

RESOLUTION R- 17 -06

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SUBLEASE
BETWEEN THE CITY OF WHEATON AND JAVA CONNECTION
OF WHEATON (ELLEN E. HERMAN) TO MANN MADE ASSOCIATES, INC.
(LIESL A. MANN)**

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

WHEREAS, the provision of coffee and other items at the station adds to the attractiveness and utility of the station to commuters; and

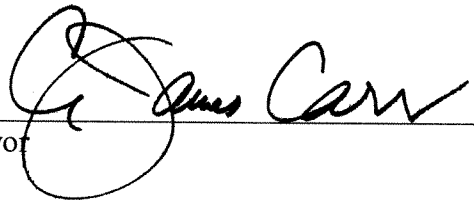
WHEREAS, the City has entered into a sublease with Ellen E. Herman of Java Connection, Inc. to operate a coffee shop in the vendor space; and

WHEREAS, Ellen E. Herman of Java Connection, Inc. seeks to assign the sublease to Liesl A. Mann of Mann Made Associates, Inc.; and

WHEREAS, assignment of the sublease is subject to the approval of the corporate authorities of the City.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that the Mayor and City Council approve the assignment of the sublease by Ellen E. Herman of Java Connection, Inc. to Liesl A. Mann of Mann Made Associates, Inc. attached hereto, and incorporated herein as if fully set forth as Exhibit A.

ADOPTED this 20th day of March, 2006.



Mayor

ATTEST:



City Clerk

Ayes: Roll Call Vote
Councilman Mouhelis
Councilman Suess
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays: None
Absent: None

Motion Carried Unanimously

ASSIGNMENT AND ASSUMPTION OF LEASE

For and in consideration of Ten and 00/100 dollars (\$10.00), the consummation of the Agreement for Sale of Assets between Java Connection of Wheaton, Inc. (Ellen E. Herman) as Seller and Mann Made Associates, Inc. (Liesl A. Mann) as Buyer and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Java Connection of Wheaton, Inc., Assignor, hereby assigns all rights, title and interest in and to that certain lease in existence by and between the City of Wheaton, an Illinois municipal corporation, as Sublandlord and Java Connection of Wheaton, Inc. as Subtenant, relating to certain property comprising approximately 250 square feet of floor space contained within the building commonly known as the Wheaton Train Station building, located at 402 West Front Street, Wheaton, Illinois, (Lease) to Mann Made Associates, Inc. (Assignee).

Assignee further assumes all rights, benefits, detriments and obligations of the Lease and specifically agrees and acknowledges that it is obligated to, and bound by, the Lease.

Dated this March day of 13, 2006.

Assignor:

Ellen E. Herman
Java Connection of Wheaton, Inc., by its
Authorized Corporate Officer

Acceptance and Assumption of Lease by Assignee:

Liesl A. Mann
Mann Made Associates, Inc., by its
Authorized Corporate Officer