City of Chicago

O2015-121

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	1/21/2015
Sponsor(s):	Burnett (27)
Type:	Ordinance
Title:	Release of use restriction covenant regarding vacation of public way(s) in block bounded by N Milwaukee Ave, W Erie St and N Morgan St
Committee(s) Assignment:	Committee on Transportation and Public Way

ORDINANCE
FOR RELEASE OF
USE RESTRICTION COVENANT

WHEREAS, on February 5, 1998 the City Council of the City of Chicago ("City") passed a certain ordinance (C.J. pp.62178, 62180-84) (referred to herein as the "Vacation Ordinance"), which such Ordinance provided for an industrial program ("Industrial Program") alley vacation ("Vacation") of all of the east-west 12 foot public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street ("Subject Property"); and

WHEREAS, the Vacation Ordinance provided that the Vacation of the Subject Property was conditioned upon a restrictive use covenant running with the land ("Restrictive Use Covenant"), that required the Subject Property "be used only for manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities"; and

WHEREAS, the Restrictive Use Covenant was recorded on May 28, 1998 with the Office of the Cook County Recorder of Deeds as Document Number 98441670, attached hereto as **Exhibit A**; and

WHEREAS, the Vacation Ordinance was recorded on July 15, 1998 with the Office of the Cook County Recorder of Deeds as Document No. 98613112, attached hereto as **Exhibit B**: and

WHEREAS, in Section 4 of the Vacation Ordinance set forth that the Restrictive Use Covenant "may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment"; and

WHEREAS, The Domain Group, LLC, an Illinois limited liability company ("Developer"), is the current beneficiary titleholder of the vacated Subject Project subject to the Restrictive Use Covenant; and

WHEREAS, the Developer is intending to develop a multi-unit residential building on the Subject Property and has requested a release of the Restrictive Use Covenant; and

WHEREAS, the City, upon due investigation and consideration, has determined that the public interest now warrants a release of the Restrictive Use Covenant reserved in Section 4 of the Vacation Ordinance for the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release appraised fair market value of such release of Restrictive Use Covenant; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. The release of the Restrictive Use Covenant, in its entirety, appearing in Section 4 of the Original Ordinance is hereby approved upon the express condition that within sixty (60) days after the passage of this ordinance, The Domain Group, LLC shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to The

Domain Group, LLC the amount of _____ ($), which sum in the judgment of this body will be equal to such benefits.

SECTION 3. The release of the Restrictive Use Covenant herein provided for is made upon the express condition that within sixty (60) days after the passage of this ordinance, The Domain Group, LLC, shall file or cause to be filed in the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance,

SECTION 4. The Commissioner of the Department of Transportation is hereby authorized to execute, subject to the approval of the Corporation Counsel, a Release of Restrictive Use Covenant, in substantially the form attached as **Exhibit C,** and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the Release of Restrictive Use Covenant, with such changes, deletions and insertions as shall be approved by the persons executing the Release of Restrictive Use Covenant.

SECTION 5. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 6. This ordinance shall take effect upon its passage and approval.

Release of Restrictive Use Covenant
Approved:

Rebekah Scheinfeld
Commissioner
Department of Transportation

Approved as to Form and Legality

Richard Wendy
Deputy Corporation Counsel

Honorable
Alderman, 27th Ward

EXHIBIT A

May 28, 1998
Restrictive Use Covenant
(Attached)

98441670

7725/0134 49 001 Page 1 of 13
1998-05-28 15:14:33
Cook County Recorder 45.50

MTC 2015476

RESTRICTIVE COVENANT

WHEREAS, the Mid-City National Bank and Trust Company of Chicago, as Trustee, under Trust Number 2539 ("Owner"), holds legal title to certain parcels of real property ("Abutting Property") which are located at 668 to 680 North Milwaukee Avenue, in the County of Cook, State of Illinois, and which are currently used for the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities; and

WHEREAS, on February 5, 1998, the City Council of the City of Chicago approved an ordinance (C.J. pp. 62178, 62180-84), a copy of which is attached as Exhibit A and which is hereby incorporated ("Ordinance") which Ordinance provided for the vacation of all of the east-west 12 foot public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street (hereinafter referred to as "Subject Premises"), the Subject Premises being more particularly described in Exhibit A which is attached and incorporated; and

Prepared by & mail to:

GORDON AND PIKARSKI
Attorneys At Law
Suite 1800
25 E. Washington St.
Chicago, IL 60602

WHEREAS, the vacation provided in the Ordinance is conditioned upon the execution and recording by the Owner of a restrictive covenant running with the land that provides that the Subject Premises shall be used only for manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities;

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE PASSAGE AND APPROVAL OF THE VACATION ORDINANCE AND THE VESTING OF TITLE IN THE OWNER, WITHOUT THE REQUIREMENT THAT THE OWNER PAY COMPENSATION TO THE CITY, THE OWNER DOES HEREBY AGREE WITH AND COVENANT TO THE CITY OF CHICAGO AS FOLLOWS:

1. USE. The Owner hereby covenants to the City of Chicago that the above-described Subject Premises shall not be used for any use or purpose other than those which are set forth in Exhibit B, which is attached and incorporated, and for those uses and purposes which are necessary to such activities, including, but not limited to, the location of necessary and appropriate offices and facilities, storage, employee and customer parking and other similar uses and facilities. The consideration for such covenant, which is deemed and agreed to be valuable and sufficient, is the vacation by the City of Chicago of the Subject Premises for the benefit of Owner without the requirement that the Owner pay compensation to the City.

2. **COVENANT TO RUN WITH THE LAND AND TERM THEREOF.** The burdens of the covenant herein contained shall run with the Subject Premises. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns. The covenant shall be binding on the Owner, its successors and assigns, and shall be enforceable by the City, its successors and assigns. The covenant may be released or abandoned only upon approval of the City Council of the City of Chicago which may condition its approval upon the payment of such additional compensation by the Owner or any persons claiming under the Owner, which said City Council of the City of Chicago deems to be equal to the benefits accruing because of the release or abandonment of the covenant.

3. **VIOLATION OF RESTRICTIONS.**

(a) Reversion. In the event that the Owner causes or permits a violation of a restriction contained herein, the City of Chicago may serve the Owner with a written notice entitled NOTICE OF VIOLATION setting forth the violations. Such notice shall be sent to Owner at 670 North Milwaukee Avenue, Chicago, Illinois 60622. Within thirty (30) days of receipt of said Notice of Violation, Owner shall cause the correction of or cure the violations set forth therein. In the event that Owner shall fail or refuse to cause the correction of or cure such violations within the period of thirty (30) days, the City of Chicago may then record with the Cook County Recorder of Deeds a copy of the Notice of Violation, proof of service of the Notice of Violation and a Notice of Reversion. Upon the recording of the aforementioned

documents by the City of Chicago, the Subject Premises shall be deemed to be conveyed by Owner to the City of Chicago. In the event that the City does not exercise its right of reversion as stated in this Section 3(a) within twenty (20) years from the date of execution and recording of this Covenant, then the provisions of this Section 3(a) shall be deemed null and void.

(b) Enforcement. In addition to the foregoing, this Covenant shall be enforceable by all remedies available in law or in equity, including injunctive relief.

IN WITNESS WHEREOF, the Owner has caused this Covenant to be duly executed and attested to this 14th day of April, 1998.

MID-CITY NATIONAL BANK OF CHICAGO, AS TRUSTEE, TRUST NO. 2539

By: W. A. Thuma W.A. THUMA, JR.

Its: Senior Vice President and Trust Officer

ATTEST:

Joseph Q. Loker

Its: Assistant Vice President & Trust Officer

ACCEPTED:

Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

Assistant Corporation Counsel

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that W. A. THUMA, JR., personally known to me to be the Senior Vice President and Trust Officer of Mid-City National Bank of Chicago, a national banking association, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Senior Vice President and Trust Officer he/she signed and delivered the said instrument, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of April, 1998.

Virginia L. Larson
Notary Public

OFFICIAL SEAL
VIRGINIA L LARSON
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. JUNE 9,2001

My commission expires 6-9-2001.

Prepared by and when recorded, return to:
John McDonough
Assistant Corporation Counsel
30 North LaSalle Street
Room 1610, City Hall
Chicago, Illinois 60602
312/744-9827

EXHIBIT A - VACATION ORDINANCE

No. P.I.N. applicable - document
affects newly vacated public way

condition that within one hundred twenty (120) days after the passage of this ordinance the H.F.O., L.L.C. shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with an attached drawing approved by the Superintendent of Maps.

SECTION 4. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed on page 62179 of this Journal.]

VACATION OF PORTION OF PUBLIC ALLEY IN BLOCK BOUNDED BY NORTH MILWAUKEE AVENUE, WEST ERIE STREET AND NORTH MORGAN STREET.

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

To the President and Members of the City Council:

Your Committee on Transportation and Public Way begs leave to report and recommend that Your Honorable Body *Pass* an ordinance for the vacation of a public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street. This ordinance was referred to the committee on February 2, 1998.

(Continued on page 62180)

(Continued from page 62178)

This recommendation was concurred in unanimously by a viva voce vote of the members of the committee, with no dissenting vote.

Respectfully submitted,

(Signed) THOMAS R. ALLEN,
Vice Chairman.

On motion of Alderman Allen, the said proposed ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Granato, Haithcock, Tillman, Preckwinkle, Holt, Lyle, Beavers, Dixon, Shaw, Buchanan, Balcer, Frias, Olivo, Burke, Jones, Coleman, Peterson, Murphy, Rugai, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Burrell, Wojcik, Suarez, Gabinski, Mell, Austin, Colom, Banks, Giles, Allen, Laurino, O'Connor, Doherty, Natarus, Bernardini, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 49.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

WHEREAS, The City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, Many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas or other industrial uses; and

WHEREAS, The City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping vandalism and other criminal activity; and by expanding the City's property tax base; and

WHEREAS, The City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilitiesthrough the vacation of public streets and alleys for reduced compensation; and

WHEREAS, The properties at 668 to 680 North Milwaukee Avenue are owned by the Mid-City National Bank of Chicago, as Trustee, under Trust Agreement dated August 10, 1994 and known as Trust Number 2539; and

WHEREAS, Rolling Stock, Ltd., controls the Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539, a firm which employs eight (8) individuals in the rental of equipment and vehicles to the movie industry and commercial production studios; and

WHEREAS, The Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539 and Rolling Stock, Ltd. proposes to use the alley to be vacated herein for storage of rental and employee vehicles and other such uses which are reasonably necessary therefore; and

WHEREAS, The City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of public street described in the following ordinance; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. All of the east/west 12 foot public alley lying south of the south line of Lots 1 and 2 in Ridgely's Addition to Chicago being a subdivision of Blocks 5, 9, 10, 11, 12, 14, 15 and 16 of Assessor's Division in the northeast corner of the northeast quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, lying north of the north line of Lot 6 in Assessor's Division of Lots 1 to 6, inclusive, in Block 37 in Ogden's Addition to Chicago in the northeast quarter of Section 8 aforesaid, lying west and westerly of a line drawn from the most easterly corner of Lot 1 in

Ridgely's Addition aforesaid to the intersection of the north and northeasterly lines of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid and lying east of a line drawn from the most westerly corner of Lot 2 in Ridgely's Addition aforesaid to the northwest corner of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid, said public alley herein vacated being further described as all of the east/west 12 foot public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street as shaded and indicated by the words "To Be Vacated" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the pubic interest will be subserved by such vacation.

SECTION 2. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Mid-City National Bank of Chicago, as Trustee, Trust Number 2539 shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb across the entrances to the public alley hereby vacated similar to the sidewalk and curb in North Milwaukee Avenue between North Morgan Street and West Erie Street and in North Morgan Street between North Milwaukee Avenue and West Erie Street. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

SECTION 3. The City of Chicago hereby reserves for the benefit of Commonwealth Edison Company and Ameritech Illinois, their successors or assigns, an easement to operate, maintain, construct, replace, and renew overhead poles, wires, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy and telephonic and associated services under, over, and along the public alley as herein vacated, with the right of ingress and egress.

SECTION 4. The Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public way vacated by this ordinance to the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the City upon substantial breach of the terms and conditions

thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

SECTION 5. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539 shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a restrictive covenant complying with Section 4 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 6. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed on page 62184 of this Journal.]

VACATION OF PORTION OF PUBLIC ALLEY IN BLOCK BOUNDED BY WEST SCHOOL STREET, NORTH RACINE AVENUE, NORTH LAKEWOOD AVENUE AND WEST MELROSE STREET.

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

To the President and Members of the City Council:

(Continued on page 62185)

Ordinance associated with this drawing printed on pages 62181 through 62183 of this Journal.

"A"

Assessor's Division of Lots 1 to 6 Incl Blk. 37 Ogden's Add. to Chicago in N.E. 1/4 of Sec. 8-39-14

"B"

Ridgely's Add. to Chicago being a Sub of Blk's 5,9,10,11,12,14,15 and 16 of Assessor's Div. in the N.E. corner of the N.E. 1/4 of Sec. 8-39-14

"C"

Ordinance Extending N. Morgan St. Through to Milwaukee Avenue Passed April 2, 1880. Assessment Confirmed Feb.4 1882

Deed for Public Street. (Lot 3 Only)

Rec. Feb. 6, 1884 Doc.# 523,760

Note: This Alley is being Vacated under the Industrial Streets and Alley Vacation Program

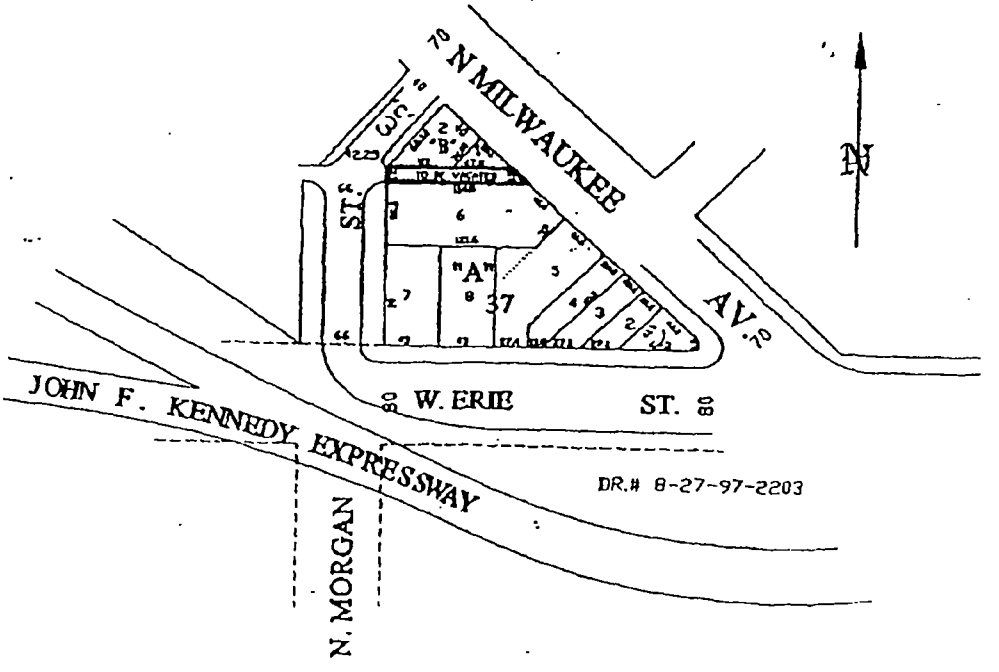


EXHIBIT B - PERMITTED USES

1. Manufacturing, production, processing, assembly, fabricating, cleaning, servicing and repair of materials, goods or products, including but not limited to the following:

   a. Food and Kindred Products
   b. Tobacco Products
   c. Apparel and Other Textile Products
   d. Lumber and Wood Products
   e. Furniture and Fixtures
   f. Paper and Allied Products
   g. Printed and Published Products
   h. Chemicals and Allied Products
   i. Petroleum and Coal Products
   j. Rubber and Miscellaneous Plastics
   k. Leather and Leather Products
   l. Stone, Clay and Glass Products
   m. Primary Metals
   n. Fabricated Metal Products
   o. Industrial Machinery and Equipment
   p. Electronic and Electric Equipment
   q. Transportation Equipment
   r. Instruments and Related Products
   s. Scrap Metals

2. Transportation and wholesale trade, as distinguished from retail trade, of the materials, goods or products listed above.

3. Research and development of prototypes and processes related to the activities listed above.

a:covenant.011

EXHIBIT B

July 15, 1998
Vacation Ordinance
(Attached)

98613112
8673/0124 49 001 Page 1 of 10
1998-07-15 15:36:57
Cook County Recorder 75.50

INDUSTRIAL STREET VACATION ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

10 W

WHEREAS, many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas, or other industrial uses; and

WHEREAS, the City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping, vandalism and other criminal activity; and by expanding the City's property tax base; and

WHEREAS, the City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilities

through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, the properties at 668 to 680 N. Milwaukee Avenue are owned by the Mid-City National Bank of Chicago, as Trustee, under Trust Agreement dated August 10, 1994 and known as Trust No. 2539; and

WHEREAS, Rolling Stock, Ltd. controls the Mid-City National Bank of Chicago, as Trustee, under Trust No. 2539, a firm which employs 8 individuals in the rental of equipment and vehicles to the movie industry and commercial production studios; and

WHEREAS, The Mid-City National Bank of Chicago, as Trustee, under Trust No. 2539 and Rolling Stock Limited proposes to use the alley to be vacated herein for storage of rental and employee vehicles and other such uses which are reasonably necessary therefore; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of public street described in the following ordinance; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. All of the East-West 12 foot public alley lying South of the South line of Lots 1 and 2 in

Ridgely's Addition to Chicago being a Subdivision of Blocks 5, 9, 10, 11, 12, 14, 15 and 16 of Assessor's Division in the Northeast corner of the Northeast ¼ of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois,

lying North of the North line of Lot 6 in

Assessor's Division of Lots 1 to 6 inclusive in Block 37 in Ogden's Addition to Chicago in the Northeast ¼ of Section 8 aforesaid,

lying West and westerly of a line drawn from the most Easterly corner of Lot 1 in Ridgely's Addition aforesaid to the intersection of the North and Northeasterly lines of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid and lying East of a line drawn from the most Westerly corner of Lot 2 in Ridgely's Addition aforesaid to the Northwest corner of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid, said public alley herein vacated being further described as all of the East-west 12 foot public alley in the block bounded by N. Milwaukee Avenue, W. Erie Street and N. Morgan Street as colored in red and indicated by the words "TO BE VACATED" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the MID-CITY NATIONAL BANK OF CHICAGO, AS TRUSTEE, TRUST NO. 2539 shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb across the entrances to the public alley hereby vacated similar to the sidewalk and curb in N. Milwaukee Avenue between N. Morgan Street and W. Erie Street and in N. Morgan Street between N. Milwaukee Avenue and W. Erie Street. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

SECTION 3. The City of Chicago hereby reserves for the benefit of Commonwealth Edison Company and Ameritech Illinois, their successors or assigns, an easement to operate, maintain, construct, replace, and renew overhead poles, wires, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy and telephonic and associated services under, over, and along the public alley as herein vacated, with the right of ingress and egress.

SECTION 4. The Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public way vacated by this ordinance to the manufacturing (including production, processing, cleaning,

servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the city upon substantial breach of the terms and conditions thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the MID-CITY NATIONAL BANK OF CHICAGO, AS TRUSTEE, TRUST NO. 2539 shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a restrictive covenant complying with Section 4 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

CITY OF CHICAGO
APPROVED
Lawrence T. Hansen
Superintendent of Maps
June 30, 1998
EXAMINER OF SUBDIVISIONS
COOK COUNTY, ILLINOIS

"A"

Assessor's Division of Lots 1 to 6 Incl Blk. 37 Ogden's Add. to Chicago in N.E. 1/4 of Sec. 8-39-14

"B"

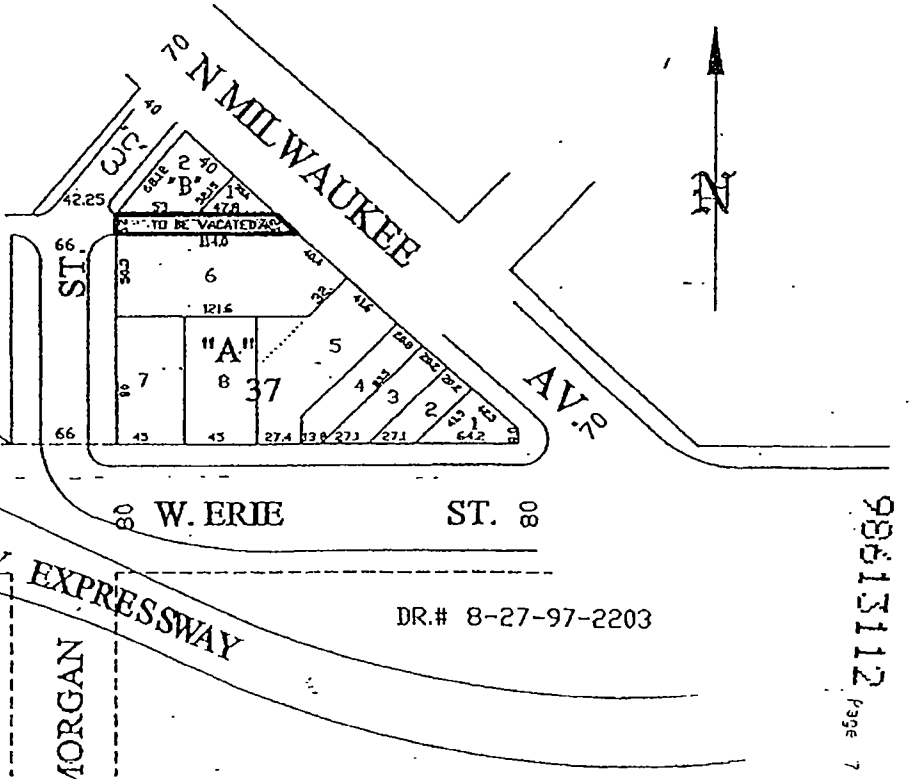
Ridgely's Add. to Chicago being a Sub of Blk's 5,9,10,11,12,14,15 and 16 of Assessor's Div. in the N.E. corner of the N.E. 1/4 of Sec. 8-39-14

"C"

Ordinance Extending N. Morgan St. Through to Milwaukee Avenue
Passed April 2, 1880. Assessment Confirmed Feb.4 1882
Deed for Public Street. (Lot 3 Only)
Rec. Feb. 6, 1884 Doc.# 523,760

Note: This Alley is being Vacated under the Industrial Streets and Alley Vacation Program

I DO NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID CURRENT GENERAL TAXES NOT YET DUE AND PAYABLE, ASSESSMENT OR SPECIAL ASSESSMENTS AGAINST THE STREETS AND ALLEYS DEDICATED IN THE ABOVE PLAT.
DATE 3-3-98
COUNTY CLERK



I FIND NO DEFERRED INSTALLMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.
DEPT. OF REVENUE CHICAGO
BY 8/6/98

98613112 Page 7 of 10

SECTION 6. This ordinance shall take effect and be in force from and after its passage.

Legal Description Approved:

Lawrence T. Larsen
Superintendent of Maps January 29, 1998

Approved as to Form and Legality

Chief Asst. Corporation Counsel

Document No. O 98 286

PASSED by the City Council of the City of Chicago and deposited in the office of the City Clerk of said City.

FEB - 5 1998

James J. Laski

City Clerk City of Chicago

25

EXHIBIT C

FORM OF
RELEASE OF
RESTRICTIVE USE COVENANT
(Attached)

RELEASE OF
RESTRICTIVE USE COVENANT

(The Above Space For Recorder's Use Only)

CITY OF CHICAGO, an Illinois municipal corporation ("CITY"), pursuant to a February 5, 1998 ordinance ("Ordinance") which such Ordinance was recorded on July 15, 1998 with the Office of the Cook County Recorder of Deeds as Document Number 98613112, attached hereto as **Exhibit A,** such Ordinance provided for an industrial program ("Industrial Program") alley vacation ("Vacation") of all of the east-west 12 foot public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street ("Subject Property"), as legally described on **Exhibit B** attached hereto.

The Vacation Ordinance provided that the Vacation of the Subject Property was conditioned upon a restrictive use covenant running with the land ("Restrictive Use Covenant"), that required the Subject Property "be used only for manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities".

The Restrictive Use Covenant was recorded on May 28, 1998 with the Office of the Cook County Recorder of Deeds as Document Number 98441670, attached hereto as **Exhibit C**.

Section 4 of the Vacation Ordinance set forth that the Restrictive Use Covenant "may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment".

The City, upon due investigation and consideration, has determined that the public interest now warrants a release of the Restrictive Use Covenant reserved in Section 4 of the Vacation Ordinance for the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release appraised fair market value of such release of Restrictive Use Covenant.

The City hereby releases the Restrictive Use Covenant from the Subject Property, as legally described on **Exhibit B**, attached.

THIS TRANSFER IS EXEMPT PURSUANT TO THE PROVISIONS OF THE REAL ESTATE TRANSFER TAX ACT, 35 ILCS 200/31-45; AND SECTION 3-3 2-030B7(b) OF THE CHICAGO TRANSACTION TAX ORDINANCE.

IN WITNESS WHEREOF, the City of Chicago has caused this instrument to be duly executed in its name and behalf, by the Commissioner of the Department of Transportation, on or as of the ____ day of _____, 2015.

CITY OF CHICAGO,
an Illinois municipal corporation

By: _____
Rebekah Scheinfeld
Commissioner
Department of Transportation

THIS TRANSFER IS EXEMPT PURSUANT TO THE PROVISIONS OF THE REAL ESTATE TRANSFER TAX ACT, 35 ILCS 200/31-45; AND SECTION 3-3 2-030B7(b) OF THE CHICAGO TRANSACTION TAX ORDINANCE.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Rebekah Scheinfeld, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered as Commissioner, Department of Transportation, the said instrument as her free and voluntary act, and as the free and voluntary act of the City, for the uses and purposes therein set forth.

Given under my hand and official seal, this _____ day of _____, 2015.

_____
Notary Public

THIS INSTRUMENT WAS PREPARED BY:
Karen Bielarz
Senior Counsel
City of Chicago, Department of Law
121 N. LaSalle Street, Room 600
Chicago, Illinois 60601
312/744-6910

THIS TRANSFER IS EXEMPT PURSUANT TO THE PROVISIONS OF THE REAL ESTATE TRANSFER TAX ACT, 35 ILCS 200/31-45; AND SECTION 3-3 2-030B7(b) OF THE CHICAGO TRANSACTION TAX ORDINANCE.

EXHIBIT A

July 15, 1998
Vacation Ordinance
(Attached)

98613112
8673/0124 49 001 Page 1 of 10
1998-07-15 15:36:57
Cook County Recorder 75.50

INDUSTRIAL STREET VACATION ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

10 m

WHEREAS, many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas, or other industrial uses; and

WHEREAS, the City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping, vandalism and other criminal activity; and by expanding the City's property tax base; and

WHEREAS, the City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilities

through the vacation of public streets and alleys for reduced compensation; and

WHEREAS, the properties at 668 to 680 N. Milwaukee Avenue are owned by the Mid-City National Bank of Chicago, as Trustee, under Trust Agreement dated August 10, 1994 and known as Trust No. 2539; and

WHEREAS, Rolling Stock, Ltd. controls the Mid-City National Bank of Chicago, as Trustee, under Trust No. 2539, a firm which employs 8 individuals in the rental of equipment and vehicles to the movie industry and commercial production studios; and

WHEREAS, The Mid-City National Bank of Chicago, as Trustee, under Trust No. 2539 and Rolling Stock Limited proposes to use the alley to be vacated herein for storage of rental and employee vehicles and other such uses which are reasonably necessary therefore; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of public street described in the following ordinance; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. All of the East-West 12 foot public alley lying South of the South line of Lots 1 and 2 in

Ridgely's Addition to Chicago being a Subdivision of Blocks 5, 9, 10, 11, 12, 14, 15 and 16 of Assessor's Division in the Northeast corner of the Northeast ¼ of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois,

lying North of the North line of Lot 6 in

Assessor's Division of Lots 1 to 6 inclusive in Block 37 in Ogden's Addition to Chicago in the Northeast ¼ of Section 8 aforesaid,

lying West and westerly of a line drawn from the most Easterly corner of Lot 1 in Ridgely's Addition aforesaid to the intersection of the North and Northeasterly lines of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid and lying East of a line drawn from the most Westerly corner of Lot 2 in Ridgely's Addition aforesaid to the Northwest corner of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid, said public alley herein vacated being further described as all of the East-west 12 foot public alley in the block bounded by N. Milwaukee Avenue, W. Erie Street and N. Morgan Street as colored in red and indicated by the words "TO BE VACATED" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

34

SECTION 2. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the MID-CITY NATIONAL BANK OF CHICAGO, AS TRUSTEE, TRUST NO. 2539 shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb across the entrances to the public alley hereby vacated similar to the sidewalk and curb in N. Milwaukee Avenue between N. Morgan Street and W. Erie Street and in N. Morgan Street between N. Milwaukee Avenue and W. Erie Street. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

SECTION 3. The City of Chicago hereby reserves for the benefit of Commonwealth Edison Company and Ameritech Illinois, their successors or assigns, an easement to operate, maintain, construct, replace, and renew overhead poles, wires, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy and telephonic and associated services under, over, and along the public alley as herein vacated, with the right of ingress and egress.

SECTION 4. The Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public way vacated by this ordinance to the manufacturing (including production, processing, cleaning,

servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the city upon substantial breach of the terms and conditions thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

SECTION 5. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the MID-CITY NATIONAL BANK OF CHICAGO, AS TRUSTEE, TRUST NO. 2539 shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a restrictive covenant complying with Section 4 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

CITY OF CHICAGO
APPROVED
Lawrence T. Hansen
Superintendent of Maps
June 30, 1998
EXAMINER OF SUBDIVISIONS
COOK COUNTY, ILLINOIS

"A"

Assessor's Division of Lots 1 to 6 Incl Blk. 37 Ogden's Add. to Chicago in N.E. 1/4 of Sec. 8-39-14

"B"

Ridgely's Add. to Chicago being a Sub of Blk's 5,9,10,11,12,14,15 and 16 of Assessor's Div. in the N.E. corner of the N.E. 1/4 of Sec. 8-39-14

"C"

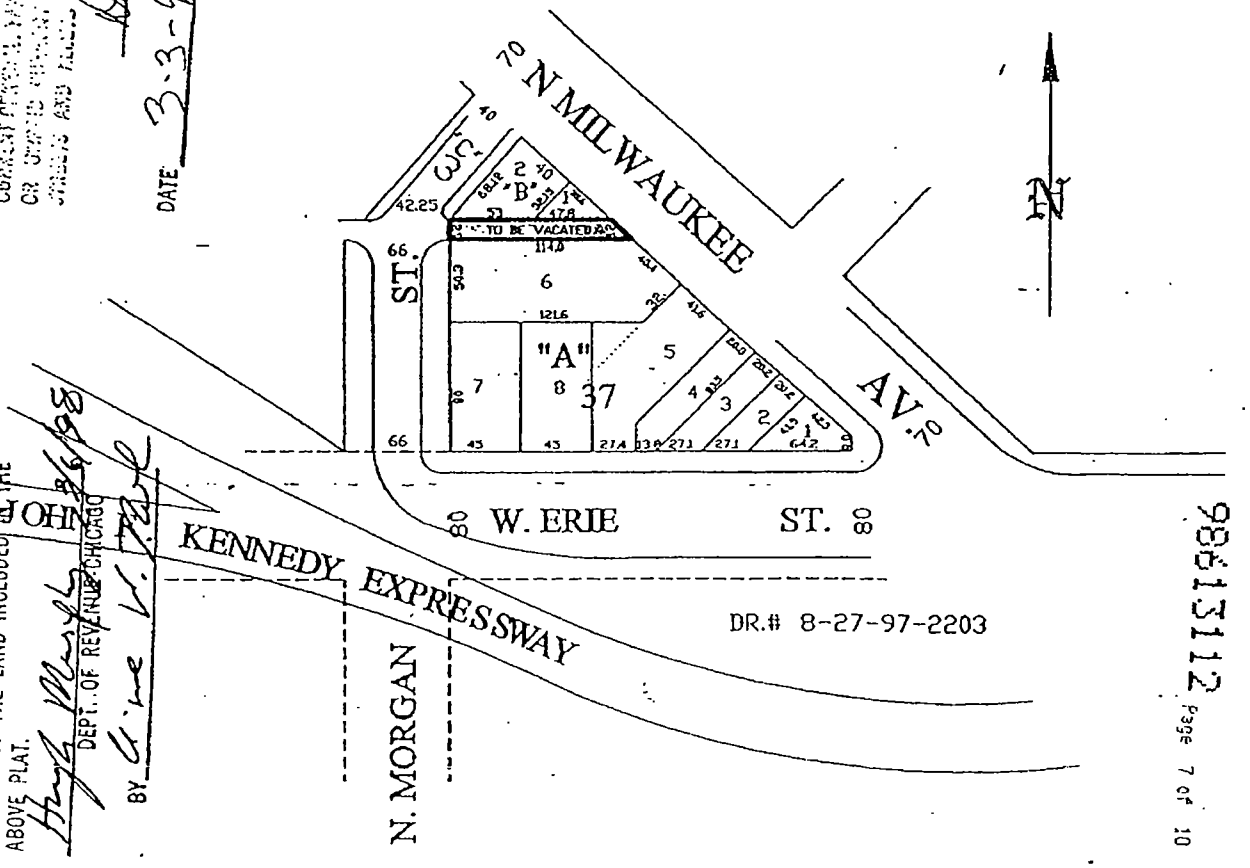
Ordinance Extending N. Morgan St. Through to Milwaukee Avenue Passed April 2, 1880. Assessment Confirmed Feb.4 1882

Deed for Public Street. (Lot 3 Only)

Rec. Feb. 6, 1884 Doc.# 523,760

I DO FIND NO DEFERRED INSTALLMENTS OF CURRENT PRINCIPAL TAXES UNPAID OR CURRENT PRINCIPAL SPECIAL ASSESSMENTS AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.
COUNTY CLERK
DATE 3-3-98

Note: This Alley is being Vacated under the Industrial Streets and Alley Vacation Program



I FIND NO DEFERRED INSTALLMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.
JOHN P. MURPHY
DEPT. OF REVENUE-CHICAGO
BY

98613112 Page 7 of 10

SECTION 6. This ordinance shall take effect and be in force from and after its passage.

Legal Description Approved:

Lawrence T Larsen
Superintendent of Maps January 29, 1998

Approved as to Form and Legality

Chief Asst. Corporation Counsel

Document No. O 98 286

PASSED by the City Council of the City of Chicago and deposited in the office of the City Clerk of said City.

FEB - 5 1998

James J. Laski

City Clerk City of Chicago

EXHIBIT B

Legal Description
Of
Subject Property

ALL OF THE EAST-WEST 12 FOOT PUBLIC ALLEY LYING SOUTH OF THE SOUTH LINE OF LOTS 1 AND 2 IN RIDGELY'S ADDITION TO CHICAGO BEING A SUBDIVISION OF BLOCKS 5, 9, 10, 11, 12, 14, 15 AND 16 OF ASSESSOR'S DIVISION IN THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, LYING NORTH OF THE NORTH LINE OF LOT 6 IN ASSESSOR'S DIVISION OF LOTS 1 TO 6, INCLUSIVE, IN BLOCK 37 IN OGDEN'S ADDITION TO CHICAGO IN THE NORTHEAST QUARTER OF SECTION 8 AFORESAID, LYING WEST AND WESTERLY OF A LINE DRAWN FROM THE MOST EASTERLY CORNER OF LOT 1 IN RIDGELY'S ADDITION AFORESAID TO THE INTERSECTION OF THE NORTH AND NORTHEASTERLY LINES OF LOT 6 IN ASSESSOR'S DIVISION OF LOTS 1 TO 6 AFORESAID AND LYING EAST OF A LINE DRAWN FROM THE MOST WESTERLY CORNER OF LOT 2 IN RIDGELY'S ADDITION AFORESAID TO THE NORTHWEST CORNER OF LOT 6 IN ASSESSOR'S DIVISION OF LOTS 1 TO 6, AFORESAID, SAID PUBLIC ALLEY HEREIN VACATED BEING FURTHER DESCRIBED AS ALL OF THE EAST-WEST 12 FOOT PUBLIC ALLEY IN THE BLOCK BOUNDED BY N. MILWAUKEE AVENUE, W. ERIE STREET AND N. MORGAN STREET.

EXHIBIT C

May 28, 1998
Restrictive Use Covenant
(Attached)

98441670

7725/0134 49 001 Page 1 of 13
1998-05-28 15:14:33
Cook County Recorder 45.50

MTC 2015476

RESTRICTIVE COVENANT

WHEREAS, the Mid-City National Bank and Trust Company of Chicago, as Trustee, under Trust Number 2539 ("Owner"), holds legal title to certain parcels of real property ("Abutting Property") which are located at 668 to 680 North Milwaukee Avenue, in the County of Cook, State of Illinois, and which are currently used for the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities; and

WHEREAS, on February 5, 1998, the City Council of the City of Chicago approved an ordinance (C.J. pp. 62178, 62180-84), a copy of which is attached as Exhibit A and which is hereby incorporated ("Ordinance") which Ordinance provided for the vacation of all of the east-west 12 foot public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street (hereinafter referred to as "Subject Premises"), the Subject Premises being more particularly described in Exhibit A which is attached and incorporated; and

Prepared by & mail to:
GORDON AND PIKARSKI
Attorneys At Law
Suite 1800
25 E. Washington St.
Chicago, IL 60602

WHEREAS, the vacation provided in the Ordinance is conditioned upon the execution and recording by the Owner of a restrictive covenant running with the land that provides that the Subject Premises shall be used only for manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only, and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and other similar uses and facilities;

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE PASSAGE AND APPROVAL OF THE VACATION ORDINANCE AND THE VESTING OF TITLE IN THE OWNER, WITHOUT THE REQUIREMENT THAT THE OWNER PAY COMPENSATION TO THE CITY, THE OWNER DOES HEREBY AGREE WITH AND COVENANT TO THE CITY OF CHICAGO AS FOLLOWS:

1. USE. The Owner hereby covenants to the City of Chicago that the above-described Subject Premises shall not be used for any use or purpose other than those which are set forth in Exhibit B, which is attached and incorporated, and for those uses and purposes which are necessary to such activities, including, but not limited to, the location of necessary and appropriate offices and facilities, storage, employee and customer parking and other similar uses and facilities. The consideration for such covenant, which is deemed and agreed to be valuable and sufficient, is the vacation by the City of Chicago of the Subject Premises for the benefit of Owner without the requirement that the Owner pay compensation to the City.

2. **COVENANT TO RUN WITH THE LAND AND TERM THEREOF.** The burdens of the covenant herein contained shall run with the Subject Premises. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns. The covenant shall be binding on the Owner, its successors and assigns, and shall be enforceable by the City, its successors and assigns. The covenant may be released or abandoned only upon approval of the City Council of the City of Chicago which may condition its approval upon the payment of such additional compensation by the Owner or any persons claiming under the Owner, which said City Council of the City of Chicago deems to be equal to the benefits accruing because of the release or abandonment of the covenant.

3. **VIOLATION OF RESTRICTIONS.**

(a) Reversion. In the event that the Owner causes or permits a violation of a restriction contained herein, the City of Chicago may serve the Owner with a written notice entitled NOTICE OF VIOLATION setting forth the violations. Such notice shall be sent to Owner at 670 North Milwaukee Avenue, Chicago, Illinois 60622. Within thirty (30) days of receipt of said Notice of Violation, Owner shall cause the correction of or cure the violations set forth therein. In the event that Owner shall fail or refuse to cause the correction of or cure such violations within the period of thirty (30) days, the City of Chicago may then record with the Cook County Recorder of Deeds a copy of the Notice of Violation, proof of service of the Notice of Violation and a Notice of Reversion. Upon the recording of the aforementioned

documents by the City of Chicago, the Subject Premises shall be deemed to be conveyed by Owner to the City of Chicago. In the event that the City does not exercise its right of reversion as stated in this Section 3(a) within twenty (20) years from the date of execution and recording of this Covenant, then the provisions of this Section 3(a) shall be deemed null and void.

(b) Enforcement. In addition to the foregoing, this Covenant shall be enforceable by all remedies available in law or in equity, including injunctive relief.

IN WITNESS WHEREOF, the Owner has caused this Covenant to be duly executed and attested to this 14th day of April, 1998.

MID-CITY NATIONAL BANK OF CHICAGO, AS TRUSTEE, TRUST NO. 2539

By: W. A. Tinuma W.A. TINUMA, JR.

Its: Senior Vice President and Trust Officer

ATTEST:

Joseph Q. Loker

Its: Assistant Vice President & Trust Officer

ACCEPTED:

Commissioner of Transportation

APPROVED AS TO FORM AND LEGALITY:

John McDonough

Assistant Corporation Counsel

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that W. A. THUMA, JR., personally known to me to be the Senior Vice President and Trust Officer of Mid-City National Bank of Chicago, a national banking association, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Senior Vice President and Trust Officer he/she signed and delivered the said instrument, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of April, 1998.

Virginia L. Larson
Notary Public

OFFICIAL SEAL
VIRGINIA L LARSON
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. JUNE 9,2001

My commission expires 6-9-2001.

Prepared by and when recorded, return to:
John McDonough
Assistant Corporation Counsel
30 North LaSalle Street
Room 1610, City Hall
Chicago, Illinois 60602
312/744-9827

EXHIBIT A - VACATION ORDINANCE

No. P.I.N. applicable - document
affects newly vacated public way

condition that within one hundred twenty (120) days after the passage of this ordinance the H.F.O., L.L.C. shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with an attached drawing approved by the Superintendent of Maps.

SECTION 4. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed on page 62179 of this Journal.]

VACATION OF PORTION OF PUBLIC ALLEY IN BLOCK BOUNDED BY NORTH MILWAUKEE AVENUE, WEST ERIE STREET AND NORTH MORGAN STREET.

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

To the President and Members of the City Council:

Your Committee on Transportation and Public Way begs leave to report and recommend that Your Honorable Body Pass an ordinance for the vacation of a public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street. This ordinance was referred to the committee on February 2, 1998.

(Continued on page 62180)

(Continued from page 62178)

This recommendation was concurred in unanimously by a viva voce vote of the members of the committee, with no dissenting vote.

Respectfully submitted,

(Signed) THOMAS R. ALLEN,
Vice Chairman.

On motion of Alderman Allen, the said proposed ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Granato, Haithcock, Tillman, Preckwinkle, Holt, Lyle, Beavers, Dixon, Shaw, Buchanan, Balcer, Frias, Olivo, Burke, Jones, Coleman, Peterson, Murphy, Rugai, Troutman, DeVille, Munoz, Zalewski, Chandler, Solis, Ocasio, Burnett, E. Smith, Burrell, Wojcik, Suarez, Gabinski, Mell, Austin, Colom, Banks, Giles, Allen, Laurino, O'Connor, Doherty, Natarus, Bernardini, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 49.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

WHEREAS, The City of Chicago ("City") is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The City has experienced a significant loss of industry and jobs in recent years, accompanied by a corresponding erosion of its tax base, due in part to industrial firms' inability to acquire additional property needed for their continued viability and growth; and

WHEREAS, Many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas or other industrial uses; and

WHEREAS, The City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping vandalism and other criminal activity; and by expanding the City's property tax base; and

WHEREAS, The City can strengthen established industrial areas and expand the City's job base by encouraging the growth and modernization of existing industrial facilitiesthrough the vacation of public streets and alleys for reduced compensation; and

WHEREAS, The properties at 668 to 680 North Milwaukee Avenue are owned by the Mid-City National Bank of Chicago, as Trustee, under Trust Agreement dated August 10, 1994 and known as Trust Number 2539; and

WHEREAS, Rolling Stock, Ltd., controls the Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539, a firm which employs eight (8) individuals in the rental of equipment and vehicles to the movie industry and commercial production studios; and

WHEREAS, The Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539 and Rolling Stock, Ltd. proposes to use the alley to be vacated herein for storage of rental and employee vehicles and other such uses which are reasonably necessary therefore; and

WHEREAS, The City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of public street described in the following ordinance; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. All of the east/west 12 foot public alley lying south of the south line of Lots 1 and 2 in Ridgely's Addition to Chicago being a subdivision of Blocks 5, 9, 10, 11, 12, 14, 15 and 16 of Assessor's Division in the northeast corner of the northeast quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, lying north of the north line of Lot 6 in Assessor's Division of Lots 1 to 6, inclusive, in Block 37 in Ogden's Addition to Chicago in the northeast quarter of Section 8 aforesaid, lying west and westerly of a line drawn from the most easterly corner of Lot 1 in

Ridgely's Addition aforesaid to the intersection of the north and northeasterly lines of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid and lying east of a line drawn from the most westerly corner of Lot 2 in Ridgely's Addition aforesaid to the northwest corner of Lot 6 in Assessor's Division of Lots 1 to 6 aforesaid, said public alley herein vacated being further described as all of the east/west 12 foot public alley in the block bounded by North Milwaukee Avenue, West Erie Street and North Morgan Street as shaded and indicated by the words "To Be Vacated" on the drawing hereto attached, which drawing for greater certainty, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the pubic interest will be subserved by such vacation.

SECTION 2. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Mid-City National Bank of Chicago, as Trustee, Trust Number 2539 shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb across the entrances to the public alley hereby vacated similar to the sidewalk and curb in North Milwaukee Avenue between North Morgan Street and West Erie Street and in North Morgan Street between North Milwaukee Avenue and West Erie Street. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

SECTION 3. The City of Chicago hereby reserves for the benefit of Commonwealth Edison Company and Ameritech Illinois, their successors or assigns, an easement to operate, maintain, construct, replace, and renew overhead poles, wires, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy and telephonic and associated services under, over, and along the public alley as herein vacated, with the right of ingress and egress.

SECTION 4. The Commissioner of Transportation is hereby authorized to accept, subject to the approval of the Corporation Counsel as to form and legality, and on behalf of the City of Chicago, the benefits of a covenant or similar instrument restricting the use of the public way vacated by this ordinance to the manufacturing (including production, processing, cleaning, servicing, testing and repair) of materials, goods or products only and for those structures and additional uses which are reasonably necessary to permit such manufacturing use including the location of necessary facilities, storage, employee and customer parking, and similar other uses and facilities. Such covenant shall be enforceable in law or in equity and shall be deemed to provide for reconveyance of the property to the City upon substantial breach of the terms and conditions

thereof. The benefits of such covenant shall be deemed in gross to the City of Chicago, its successors and assigns, and the burdens of such covenant shall run with and burden the public way vacated by this ordinance. The covenant may be released or abandoned by the City only upon approval of the City Council which may condition its approval upon the payment of such additional compensation which it deems to be equal to the benefits accruing because of the release or abandonment.

SECTION 5. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Mid-City National Bank of Chicago, as Trustee, under Trust Number 2539 shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a restrictive covenant complying with Section 4 of this ordinance, approved by the Corporation Counsel, and an attached drawing approved by the Superintendent of Maps.

SECTION 6. This ordinance shall take effect and be in force from and after its passage.

[Drawing referred to in this ordinance printed on page 62184 of this Journal.]

VACATION OF PORTION OF PUBLIC ALLEY IN BLOCK BOUNDED BY WEST SCHOOL STREET, NORTH RACINE AVENUE, NORTH LAKEWOOD AVENUE AND WEST MELROSE STREET.

The Committee on Transportation and Public Way submitted the following report:

CHICAGO, February 2, 1998.

To the President and Members of the City Council:

(Continued on page 62185)

Ordinance associated with this drawing printed on pages 62181 through 62183 of this Journal.

"A"

Assessor's Division of Lots 1 to 6 Incl Blk. 37 Ogden's Add. to Chicago in N.E. 1/4 of Sec. 8-39-14

"B"

Ridgely's Add. to Chicago being a Sub of Blk's 5,9,10,11,12,14,15 and 16 of Assessor's Div. in the N.E. corner of the N.E. 1/4 of Sec. 8-39-14

"C"

Ordinance Extending N. Morgan St. Through to Milwaukee Avenue Passed April 2, 1880. Assessment Confirmed Feb.4 1882

Deed for Public Street. (Lot 3 Only)

Rec. Feb. 6, 1884 Doc.# 523,760

Note: This Alley is being Vacated under the Industrial Streets and Alley Vacation Program

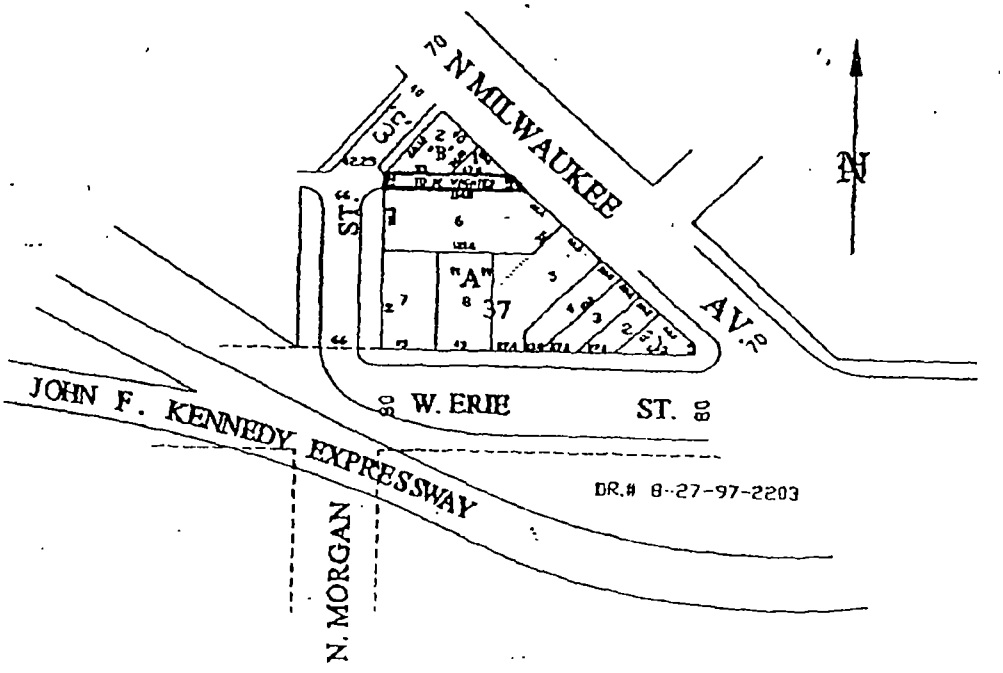


EXHIBIT B - PERMITTED USES

1. Manufacturing, production, processing, assembly, fabricating, cleaning, servicing and repair of materials, goods or products, including but not limited to the following:

   a. Food and Kindred Products
   b. Tobacco Products
   c. Apparel and Other Textile Products
   d. Lumber and Wood Products
   e. Furniture and Fixtures
   f. Paper and Allied Products
   g. Printed and Published Products
   h. Chemicals and Allied Products
   i. Petroleum and Coal Products
   j. Rubber and Miscellaneous Plastics
   k. Leather and Leather Products
   l. Stone, Clay and Glass Products
   m. Primary Metals
   n. Fabricated Metal Products
   o. Industrial Machinery and Equipment
   p. Electronic and Electric Equipment
   q. Transportation Equipment
   r. Instruments and Related Products
   s. Scrap Metals

2. Transportation and wholesale trade, as distinguished from retail trade, of the materials, goods or products listed above.

3. Research and development of prototypes and processes related to the activities listed above.

a:covenant.011

CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

THE DOMAIN GROUP, LLC

Check ONE of the following three boxes:

Indicate whether Disclosing Party submitting this EDS is:
1. [X] the Applicant
OR
2. [ ] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which Disclosing Party holds an interest: _____
OR
3. [ ] a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control: _____

B. Business address of Disclosing Party: 1415 West Chicago Ave., Unit C, Chicago IL 60642

C. Telephone: 312-243-9115 Fax: _____ Email: _____

D. Name of contact person: RORY ARTHURS

E. Federal Employer Identification No. (if you have one): N/A

F. Brief description of contract, transaction or other undertaking (referred to below as the" Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Termination of restrictive covenant in connection with prior Industrial Alley Vacation at 670-680 North Milwaukee Avenue, Chicago

G. Which City agency or department is requesting this EDS? Dept. of Transportation

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # N/A and Contract # N/A

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

[ ] Person
[ ] Publicly registered business corporation
[ ] Privately held business corporation
[ ] Sole proprietorship
[ ] General partnership
[ ] Limited partnership
[ ] Trust

[x] Limited liability company
[ ] Limited liability partnership
[ ] Joint venture
[ ] Not-for-profit corporation
(Is the not-for-profit corporation also a 501(c)(3))?
[ ] Yes [ ] No
[ ] Other (please specify)
_____

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

IL

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

[ ] Yes [ ] No [X] N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. **NOTE:** For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. **NOTE**: Each legal entity listed below must submit an EDS on its own behalf.

Name	Title
RORY ARTHURS	Sole Member

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." **NOTE**: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party
RORY ARTHURS.	1415 WEST CHICAGO AVE UNIT C, CHICAGO IL 60642.	100%

SECTION III - - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

[ ] Yes [X] No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

N/A

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated) **NOTE:** "hourly rate" or "t.b.d" is not an acceptable response.
Kupiec & Assoc.	77 West Washington St. Ste. 1801, Chicago Chicago IL 60602	Attorneys	$7,500 (estimated)

(Add sheets if necessary)

[ ] Check here if the Disclosing party has not retained, nor expects to retain, any such persons or entities.

SECTION V – CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

[ ] Yes [X] No [ ] No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

[ ] Yes [ ] No

B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I") (which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party Submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party Certified as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged With, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty, or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:

a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;

b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification; or destruction of records; making false statements; or receiving stolen property;

c. are not presently indicted for or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;

d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and

e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

3. The certifications in subparts 3, 4 and 5 concern:

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in Connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;

b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or

d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understands and shall comply with (1) the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

N/A

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none"). N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than $20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient. N/A

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

[ ] is [X] is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):
N/A

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[ ] Yes [X] No

NOTE: If you checked "Yes" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

[ ] Yes [X] No

3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to

comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City

X___1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery, or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

____2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

_____

_____

_____

_____

SECTION VI - - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. **If the Matter is not federally funded**, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

_____

_____

_____

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

[ ] Yes [ ] No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)
[ ] Yes [ ] No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?
[ ] Yes [ ] No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
[ ] Yes [ ] No

If you checked "No" to question 1. or 2. above, please provide an explanation:

_____

_____

_____

SECTION VII - - ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any Contract or other agreement between the Applicant and the City in connection with the Matte, whether Procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2. If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.

F.3. If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.1., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

THE DOMAIN GROUP, LLC

(Print or type name of Disclosing Party)

By: _____
(Sign here)

RORY ARTHURS

(Print or type name of person signing)

Sole Member
(Print or type title of person signing)

Signed and sworn to before me on (date) 11/26/14,

at Cook County, IL (state).

_____ Notary Public.

Commission expires: _____

OFFICIAL SEAL
AGNIESZKA T PLECKA
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:04/23/16

CITY OF CHICAGO
ECEONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX A

FAMILIAL RELATIONSHPS WITH ELETED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is
signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to
the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following , whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

[ ] Yes [x] No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

_____

_____

_____

(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

This recertification is being submitted in connection with 670-680 N Milwaukee Ave. [identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

THE DOMAIN GROUP, LLC
(Print or type legal name of Disclosing Party)

Date: 1 | 10 | 15

By:
(sign here)

Print or type name of signatory:

RORY ARTHURS

Title of signatory:

Sole Member & Manager

Signed and sworn to before me on [date] 1 | 10 | 2015, by _____ County, IL [state].

OFFICIAL SEAL
JOLANTA CIAPALA
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 05/23/17

_____ Notary Public.

Commission expires: _____.

Ver. 11-01-05