

36-R-03

A RESOLUTION

**Authorizing City Manager to Execute
Rider No. 1 to Lease with Rebeccah Seely,
D/b/a Perennials, Inc. Providing for
Assignment of the Lease to Patio, Inc.**

WHEREAS, Rebeccah Seely, d/b/a Perennials, Inc., Lessee, and the City of Evanston, an Illinois municipal corporation, Lessor, are parties to a lease ("the Lease"), for the property at 2022 Central Street, Evanston, Illinois, for the term of April 1, 2001 through February 28, 2006; and

WHEREAS, Lessee is desirous of selling Perennials, Inc., a stationery store, occupying the property, to Patio Inc., the principal shareholder of which is Patricia O'Neill-Cynkar; and

WHEREAS, Patricia O'Neill-Cynkar is desirous of operating her business at the 2022 Central Street location; and

WHEREAS, sale of Perennials, Inc. to Patio Inc. is scheduled to occur on or about June 2, 2003; and

WHEREAS, said sale will occur prior to the end of the lease; and

WHEREAS, paragraph 6 of the Lease provides that Lessee shall not assign it; and

WHEREAS, paragraph 29 of the Lease provides that "any modification hereto must be in writing and signed by both parties"; and

WHEREAS, modification of the lease to allow assignment to Patio Inc. is in the best interests of the citizens of Evanston,

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

SECTION 1: That 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 of Evanston, Rider No. 1 to the lease for the term of April 1, 2001 through February 28, 2006 between the City and Rebeccah Seely, d/b/a Perennials, Inc., Lessee, allowing Lessee to assign the lease to Patio Inc., the principal shareholder of which is Patricia O'Neill-Cynkar, and providing for certain other lease amendments, all in substantial conformity with the Rider No. 1 attached as Exhibit A and made a part hereof.

SECTION 2: That the City Manager is hereby authorized and directed to negotiate any additional terms and conditions of the aforescribed lease.

SECTION 3: 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: June 9, 2003


Lorraine H. Morton, Mayor

ATTEST:


City Clerk