

1/16/13  
2/15/13

**5-R-13**

**A RESOLUTION**

**Regarding the Payment of Accrued Water Bills Owed to the City by  
the Evanston Wilmette Golf Course Association for the Frank Govern  
Memorial Golf Course**

**WHEREAS**, since 1919 the City of Evanston (the "City") has leased ("the Master Lease") certain real property ("the Demised Premises"), from the Metropolitan Water Reclamation District of Greater Chicago, formally known as the Sanitary District of Chicago ("the District"), with its principal office located at 100 East Erie Street, Chicago, Illinois 60611; and

**WHEREAS**, since 1919 the City has sublet a portion of the Demised Premises, to the Evanston-Wilmette Golf Course Association, Inc., with its principal office located at 1030 Central Street, Evanston, Illinois 60201, hereinafter ("the Association"), formerly known as the Evanston Community Recreation Association, Inc., for use in connection with the Association's operation of a public fee golf course, commonly known as the Peter Jans Golf Course ("the Sublease"); and

**WHEREAS**, the said Sublease with the Association has been amended from time to time; and

**WHEREAS**, said public fee golf course consists of eleven (11) holes located in the City of Evanston and seven (7) holes located in the Village of Wilmette; and

**WHEREAS**, the Association owes the City \$18,453.86 (Eighteen Thousand Four Hundred Fifty Three and 86/100 Dollars) in past due water service charges as of January 1, 2013; and

**WHEREAS**, pursuant to Section 6(a) of the Sublease, the Association must pay to the City in eight (8) equal payments beginning June 2013; and

**WHEREAS**, the subject of past due water service charges owed to the City by the Association have been the subject of discussion between the City and the Association; and

**WHEREAS**, the Association is prepared to pay, in full, the balance remaining in past due water service charges,

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

**SECTION 1:** That the abovementioned recitals are hereby found as fact and made a part hereof.

**SECTION 2:** The Association shall pay regular monthly increments on or before the first day of every month, for eight (8) months, the following fixed amount of \$2,306.74. This sum represents 1/8<sup>th</sup> of the past due water service charges identified in recital no. 5 in this Resolution. The term of this incremental payment schedule is June 1, 2013 through January 1, 2014. The Association may accelerate payment of the past due service charges to shorten the term of the payment schedule.

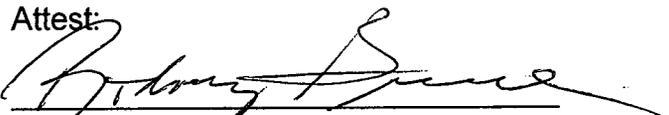
**SECTION 3:** The City will continue to regularly invoice payment for any water service charges incurred by the Association from the effective date of this Resolution onwards. The Association further agrees to timely pay all invoiced water

service charges incurred from the effective date of this Resolution onwards, and otherwise timely pay all pending and future water service charges incurred.

**SECTION 4:** All other fees, charges, and annual income payments incurred by the Association payable to the City or any other third-party as required by the terms of the Sublease or the Master Lease shall remain in full force and effect. The City shall not be responsible for any fees or costs that have been or may be incurred by the Association that are payable to any other third-party.

**SECTION 5:** That this Resolution 5-R-13 shall be in full force and effect from and after the date of its passage and approval in the manner provided by law.

  
Elizabeth B. Tisdahl, Mayor

Attest:  
  
Rodney Greene, City Clerk

Adopted: February 25, 2013