

RESOLUTION R-93-08

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A
COMMERCIAL SUBLEASE BETWEEN THE CITY OF WHEATON AND
BENSIDOUN USA - WINTER MARKET**

WHEREAS, the City of Wheaton subleases the Wheaton Commuter Station from the Union Pacific Railroad for the convenience of its citizens; and

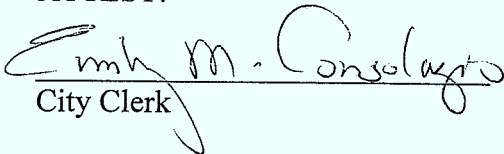
WHEREAS, Bensidoun USA, who operates the open air French Market in the Downtown on Saturday's during the summer, received permission to operate an indoor winter market in the Wheaton Commuter Station on Saturday's between Thanksgiving and Christmas; and

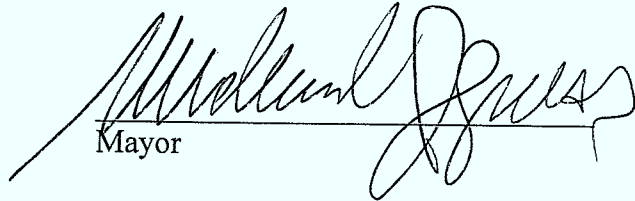
WHEREAS, due to the response from the vendors participating in the winter market, Bensidoun USA is seeking to extend the sublease for an additional month with an option, depending upon interest, for February.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that the Mayor and City Council approve an amendment to a commercial sublease between the City of Wheaton and Bensidoun USA attached hereto, and incorporated herein as if fully set forth as Exhibit A.

ADOPTED this 15th day of December, 2008.

ATTEST:


City Clerk


Mayor

Roll Call Vote

Ayes: Councilman Mouhelis
Councilman Prendiville
Councilman Suess
Councilman Johnson
Mayor Gresk

Nays: None

Absent: Councilwoman Corry
Councilman Levine

Motion Carried Unanimously

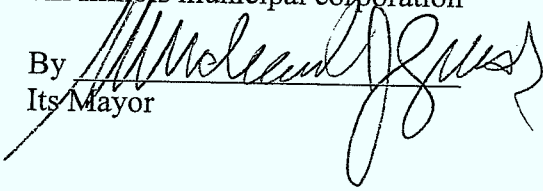
Exhibit "A"

THIS AMENDMENT TO A COMMERCIAL SUBLEASE ("THE SUBLEASE")
is made and entered into as of December 15, 2008 by and between
the City of Wheaton, an Illinois municipal corporation, ("Sublandlord")
and Bensidoun USA ("Subtenant")

1. Section 2 entitled "Term" of the Commercial Sublease dated November 24, 2008, shall be amended by modifying the end date to January 31, 2009 with a Subtenant option to continue to February 28, 2009.
2. Section 3 entitled "Rent" of the Wheaton Main Commuter Station shall be amended by modifying the amount to be \$100 weekly.
3. All other terms and conditions of the original sublease shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this amendment to the original sublease.

Sublandlord:
City of Wheaton,
An Illinois municipal corporation

By 
Its Mayor

Subtenant:
Bensidoun USA

By _____
Its Owner