

76-R-00

**A Resolution**

**Authorizing The City Manager  
To Enter into Sublease Renewal  
Of Certain Property at Green Bay Road and Central Street  
With Mary Lou Smith for Operation of  
Top of the Tracks, Inc. Coffee Shop**

WHEREAS, the City of Evanston leases certain real property at Central Street and Green Bay Road from Union Pacific Railroad Company ("UPRC") under a lease dated July 24, 1996 for term of twenty years, unless sooner terminated; and

WHEREAS, the leased property consists of UPRC's passenger station, the lower level of the passenger station, and the exterior facade of the building, including the roof, but not including the platform areas, stairway, or ramp; and

WHEREAS, Mary Lou Smith has operated Top of the Tracks Coffee Shop ("Top of the Tracks") in the upper level of the passenger station ("subject property") for over thirteen years; and

WHEREAS, since the inception of Top of the Tracks' tenancy, UPRC has become the owner of the said real property at Central Street and Green Bay Avenue and the City became the lessor thereof; and

WHEREAS, Mary Lou Smith has subleased the subject property for a three-year term from the City since August 15, 1997; and

WHEREAS, Mary Lou Smith is desirous of renewing the sublease with the City so that she may continue to operate Top of the Tracks Coffee Shop; and

WHEREAS, the City Council has determined that it is not necessary, appropriate, or in the best interests of the City that it retain use of the subject property

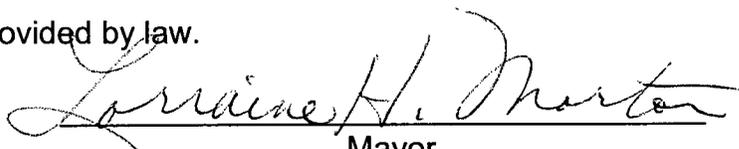
and that renewal of the sublease thereof to Mary Lou Smith will serve the public interest,

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

**SECTION 1:** The City Manager is hereby authorized and directed to sign, and the City Clerk hereby authorized and directed to attest on behalf of the City the aforescribed sublease by and between the City of Evanston as sublessor and Mary Lou Smith as sublessee. Said sublease is to be for a term of five years. The rent shall be \$376.00 for the first year, \$395.00 for the second, and \$415.00 for the third year, \$436.00 for the fourth year, and \$458.00 for the fifth year.

**SECTION 2:** That the City Manager is hereby authorized and directed to negotiate any additional conditions on the aforescribed sublease as may be determined to be in the best interests of the City.

**SECTION 3:** This Resolution shall be in full force and effect from and after its passage, approval, in the manner provided by law.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Adopted: July 24, 2000