nonresident alien individual</u>
<u>Tax-exempt hospital or extended care facility</u>	<u>Estate or legal trust</u>
<u>Corporation providing or billing medical and/or health care services</u>	<u>Foreign corporation, partnership estate or trust</u>
	<u>Other</u>

SIGNED

January 8, 2003

DATE

SENATOR

STREET ADDRESS

CITY

ZIP CODE

City of Wheaton

NAME OF LESSOR

OFFICE RENTAL: 790 Sq. Ft. – 315 W. Wesley Street, Wheaton, IL

This person or agent is not my spouse, parent, grandparent, child, grandchild, aunt, uncle, niece, nephew, brother, sister, first cousin, brother-in-law, sister-in-law, mother or father-in-law.

The services performed were not in connection with any political campaign but were in connection with my legislative duties and responsibilities.

Approve:

(Senator's Signature)

(Lessor's Signature)

(Date, month/day/year)

ANNUAL LEASE – ADDENDUM NO. 3

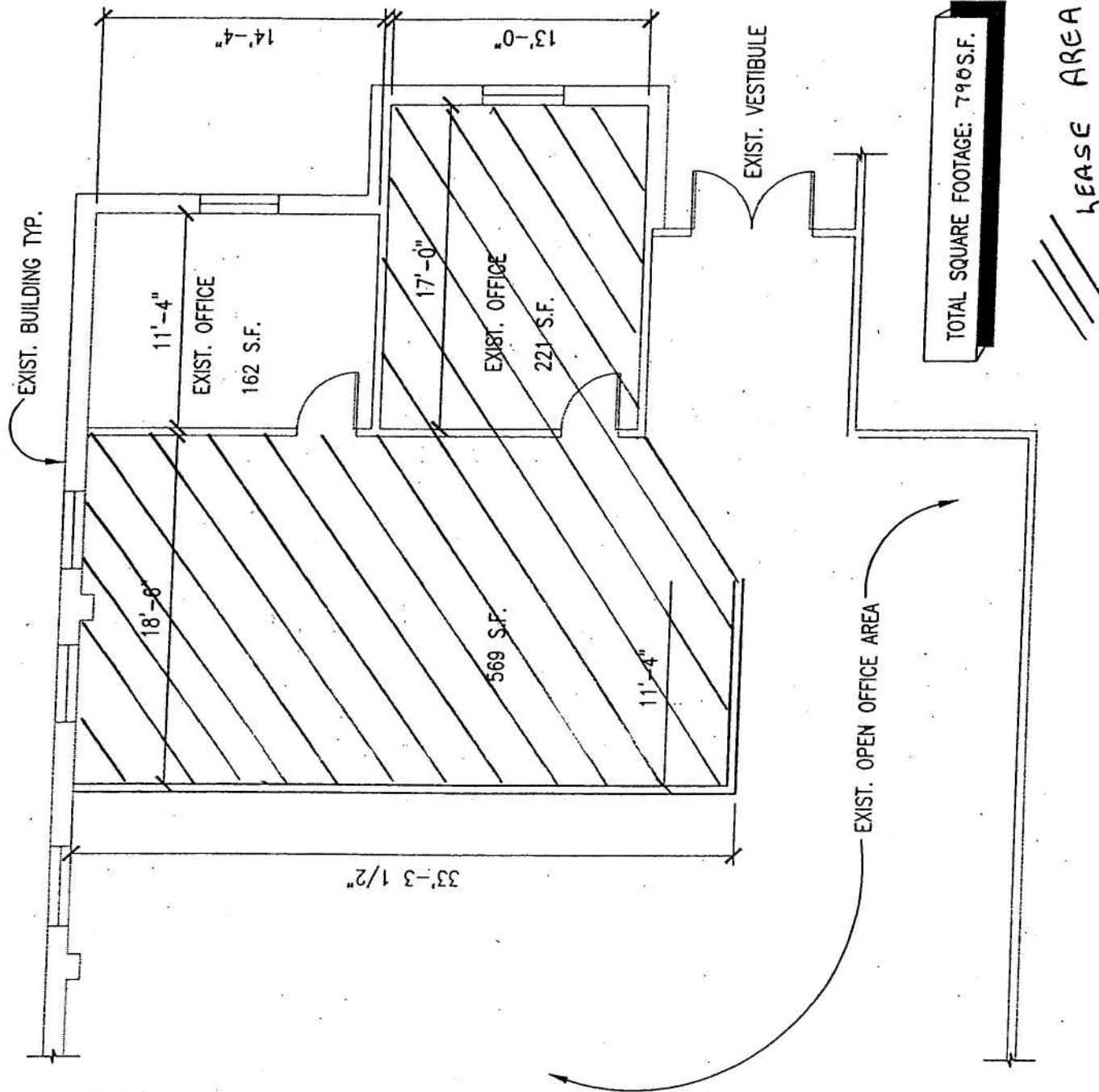
1. **AREA TO BE LEASED.** Lessor hereby leases to Lessee and Lessee hereby leases from Lessor that portion of the building located at 315 West Wesley Street, Wheaton, DuPage County, Illinois (the "Property") as depicted on the schematic drawing on Exhibit "A" attached here and incorporated herein, together with the appurtenances thereto (collectively, the "Premises").

2 **BATHROOM FACILITIES.** Lessee shall be entitled to use the bathroom facilities that are located on the first floor of the Property. Lessee shall not be responsible for maintaining said facilities.

3. **INSURANCE.** During the entire term of this Lease the State of Illinois will indemnify and save harmless the Lessor against any and all claims, debts, demands or obligations which may be made against the Lessor or against the Lessor's title in the premises arising by reason of any negligent acts or omissions of the Lessee, his agents or employees in occupying the premises.

EXHIBIT A

TO 315 N. WESLEY LEASE



SALES OFFICE PLAN

CENTRUM PL. ERTIES

1/8" = 1'-0"

08/02/00

WHEATON, IL