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regarding agenda item
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**WHEATON PARK DISTRICT
ORDINANCE NO. 2017-04**

**AN ORDINANCE APPROVING THE TERMS OF AN AMENDMENT TO LEASE AGREEMENT WITH
COMPUTER SYSTEM INNOVATIONS, INC. AND AUTHORIZING ITS EXECUTION**

WHEREAS, Wheaton Park District ("Park District") is the owner of certain land and improvements commonly known as the Wheaton Oaks Professional Building located at 855 West Prairie Avenue, Wheaton, IL 60187 (the "Building").

WHEREAS, pursuant to Ordinance No. 2012-12 adopted by the Park District's Board of Park Commissioners on November 14, 2012, the Park District and Computer System Innovations, Inc. ("Tenant") previously entered into a lease agreement whereby the Park District leased to Tenant and Tenant leased from the Park District a portion of the Building designated as the First Floor West Suite, as more fully described and depicted in Exhibit A to said lease ("Lease"); and

WHEREAS, the initial term of the Lease is set to expire by its terms on December 31, 2017, and the Park District and Tenant desire, among other things, to extend the term of the Lease for an additional two (2) year period, and to amend the Lease to reflect all agreed upon modifications.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois as follows:

1. The foregoing preambles to this Ordinance are hereby determined to be true and correct and are hereby incorporated in and made part of this Ordinance.

2. The form, terms and provisions of the proposed Amendment to Lease Agreement between the Park District and Computer System Innovations, Inc. ("Amendment") as presented to the Park Board at this meeting are hereby in all respects approved as provided herein.

3. The President and Secretary of the Park Board, or his or her designee, are hereby authorized and directed to execute and deliver the Amendment, in the name and on behalf of the Park District, and to take all such other actions and steps and execute all such further documents as said President and Secretary, or his or her designee, deem necessary or appropriate to carry out the terms and conditions of the Amendment and to effectuate its purpose.

Adopted this 21st day of June, 2017 by roll call vote of the members of the Board of Park Commissioners as follows:

Roll Call:

Ayes: Frey, Fuheg, Halstenson, Kelley, Mee, Morrill, Vires

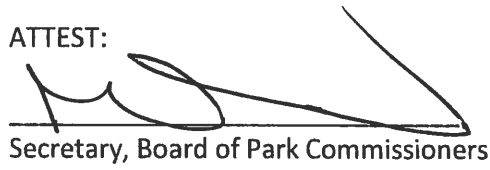
Nays: Ø

Absent: Ø

Abstain: Ø


President, Board of Park
Commissioners

ATTEST:

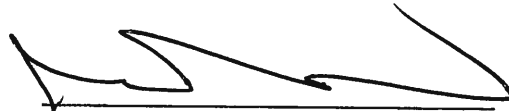

Secretary, Board of Park Commissioners

SECRETARY'S CERTIFICATE

I, Michael J. Benard, do hereby certify that I am Secretary of the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois, and as such official, I am keeper of the records, ordinances, files and seal of said Park District; and I hereby certify that the foregoing instrument is a true and correct copy of: AN ORDINANCE APPROVING THE TERMS OF AN AMENDMENT TO LEASE AGREEMENT WITH COMPUTER SYSTEM INNOVATIONS, INC. AND AUTHORIZING ITS EXECUTION, adopted at a duly called Regular Meeting of the Board of Park Commissioners of the Wheaton Park District, held at Wheaton, Illinois, in said District at 7:00 p.m. on the 21st day of June, 2017.

I do further certify that the deliberations of the board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was called and held in strict compliance with the provisions of the Open Meeting Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said Wheaton Park District at Wheaton, Illinois this 21st day of June, 2017.



Michael J. Benard, Secretary
Board of Park Commissioners
Wheaton Park District

[SEAL]

#696655

AMENDMENT TO LEASE AGREEMENT

This Amendment to Lease Agreement ("Amendment") is made and entered into as of this 21 day of June, 2017 ("Effective Date"), by and between Wheaton Park District, an Illinois park district and unit of local government ("Landlord"), and Computer System Innovations, Inc., an Illinois corporation ("Tenant"), and amends, supplements and modifies the Lease Agreement entered into between the Landlord and Tenant dated November 14, 2012 ("Lease"). Landlord and Tenant are hereinafter sometimes individually referred to as a "Party" and collectively referred to as the "Parties." Capitalized terms used but not otherwise defined in this Amendment shall have the meanings assigned to such terms in the Lease.

RECITALS

- A. Landlord is the owner of certain land and improvements commonly known as the Wheaton Oaks Professional Building located at 855 West Prairie Avenue, Wheaton, IL 60187 (the "Building").
- B. The Parties previously entered into a Lease whereby Landlord leased to Tenant and Tenant leased from Landlord a portion of the Building designated as the First Floor West Suite, as more fully described and depicted in Exhibit A to said Lease (the "Leased Premises").
- C. The Initial Term of the Lease is set to expire by its terms on December 31, 2017, and the Parties desire to extend the term of the Lease for an additional two (2) year period as set forth in this Amendment.
- D. The Parties have determined that entering into this Amendment, containing substantially the same terms and conditions as set forth in the Lease and modifying certain terms and conditions contained in the Lease is in their mutual best interests.

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree to the following:

- 1. Incorporation of Recitals. The foregoing recitals are incorporated herein by reference as though fully set forth in this Section 1.
- 2. Lease. The Parties hereby agree that the terms and conditions of the Lease shall remain in full force and effect except to the extent modified by this Amendment.
- 3. Option to Renew. Section 3 of the Lease entitled "Option to Renew" is stricken in its entirety and is replaced with the following:

3. Lease Extension

Landlord and Tenant hereby agree to extend the term of the Lease for an additional two (2) year period commencing January 1, 2018 and ending December 31, 2019 (the "Extension Period"), unless otherwise terminated in accordance with the terms and provisions of this Lease. The Extension Period shall be upon the same terms, covenants, and conditions as set forth in the Lease with respect to the Initial Term, except that the Rent payable during the Extension Period shall be equal to \$82,620 per year, payable in monthly installments of \$6,885, or \$78,489 per year if paid in lump sum before January 1 of the upcoming year. For purposes of this Agreement, unless otherwise specified, "Term" shall collectively refer to the Initial Term and the Extension Period.

4. Entire Agreement; Modification. All other terms and conditions contained in the Lease remain unchanged. The Lease and this Amendment contain all of the terms and conditions agreed on by the Parties through the date set forth above with respect to the subject matter hereof, and no other alleged communications or agreements between the Parties, written or otherwise, shall vary the terms hereof. Any modification of the Lease or this Amendment must be in writing and signed by all Parties.

LANDLORD:

WHEATON PARK DISTRICT

By: 

Its: Secretary/Exec Dir

TENANT:

COMPUTER SYSTEM INNOVATIONS, INC.

By: 

Its: Pres. Don T