



Office of the Chicago City  
Clerk



O2012-4454

Office of the City Clerk

City Council Document Tracking Sheet

<b>Meeting Date:</b>	6/27/2012
<b>Sponsor(s):</b>	Emanuel, Rahm (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	Execution of license agreement with Lake Point Tower
<b>Committee(s) Assignment:</b>	Committee on Housing and Real Estate

HSG.



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

June 27, 2012

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Transportation, I transmit herewith an ordinance authorizing the execution of a license agreement with Lake Point Tower.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

## ORDINANCE

**WHEREAS**, the City of Chicago (the "City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the City is interested in constructing certain improvements ("Improvements") to the Navy Pier and Chicago River bridge segments of the Lakefront Trail which include, among other things, a multi-use path that is attached to North Lake Shore Drive adjacent to Lake Point Tower; and

**WHEREAS**, in order to construct and maintain such Improvements the City requires an irrevocable exclusive license at grade level and an irrevocable exclusive license above grade level, as legally described on **Exhibit A** attached hereto, on the adjacent property owned and controlled by the Lake Point Tower Condominium Association, an Illinois not-for-profit corporation, and the Lake Point Tower Garage Condominium Association, an Illinois not-for-profit corporation (together the "Grantors"); and

**WHEREAS**, Grantors and the City have agreed to enter into an irrevocable exclusive license agreement on substantially the same terms and conditions set forth in the Irrevocable Exclusive License Agreement ("Irrevocable Exclusive License Agreement") attached hereto and incorporated herein as **Exhibit B**, to allow for the construction and maintenance of the Improvements; now, therefore,

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

**SECTION 1.** The foregoing recitals are hereby incorporated herein and adopted as the findings of the City Council.

**SECTION 2.** The Commissioner of the Department of Transportation (the "Commissioner") or a designee of the Commissioner is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver an irrevocable exclusive license agreement between the City, Lake Point Tower Condominium Association, and Lake Point Tower Garage Condominium Association, substantially in the form attached hereto as **Exhibit B** and made a part hereof (the "Irrevocable Exclusive License Agreement"), and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions of the Irrevocable Exclusive License Agreement, with such changes, deletions and insertions as shall be approved by the persons executing the Irrevocable Exclusive License Agreement.

**SECTION 3.** 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 4.** All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall be in full force and effect immediately upon its passage and approval.

Attachments: Exhibit A – Improvements  
Exhibit B - Irrevocable Exclusive License Agreement

**EXHIBIT A**

Legal Description of Improvements

**GRADE LEVEL LICENSE**

A STRIP OF LAND 5.32 FEET IN WIDTH OF THAT PART OF LOT 7 IN CHICAGO DOCK & CANAL COMPANY'S PESHTIGO DOCK ADDITION IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF THE SOUTH LINE OF GRAND AVENUE EXTENDED EAST, NORTH OF THE NORTH LINE OF A STRIP OF LAND 74.00 FEET IN WIDTH NOW USED AS EAST ILLINOIS STREET, WEST OF A LINE 357.76 FEET EAST OF THE WEST LINE OF SAID LOT 7, AND EAST OF THE EAST LINE OF NORTH LAKE SHORE DRIVE, AS ESTABLISHED BY DEED DATED JULY 25, 1929, IN CONDEMNATION PROCEEDINGS GENERAL NUMBER B-177476, CIRCUIT COURT OF COOK COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF THE NORTH 74.00 FEET OF SAID LOT 7, WHICH IS THE SOUTH LINE OF EAST GRAND AVENUE PER DOCUMENT NUMBER 5249665, SAID POINT BEING 357.76 FEET EAST OF THE WEST LINE OF SAID LOT 7; THENCE SOUTH 00° 02' 24" WEST ALONG THE EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 22.10 FEET; THENCE NORTH 89° 55' 22" WEST ALONG THE SOUTH LINE OF NORTH LAKE SHORE DRIVE, A DISTANCE OF 0.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 5.32 FEET TO THE EAST LINE OF NORTH LAKE SHORE DRIVE; THENCE SOUTH 0° 02' 24" WEST ALONG SAID EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 195.90 FEET TO THE NORTH LINE OF EAST ILLINOIS STREET; THENCE NORTH 89° 59' 16" EAST ALONG SAID NORTH LINE EAST ILLINOIS STREET A DISTANCE OF 5.32 FEET; THENCE NORTH 0° 02' 24" EAST PARALLEL WITH SAID EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 195.89 FEET TO THE POINT OF BEGINNING;

CONTAINING 1,066 SQUARE FEET MORE OR LESS.

Address: 540 North Lake Shore Drive

PIN: 17-10-214-008 to 014

**EXHIBIT A (continued)**  
Legal Description of Improvements

**VERTICAL ABOVE GRADE LEVEL LICENSE**

THAT PART IN SPACE 5.32 FEET IN WIDTH OVER AND ABOVE ALL THAT PART OF LOT 7 IN CHICAGO DOCK & CANAL COMPANY'S PESHTIGO DOCK ADDITION IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF THE SOUTH LINE OF GRAND AVENUE EXTENDED EAST, NORTH OF THE NORTH LINE OF A STRIP OF LAND 74.00 FEET IN WIDTH NOW USED AS EAST ILLINOIS STREET, WEST OF A LINE 357.76 FEET EAST OF THE WEST LINE OF SAID LOT 7, AND EAST OF THE EAST LINE OF NORTH LAKE SHORE DRIVE, AS ESTABLISHED BY DEED DATED JULY 25, 1929, IN CONDEMNATION PROCEEDINGS GENERAL NUMBER B-177476, CIRCUIT COURT OF COOK COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF THE NORTH 74.00 FEET OF SAID LOT 7, WHICH IS THE SOUTH LINE OF EAST GRAND AVENUE PER DOCUMENT NUMBER 5249665, SAID POINT BEING 357.76 FEET EAST OF THE WEST LINE OF SAID LOT 7; THENCE SOUTH 00° 02' 24" WEST ALONG THE EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 22.10 FEET; THENCE NORTH 89° 55' 22" WEST ALONG THE SOUTH LINE OF NORTH LAKE SHORE DRIVE, A DISTANCE OF 0.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 5.32 FEET TO THE EAST LINE OF NORTH LAKE SHORE DRIVE; THENCE SOUTH 0° 02' 24" WEST ALONG SAID EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 195.90 FEET TO THE NORTH LINE OF EAST ILLINOIS STREET; THENCE NORTH 89° 59' 16" EAST ALONG SAID NORTH LINE EAST ILLINOIS STREET A DISTANCE OF 5.32 FEET; THENCE NORTH 0° 02' 24" EAST PARALLEL WITH SAID EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 195.89 FEET TO THE POINT OF BEGINNING;

CONTAINING 1066 SQUARE FEET MORE OR LESS;

THE BOTTOM PLANE OF THE VERTICAL SPACE CONTAINED IN THE VERTICAL LICENSE SHALL BE 22.25 FEET ABOVE CITY OF CHICAGO DATUM AT SAID POINT OF BEGINNING AND 26.25 FEET ABOVE THE CITY OF CHICAGO DATUM AT SAID NORTH LINE OF EAST ILLINOIS STREET AS MEASURED IN REFERENCE TO CITY OF CHICAGO BENCHMARK # 9 WITH A RECORD ELEVATION OF 12.905;

AND THE TOP PLANE OF THE VERTICAL SPACE OF SAID LICENSE SHALL BE 35.00 FEET ABOVE CITY OF CHICAGO DATUM AT SAID POINT OF BEGINNING AND 39.00 FEET ABOVE CITY OF CHICAGO DATUM AT SAID NORTH LINE OF EAST ILLINOIS STREET AS MEASURED IN REFERENCE TO SAID BENCHMARK # 9.

Address: 540 North Lake Shore Drive

PIN: 17-10-214-008 to 014

**EXHIBIT B**  
Irrevocable Exclusive License Agreement  
(Attached)

The above space is reserved for Recorder's use

## IRREVOCABLE EXCLUSIVE LICENSE AGREEMENT

This IRREVOCABLE EXCLUSIVE LICENSE AGREEMENT is made on or as of the \_\_\_\_\_ day of \_\_\_\_\_, 2012, by and among the CITY OF CHICAGO, an Illinois municipal corporation (the "City"), LAKE POINT TOWER CONDOMINIUM ASSOCIATION, an Illinois not-for-profit corporation, and LAKE POINT TOWER GARAGE CONDOMINIUM ASSOCIATION, an Illinois not-for-profit corporation (together, "Grantors"). The Grantors and City, together, shall from time to time be referred to herein as the "Parties".

### RECITALS

**WHEREAS**, the City is interested in constructing certain improvements to the Navy Pier and Chicago River bridge segments of the Lakefront Trail which include, among other things, a multi-use path that is attached to North Lake Shore Drive adjacent to Lake Point Tower ("Grantors' Property") in Chicago, Illinois (the "Improvements"), as more fully described on Exhibit A attached hereto; and

**WHEREAS**, in order to construct and maintain such Improvements the City requires an irrevocable license at grade level and an irrevocable license above grade level (together, the "Irrevocable Exclusive Licenses") from Grantors; and

**WHEREAS**, Grantors, during their maintenance, inspection and testing of the western façade of Grantors' Property (the "Façade"), may from time to time require access to the Improvements and the temporary removal of certain panels of the Improvements; and

**WHEREAS**, Grantors have agreed to grant such Irrevocable Exclusive Licenses to the City upon the terms and conditions set forth herein;

**NOW, THEREFORE**, in consideration of the Parties' mutually agreed upon sum of One Hundred Twenty-Five Thousand Dollars (\$125,000.00), which sum includes the fair market value of the Irrevocable Licenses granted to the City, and any and all "damages to the remainder" of Grantors' Property caused by the granting of the Irrevocable Exclusive Licenses, as determined by Grantors' appraisal report prepared by Renzi & Associates dated May 16, 2011, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Grantors hereby grant and convey to the City an Irrevocable Exclusive License in and to the Grantors' Property legally described on Exhibit A attached hereto (the "Ground License") and an Irrevocable Exclusive License in and to the property legally described on Exhibit B attached hereto (the "Vertical License"), for the purpose of permitting the City, its agents, contractors, engineers, transferees and assigns, to install, construct, relocate, improve, repair, replace, operate and maintain a multi-use path structure within the Vertical License. The Ground License and Vertical License are collectively referred to as the "Licensed Premises".



2. All work for the City's construction and maintenance of the Improvements shall be performed by the City or any of its agents at the City's sole cost and expense in a good and workmanlike manner and in accordance with all applicable federal, state and local laws, ordinances and regulations. If any mechanic's or materialmen's lien is asserted or recorded against the Licensed Premises associated with the City's construction or maintenance of the Improvements, the City shall cause its prompt removal and shall defend, indemnify and hold harmless the Grantors and their respective members from and against any and all expenses, damages and liability arising therefrom. The City shall take all reasonable safety precautions (such as installing barricades and warning signs, if necessary) to adequately secure the site during the performance of any City work on the Licensed Premises. The Improvements shall provide reasonable protection of the Grantors' Property from damage by users of the Improvements, and shall be maintained by the City, or any other governmental agency, in a good, safe and clean condition. The City shall promptly pay for any damage to Grantors' Property resulting from the City's construction, installation, maintenance, repair, replacement and operation of the Improvements.

3. The City shall require its contractors to add Grantors as additional insureds on each policy of insurance that the contractor is required to procure as a condition of its contract with the City for the performance of any City work on the Licensed Premises, and the City shall, upon Grantors' request, promptly provide Grantors with proof of such insurance coverage. Grantors acknowledge that the City is self-insured.

4. Grantors shall not construct or place any permanent structure in, on or around the Licensed Premises that would materially interfere with the City's use of the Licensed Premises, without the City's written consent, which consent shall not be unreasonably denied or delayed. The City may remove any permanent structure placed within the Licensed Premises by Grantors at Grantors' cost. Grantors reserve the limited right upon not less than ten (10) business days' written notice to the City, to use the Licensed Premises solely for the purpose of inspecting, maintaining, repairing or replacing the Façade that shall not be inconsistent with the rights herein granted to the City. The Parties acknowledge that the removal of panels of the Improvements is not necessary in order to inspect the Façade. However, the Parties further acknowledge that it will be necessary from time to time to remove certain panels of the Improvements nearest the Façade for the purpose of testing, maintaining, repairing and replacing the Façade. Within twenty-one (21) days after written notice from Grantors that certain panels of the Improvements need to be removed in connection with testing, maintenance, repair or replacement of the Façade, the Parties shall work together and coordinate a traffic and pedestrian protection plan for (1) the City to cause the temporary removal, at the City's expense, of those certain panels of the Improvements nearest to the Façade; (2) to allow Grantors' contractor to apply for and acquire the necessary permits in connection with testing, maintenance, repair or replacement of the Façade; (3) for the Grantors' contractor's work to proceed and be completed in connection with testing, maintenance, repair or replacement of the Façade; and (4) for the City to cause the replacement, at the City's expense, of those panels of the Improvements nearest to the Façade that were removed to accommodate the Grantors' Façade work.

5. The Parties, through their coordinated traffic and pedestrian protection plan, shall cause all reasonable safety precautions to be implemented to protect the users of the Improvements, including, but not limited to, temporarily restricting or eliminating access to adjoining portions of the Improvements, installing barricades and warning signs, if necessary, (1) during the City's removal of those certain panels of the Improvements; (2) after all necessary permits are issued, during Grantors commencement and completion of the testing, maintenance, repair or replacement of the Façade; and (3) during the City's replacement of the removed panels of Improvements.

6. Grantors shall obtain all required permits and approvals from the City and/or other governmental agencies prior to performing any work on the Façade, and shall perform all work as expeditiously as possible. Both Grantors shall coordinate their efforts regarding the testing, maintenance, repair or replacement of the Façade, and the time Grantors need to commence and complete the work on the Façade, so that all work on the Façade is performed at the same time. Grantors shall not perform any work on the Façade during the months of June, July and August, or on weekends except in the case of an emergency. Grantors shall require its contractor to add the City as an additional insured on each policy of insurance that the contractor is required to procure as a condition of its work on the Façade, and shall indemnify, defend and hold the City harmless from any and all claims, including but not limited to, claims for damage to person or property arising out of such work, except to the extent that any such claim arises from the negligence or intentional conduct of the City. Any liability of Grantors to the City shall be joint and several as between each Grantor.

5. The City may terminate this Agreement at any time by giving Grantors ten (10) days prior written notice of its intention to terminate. Upon such termination, the City shall, at its sole cost and expense, restore the Licensed Premises to the same or better condition than that which existed prior to the commencement of any City work on the Licensed Premises. Grantors may not terminate this Agreement without the prior written consent of the City, which shall be in the City's sole discretion, and which may be subject to the approval of the Chicago City Council. In the event of a material breach of this Agreement by the City that is not cured within sixty (60) days after written notice to the City specifying such breach, Grantors sole remedies shall be to seek money damages, specific performance or injunctive relief.

6. The City shall indemnify, defend and hold Grantors harmless from any and all claims for damage to person or property arising out of the construction, maintenance or operation of the Improvements (including claims asserted by users of the Improvements), except to the extent that any such claims arise from the negligence or intentional conduct of any of the Grantors or their members, employees, agents, independent contractors, invitees, and licensees. Such indemnity obligation shall include any and all reasonable expenses incurred by the Grantors or either of them.

7. The City shall have the right to transfer or assign this Agreement and all of its rights and duties under this Agreement to another governmental entity without the approval of Grantors. Any such transfer or assignment by the City shall be on the terms and conditions in the City's sole discretion. In the event of such transfer or assignment, the City shall have no liability for the breach of any term or covenant set forth in this Agreement after the date of such transfer or assignment.

8. This Agreement shall be deemed to touch and concern the Licensed Premises and therefore shall run with the Licensed Premises in perpetuity, unless terminated by the City pursuant to Section 6 above, and shall be binding upon the Parties and their successors and assigns.

9. The Parties represent and warrant to each other that they have the full right, authorization and lawful authority to enter into this Agreement.

10. Any notice required or permitted to be served under this Agreement may be served by registered mail or in person as follows:

If to the City:

Department of Transportation  
30 North LaSalle Street  
11<sup>th</sup> Floor  
Chicago, Illinois 60602  
Attn: Commissioner

with a copy to:

Corporation Counsel's Office  
121 North LaSalle Street  
Room 600  
Chicago, Illinois 60602  
Attn: Real Estate Division

If to the Grantors:

Lake Point Tower Condominium Association  
505 North Lake Shore Drive  
Chicago, Illinois 60611  
Attention: President

and

Lake Point Tower Garage Condominium Association  
505 North Lake Shore Drive  
Chicago, Illinois 60611  
Attention: President

Either party may change the address for notice by notice to the other party. Notice served under this Agreement may be by United States certified mail, return receipt requested, with postage prepaid. Notice may be delivered by hand or by any other receipted method or means prescribed by law. For purposes of this Agreement, notices shall be deemed to have been "given" or "delivered" on personal delivery thereof or forty-eight (48) hours after having been deposited in the United States mail as provided in this Agreement.

11. This Agreement represents the entire agreement between the Parties. No amendment or modification to this Agreement shall be valid or effective unless it is made in writing and executed by the Parties, or their successors or assigns.

12. This Agreement shall be governed by the laws of the State of Illinois.

{SIGNATURES APPEAR ON THE FOLLOWING PAGE}

**IN WITNESS WHEREOF**, the Parties have caused this Agreement to be duly executed by their duly authorized officers on the date first written above.

**LAKE POINT TOWER  
CONDOMINIUM ASSOCIATION,**  
an Illinois not-for-profit corporation

By: \_\_\_\_\_  
Patricia G. Spear, President

**CITY OF CHICAGO,**  
an Illinois municipal corporation

By: \_\_\_\_\_  
Gabe Klein  
Commissioner of Transportation

**LAKE POINT TOWER GARAGE  
CONDOMINIUM ASSOCIATION,**  
an Illinois not-for-profit corporation

By: \_\_\_\_\_  
Paul LeRoux, President

Approved as to form and legality:

By: \_\_\_\_\_  
Assistant Corporation Counsel







## EXHIBIT A

### LEGAL DESCRIPTION OF GROUND LICENSE

A STRIP OF LAND 5.32 FEET IN WIDTH OF THAT PART OF LOT 7 IN CHICAGO DOCK & CANAL COMPANY'S PESHTIGO DOCK ADDITION IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF THE SOUTH LINE OF GRAND AVENUE EXTENDED EAST, NORTH OF THE NORTH LINE OF A STRIP OF LAND 74.00 FEET IN WIDTH NOW USED AS EAST ILLINOIS STREET, WEST OF A LINE 357.76 FEET EAST OF THE WEST LINE OF SAID LOT 7, AND EAST OF THE EAST LINE OF NORTH LAKE SHORE DRIVE, AS ESTABLISHED BY DEED DATED JULY 25, 1929, IN CONDEMNATION PROCEEDINGS GENERAL NUMBER B-177476, CIRCUIT COURT OF COOK COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF THE NORTH 74.00 FEET OF SAID LOT 7, WHICH IS THE SOUTH LINE OF EAST GRAND AVENUE PER DOCUMENT NUMBER 5249665, SAID POINT BEING 357.76 FEET EAST OF THE WEST LINE OF SAID LOT 7; THENCE SOUTH 00° 02' 24" WEST ALONG THE EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 22.10 FEET; THENCE NORTH 89° 55' 22" WEST ALONG THE SOUTH LINE OF NORTH LAKE SHORE DRIVE, A DISTANCE OF 0.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 5.32 FEET TO THE EAST LINE OF NORTH LAKE SHORE DRIVE; THENCE SOUTH 0° 02' 24" WEST ALONG SAID EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 195.90 FEET TO THE NORTH LINE OF EAST ILLINOIS STREET; THENCE NORTH 89° 59' 16" EAST ALONG SAID NORTH LINE EAST ILLINOIS STREET A DISTANCE OF 5.32 FEET; THENCE NORTH 0° 02' 24" EAST PARALLEL WITH SAID EAST LINE OF NORTH LAKE SHORE DRIVE A DISTANCE OF 195.89 FEET TO THE POINT OF BEGINNING;

CONTAINING 1,066 SQUARE FEET MORE OR LESS.

Address: 540 North Lake Shore Drive

PIN: 17-10-214-008 to 014



## EXHIBIT B

### LEGAL DESCRIPTION OF VERTICAL LICENSE

THAT PART IN SPACE 5.32 FEET IN WIDTH OVER AND ABOVE ALL THAT PART OF LOT 7 IN CHICAGO DOCK & CANAL COMPANY'S PESHTIGO DOCK ADDITION IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF THE SOUTH LINE OF GRAND AVENUE EXTENDED EAST, NORTH OF THE NORTH LINE OF A STRIP OF LAND 74.00 FEET IN WIDTH NOW USED AS EAST ILLINOIS STREET, WEST OF A LINE 357.76 FEET EAST OF THE WEST LINE OF SAID LOT 7, AND EAST OF THE EAST LINE OF NORTH LAKE SHORE DRIVE, AS ESTABLISHED BY DEED DATED JULY 25, 1929, IN CONDEMNATION PROCEEDINGS GENERAL NUMBER B-177476, CIRCUIT COURT OF COOK COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:

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CONTAINING 1066 SQUARE FEET MORE OR LESS;

THE BOTTOM PLANE OF THE VERTICAL SPACE CONTAINED IN THE VERTICAL LICENSE SHALL BE 22.25 FEET ABOVE CITY OF CHICAGO DATUM AT SAID POINT OF BEGINNING AND 26.25 FEET ABOVE THE CITY OF CHICAGO DATUM AT SAID NORTH LINE OF EAST ILLINOIS STREET AS MEASURED IN REFERENCE TO CITY OF CHICAGO BENCHMARK # 9 WITH A RECORD ELEVATION OF 12.905;

AND THE TOP PLANE OF THE VERTICAL SPACE OF SAID LICENSE SHALL BE 35.00 FEET ABOVE CITY OF CHICAGO DATUM AT SAID POINT OF BEGINNING AND 39.00 FEET ABOVE CITY OF CHICAGO DATUM AT SAID NORTH LINE OF EAST ILLINOIS STREET AS MEASURED IN REFERENCE TO SAID BENCHMARK # 9.

Address: 540 North Lake Shore Drive

PIN: 17-10-214-008 to 014

**CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT  
AND AFFIDAVIT**

**SECTION I -- GENERAL INFORMATION**

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

Lake Point Tower Garage Condominium Association

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1.  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 the 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 the Disclosing Party:

505 N. Lake Shore Drive, Garage Office  
Chicago, IL 60611

C. Telephone: 312-329-4385 Fax: 312-819-5056 Email: Blaise.Hometown@abn.com

D. Name of contact person: Blaise Hometown

E. Federal Employer Identification No. (if you have one): \_\_\_\_\_

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):  
\_\_\_\_\_  
\_\_\_\_\_

G. Which City agency or department is requesting this EDS? Department 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 # \_\_\_\_\_

**SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS**

**A. NATURE OF THE 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
- 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:

Illinois

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  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
<u>Paul LeRoux</u>	<u>President</u>
<u>Melanie Banas</u>	<u>Treasurer</u>
<u>Ken Kasten</u>	<u>Secretary</u>
<u>Robert Williams</u>	<u>Vice President</u>
<u>Jim Ward</u>	<u>Director</u>

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
<u>none</u>		

**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                       No

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

---

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**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.) <b>NOTE:</b> "hourly rate" or "t.b.d." is not an acceptable response.
----------------------------------------------------------------	------------------	----------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------

none

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(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       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 certifies 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 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").

none

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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.

none

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### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

is

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

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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

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

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

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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.

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:

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**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):

n/a

(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.

n/a

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:

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**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 Matter, 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](http://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.

Lake Point Tower Garage Condominium Association  
(Print or type name of Disclosing Party)

By: \_\_\_\_\_  
(Sign here)

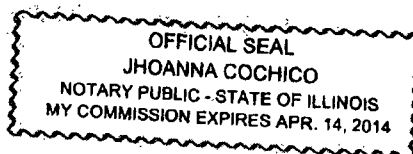
Paul LeRoux  
(Print or type name of person signing)

Paul LeRoux, Board President  
(Print or type title of person signing)

Signed and sworn to before me on (date) June 12, 2012,  
at Cook County, Illinois (state).

Jhoanna Cochico Notary Public.

Commission expires: 6.4.2014



**CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT  
APPENDIX A**

**FAMILIAL RELATIONSHIPS WITH ELECTED 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

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.

None

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**CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT  
AND AFFIDAVIT**

**SECTION I -- GENERAL INFORMATION**

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

Lake Point Tower Condominium Association

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1.  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 the 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 the Disclosing Party: 505 N. Lake Shore Drive #200  
Chicago IL 60611

C. Telephone: 312-467-0508 Fax: 312-467-1734 Email: jcochico@wolinolevin.com

D. Name of contact person: Jhoanna Cochico

E. Federal Employer Identification No. (if you have one): \_\_\_\_\_

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):

City to construct multi-use path attached to N. Lakeshore Drive adj to the west facade of Lake Point Tower

G. Which City agency or department is requesting this EDS? Department 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 # \_\_\_\_\_

**SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS**

**A. NATURE OF THE 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
  - 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:

Illinois

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                       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
Pat Spear	President
Mark Skoog	Treasurer
Melanie Banas	Vice President
Paul LeRoux	Secretary

Jim Houston, James Conner, Jimmy Damon, Ken Kummerer, Robert Williams Board Members

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
<u>None</u>		

**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
- No

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

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**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.
David Sugar	Arnstein & Lehr 120 S. Riverside Plaza #1200, Chicago IL 60606	Attorney	\$ 350/hr
Matt Novitsky	Wiss, Janney, Elstner 10 S. LaSalle # 2600	Structural Engineer	\$ 4,000

(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      [ ] 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 certifies 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 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)

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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").

none

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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.

none

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### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

is

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

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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

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

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

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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.

✓ 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:

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**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):

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n/a

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(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.

n/a

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:

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**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 Matter, 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](http://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.

Lake Point Tower Condominium Assoc  
(Print or type name of Disclosing Party)

By: *M. Bataou*  
(Sign here)

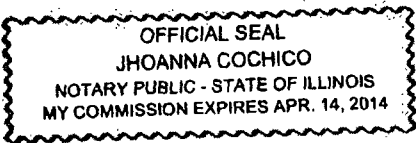
Marquerite Bataou  
(Print or type name of person signing)

(Managing Agent)  
Property Manage, Wolin - Levin, Inc  
(Print or type title of person signing)

Signed and sworn to before me on (date) 6.11.2012,  
at ILLINOIS County, Cook (state).

*Joanna Cochico* Notary Public.

Commission expires: 4.14.2014



**CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT  
APPENDIX A**

**FAMILIAL RELATIONSHIPS WITH ELECTED 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

[] 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.

None

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