

**58-R-01**

**AUTHORIZING THE ASSIGNMENT OF CHURCH STREET PLAZA  
RESIDENTIAL RIGHTS AND OBLIGATIONS**

WHEREAS, the City has undertaken the redevelopment of certain real estate in downtown Evanston; and

WHEREAS, AHC Evanston, LLC, an Illinois LLC was designated as the developer pursuant to 96-R-97 and 16-R-98; and

WHEREAS, pursuant to Resolution 68-R-98, the City Council authorized a Redevelopment Agreement with AHC Evanston LLC, an Illinois LLC; and

WHEREAS, the Redevelopment Agreement has been amended from time to time; and

WHEREAS, pursuant to the terms of the Redevelopment Agreement sold the Residential Parcel to AHC Evanston LLC on October 12, 2000; and

WHEREAS, pursuant to that certain Final Plat of Church Maple Second Resubdivision approved by the City on June 11, 2001 and recorded in the land records of Cook County, Illinois, the parcels of land referred to in the Redevelopment Agreement as the Mini-Anchor Parcel and the Residential Parcel were reconfigured; and

WHEREAS, pursuant to the terms of the Redevelopment Agreement, AHC Evanston, LLC has requested the City's consent to the sale of the reconfigured Residential Parcel to Optima Maple Evanston Limited Partnership, an Illinois limited liability company, to the extension of certain time periods contained in the Redevelopment Agreement with respect to the commencement and completion of construction of the improvements to be built upon the reconfigured Residential Parcel and to acknowledge the reconfiguration of the parcels pursuant to the Final Plat of Resubdivision of Church Maple Second Resubdivision; and

WHEREAS, the conveyance of a portion of the reconfigured Residential Parcel to Optima Maple Evanston Limited Partnership and the amendment of the Redevelopment Agreement is in the best interests of the City.

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

**SECTION 1:** That the City does hereby Consent to the sale of the reconfigured Residential Parcel, the assignment of the Developer's rights and obligations under the Redevelopment Agreement with respect to the reconfigured Residential Parcel to Optima Maple Development Limited Partnership and upon closing the release of AHC Evanston LLC from the obligations so assigned. The City Manager is hereby authorized and directed to sign and the City Clerk is hereby authorized to attest on behalf of the City a document memorializing the foregoing consent pursuant to the terms of the Redevelopment Agreement.

**SECTION 2:** That the City Manager be and is hereby authorized and directed to negotiate and sign and the City Clerk is authorized to attest on behalf of the City to an amendment of the Redevelopment Agreement which modifies the configuration of the Mini-Anchor Parcel and the Residential Parcel in the manner set forth in the Final Plat of Church Maple Second Resubdivision, reduces the size of the retail use upon the Residential Parcel from a gross leaseable area of approximately 7,000-8,000 square feet to a gross leaseable area of 5,000-6,000 square feet in recognition of the reconfiguration of the Residential Parcel, extends the date of submission to the City of the Final Construction Drawings for the reconfigured Residential Parcel to December 31, 2001, extends the date for commencement of construction of

such other, additional matters as the City Manager may determine are in the best interests of the City.

**SECTION 3:** That additional changes to the Redevelopment Agreement may be subsequently necessary but are not herein authorized nor guaranteed.

**SECTION 4:** That the actions herein are contingent upon the assignment of rights and responsibilities to Optima. If for whatever reasons, such transfer shall not occur within 60 days, this resolution shall be null and void and none of the changes authorized in this resolution shall be incorporated into the existing Redevelopment Agreement.

**SECTION 5:** That this Resolution shall be in full force and effect from and after the date of its passage and approval in the manner required by law.

Adopted: July 23, 2001

Lorraine A. Norton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk