

### City of Chicago



O2010-6961

# Office of the City Clerk Tracking Sheet

Meeting Date:

12/8/2010

Status:

Introduced

Sponsor(s):

Fioretti, Bob

Type:

Ordinance

Title:

Vacation of Public Alley(s)

Committee(s) Assignment:

Committee on Transportation and Public Way

#### **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 properties at 100-118 S. Jefferson Street and 601-623 W. Monroe Street are owned by SPU505 601 W. Monroe LP; and

WHEREAS, SPU505 601 W. Monroe LP proposes to use the portion of the alley to be vacated herein for construction of an office tower; 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 part of public alley, described in the following ordinance; now therefore,

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

SECTION 1. All that part of Lot 3 in Block 26 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: beginning at the Northwest corner of Lot 8 in Collins Subdivision of Lots 3 and 4 in Block 26, aforesaid: thence South 00° 04' 09" East, along the West line of Lots 2 to 8, inclusive, in Collins Subdivision, aforesaid, 173.87 feet to the Southwest comer of said Lot 2; thence South 89° 36' 41" East, along the South line of said Lot 2, a distance of 0.32 feet; thence South 00° 23' 19 West, along the Easterly line of a 15 foot public alley opened by ordinance, assessment confirmed July 6, 1857, 5.84 feet; thence North 89° 55' 34" West, 15.00 feet; thence North 00° 23' 19" East, along the West line of said 15 foot public alley opened by ordinance, assessment confirmed July 6, 1857, a distance of 5.96 feet to the Southeast comer of the East and West 30 foot vacated alley, vacated by document 18615177; thence North 06° 55' 45" East, along the East line, the 30 foot vacated alley, 30.20 feet to the Southeast corner of Lot 9 in Collins Subdivision, aforesaid; thence North 00° 04' 09 West, along the East line of Lot 9, aforesaid; 143.84 feet to the Northeast comer thereof; thence South 89° 36' 41" East, 11.00 feet to the point of beginning, in Cook County, Illinois as shaded and indicated by the words "HEREBY 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 3. The vacation herein provided is made upon the express condition that within 180 days after the passage of the ordinance, SPUS05 601 W. Monroe, LP shall pay or cause

to be paid to the City of Chicago as compensation for the benefits which will accrue to the owner of the property abutting said part of public street hereby vacated the sum dollars (\$ ), which sum in the judgment of this body will be equal to such benefits.

SECTION 4. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, SPUS05 601 W. Monroe, LP 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 authorized staff of the Maps and Plats Unit of the Chicago Department of Transportation.

SECTION 5. This ordinance shall take effect and be in force from and after its passage.

vacation Approved

Bobby L. Ware

Commissioner of Transportation

Approved as to Form and Legality

Deputy Corporation Counsel

Honorable Robert W. Fioretti

Alderman, 2nd Ward

FILE NO. 16-2-08-3110

TOTAL AREA of ALLEY TO BE VACATED = 2,056. Sq. Ft.

#### PLAT OF VACATION OF PUBLIC ALLEY

- "A" SCHOOL SECTION ADDITION TO CHICAGO OF SECTION 15-39-14 (ANTE FIRE)
- J. O. P. OGOEN'S SUBDIVISION OF LOT 1 BLOCK 20 SCHOOL SECTION ACOUTION TO CHICAGO OF SECTION 18-39-14 (ANTE RRE)
- COLLIN'S SUBDIVISION OF LOTS 3 AND 4 BLOCK 2S SCHOOL SECTION ADDITION TO CHK AGO OF SECTION 18-39-14 (ANTE FIRE)
- \*\* OPENED BY ORDINANCE ASSESSMENT CONFIRMED JULY 6, 1857. (ANTE FIRE)
- "D1" SUBDIVIS ON OF LOT 8 BLOCK 28 SCHOOL SECTION ADDITION TO CHICAGO OF SECTION 18-39-14 (ANTE FIRE)
- "T1" QUIT CLAIM DEEDS FOR ALLEY

STREET

S PLAINES

SS

SOUTH

- "U1" VACATED BY ORDINANCE PASSED NOV. 12, 1908 DOC. NO. 3558959
- "F2" VACATED BY ORDINANCE PASSED JULY 13, 1982 DOC NO. 18815177
- "H2" VACATED BY ORDINANCE PASSED JUNE 4, 1971 DOC. NO. 21606356

PUBLIC ALLEY TO BE VACATED

THAT PART OF LOT 3 IN BLOCK 28 IN SCHOOL SECTIVIN ADDITION TO CHICAGO IN SECTION 18, TOWNSHIP 38 NORTH RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 8 IN COLLINS SUBDIVISION OF LOTS 3 AND 4 IN BLOCK 28, AFORESAID; THENCE SOLTH 100"04"02" EAST, ALONG THE WEST LINE OF LOTS 2 TO 8, INCLUSIVE, IN COLLINS SUBDIVISION, AFORESAID, 173.BJ FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE SOOTH 80"30"19" WEST, ALONG THE EASTERLY UNE OF A 15 FOOT PUBLIC ALLEY OPENED BY ORDINANCE, ASSESSMENT CONFIRMED JULY 8, 1857, S. 46 FEET; THENCE NORTH 49"55"3"4" WEST, 15.00 FEET; THENCE NORTH 00"23"19" EAST, ALONG THE WEST LINE OF SAID 15 FOOT PUBLIC ALLEY OPENED BY ORDINANCE, ASSESSMENT CONFIRMED JULY 9, 1857, A DISTANCE OF 5.98 FEET TO THE SOUTHLAST CORNER OF THE EAST AND DISTANCE OF 5.98 FEET TO THE SOUTHLAST CORNER OF THE EAST AND SUBSTITUTE OF THE ASSESSMENT CONFIRMED JULY 9, 1857, A DISTANCE OF 5.98 FEET TO THE SOUTHLAST CORNER OF THE EAST AND SUBSTITUTE OF THE ASSESSMENT CONFIRMED JULY 9, 1857, THENCE NORTH 00"5549" EAST, ALONG THE EAST UNE THE 30 FOOT VACATED ALLEY, ACASTED BY DOCUMENT 1861517", THENCE NORTH 00"5549" EAST, ALONG THE EAST UNE THE 30 FOOT VACATED ALLEY, ACASTED BY DOCUMENT 1861517", THENCE NORTH 00"509" WEST. ALONG THE EAST UNE OF LOT LINE SUBDIVISION, AFORESAID, THENCE NORTH 00"0199" WEST. ALONG THE EAST UNE OF LOT THE SOUTHB9"34" EAST, 11.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 2,050 SQUARE FEET, MORE OR LESS.

MONROE STREET 100 A MANUEL WITH AN AN LOT 8 LOT 10 LOT 9 **"**U" "U" **"**U1 \*R\* LOT 5 107.3 ιń LOT 8 107 2 PLMOINC DEDICATION FOR PUBLIC AU CT BETWEOF UPPER LIMIT +30.30 C CD. AWD LOWE LIMIT +30.50 C CD. WITHIN CERDSMATCHED LIMITS. (APPHODIMATED T. 1.00 FOOT BELOW LOWEST CYAGE ELEVATION AND 15.00 FRET ABOVE HECKEST (ERADE LEEVATION WITHIN LOT 1 "H2' DEDICATED AREA .67 "T1" "D1" LOT 5 10 30 153 3 NORTH LINE OF WEST ADAMS STREET

00000 00000 GRENLEY & BENERHAW 2007-09174-001

DWG: 16-02-08-3110

STATE OF IUJNOIS) COUMTY OF COOK)SS

I, PORSET S. BIGGRAMAIN. A PROFESSIONAL LLINONS LAND SURVEYOR, OF HEREBY CERTIFY THAT I HAVE PREPARED THE PLAT HEREON DRAWN FROM PREVIOUS PLATS AND RECORDS FOR VACATION PURPOSES AS SHOWN ON THE PLAT HEREON DRAWN. DIMENSIONS ARE SHOWN IN FEET AND DEOMAL PARTS THEREOR.

SIGNED ON Oct 27 20/0

BY:

PROFESSIOKAL ILUNOIS LAND SURVEYOR NO. Z. 1502. MY LICENSE EXPIRES NOVEMBER 30, 2010

## 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:
SPOSO5 601 WEST MONROR, LP
Check ONE of the following three boxes:
Indicate whether Disclosing Party submitting this EDS is:  1. 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 intere:  OR
3. [] a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control:
B. Business address of Disclosing Party: 550 WEST ADARS, SDITE 200
CHICAGO, IL 60661
C. Telephone: 312/424-6228 Fax: 312/655-1719 Email: aschachtman@fifield.com
D. Name of contact person: Alan Schachtman
E. Federal Employer Identification No. (if you have one): 41-2261709
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):
Alley Vacation - 601/625 West Monroe Street
G. Which City agency or department is requesting this EDS? Despera meat of Transportation
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #

#### SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

#### A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	arty:
[] Person	[] Limited liability company*
[ ] Publicly registered business corporation	[] Limited liability partnership*
[] Privately held business corporation	[] Joint venture*
[] Sole proprietorship	Not-for-profit corporation
[] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?
X  Limited partnership*	[] Yes [] No
[] Trust	[] Other (please specify)
* Note B.1.b below.	
2. For legal entities, the state (or foreign c	country) of incorporation or organization, if applicable:
Delaware	
D-14 W 12 L	<del></del>
	tate of Illinois: Has the organization registered to do
business in the State of Illinois as a foreign en	tity?
Yes [] No	[ ] N/A
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
1.a. List below the full names and tit	les of all executive officers and all directors of the entity.
For not-for-profit corporations, also list below	all members, if any, which are legal entities. If there are
	usts, estates or other similar entities, list below the legal
titleholder(s).	
Name	Title

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), 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. Title Name Steven Fifield General Partner 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** SP080S 601 West Monroe Partner, LP 84.77% 515 S. Flower St., Los Angeles, CA 90071 FRC 601 Partner LLC 12.69% 550 West Adams Street, Suite 200, Chicago, IL 60661 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 M No If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

#### 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.

Relationship to Disclosing Party

(subcontractor, attorney,

Fees

(indicate whether

paid or estimated)

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.

lobbyist, etc.)

Business

Address

Name

(indicate whether

to be retained)

retained or anticipated

DUA Pir	zer LLP =	203 MLas	ale lattory	ren	\$10,000	est,
Grenley	iBicde	MAN	Surveyor	<u>.</u>	\$ 2,000	est
				<del></del>		
(Add sheets if	necessary)					
[ 3 Check here entities.	if the Disclosin	g party has not	retained, nor ex	pects to retain	, any such persons	or
SECTION V	- CERTIFICA	TIONS				
A. COURT-O	RDERED CHIL	D SUPPORT	COMPLIANCE			
	-	•			entities that contra oughout the term of	
	•	•	ns 10% or more of any Illinois cour		sing Party been decl	ared in
[] Yes	[₂] No	[] No pers	son owns 10% or	more of the I	Disclosing Party.	
	ne person entere a compliance wi			ent for payme	ent of all support ov	ved and
[]Yes	[ ] No				,	

#### **B. FURTHER CERTIFICATIONS**

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.I. 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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 5/33B-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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) alt the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6.	If the Disclosing	Party is unable to ce	rtify to any of t	he above state	ments in this Par	t B (Further
Certif	ertifications), the Disclosing Party must explain below:					
					·····	· · · · · · · · · · · · · · · · · · ·
		· · · — — — — — — — — — — — — — — — — —				

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.

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, tmst company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

#### 1. CERTIFICATION

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):				
	," the word "None," or no responsumed that the Disclosing Party ce	se appears on the lines above, it will be rtified to the above statements.		
D. CERTIFICAT	ION REGARDING INTEREST	IN CITY BUSINESS		
Any words or term meanings when us	<u> </u>	56 of the Municipal Code have the same		
of the City have a entity in the Matte	financial interest in his or her ower?	e Municipal Code: Does any official or employee on name or in the name of any other person or		
[] Yes	[x] No			
NOTE: If you ch Item D.1., proceed	· •	d to Items D.2. and D.3. If you checked "No" to		
elected official or any other person of for taxes or assess "City Property Sal	employee shall have a financial in entity in the purchase of any proments, or (iii) is sold by virtue of	itive bidding, or otherwise permitted, no City interest in his or her own name or in the name of operty that (i) belongs to the City, or (ii) is sold legal process at the suit of the City (collectively, aken pursuant to the City's eminent domain power eaning of this Part D.		
Does the Matter-ir	volve a City Property Sale?			
[]Yes	[x] No			
	ked "Yes" to Item D.1., provide t	he names and business addresses of the City ntify 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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.
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 requisite information as set forth in that paragraph 2
1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.
2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such 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.
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: (Begin list here, add sheets as 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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants\_forms.html.

- 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 paragraph's 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 Appticant 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:	
	developed and do you have o regulations? (See 41 CFR F	n file affirmative action programs pursuant to Part 60-2.)
[]Yes	[ ] <b>N</b> o	
Contract Complia	-	Committee, the Director of the Office of Federal Employment Opportunity Commission all reports due
3. Have you p	- · · · · · · · · · · · · · · · · · · ·	ontracts or subcontracts subject to the
[]Yes	[ ] No	
If you checked "N	o" to question 1. or 2. above	, please provide an explanation:
	ACKNOWLEDGMENTS PENALTIES, DISCLOSU	, CONTRACT INCORPORATION, RE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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.
- C. 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.citvofchicago.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.

- D. 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, void or voidable), 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.
- E. 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 tius EDS.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affitiates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

Gol SP <b>D</b> S <b>O</b> 5 <b>N</b> est Monroe, LP				
·	Date:	6.3	2008	
(Print or type name of Disclosing Party)			<u> </u>	<del></del>
By: Alluny to all				
(sign here)				
Steven Pifield				
(Print or type name of person signing)				
General Partner				
(Print or type title of person signing)		·		
Signed and swom to before me on (date) Joan at CEOK County, ILCINOIS	(state).	6, by	STEVEN	D. FIFIELD
DANOM	Notary Public.			
Commission expires: 2.20.2011	<u> </u>			
OFFICIAL SEAL DEBORAH M. MOSCA Woldry Public - State of Hilhois My Commission Expires Feb 20, 2011				

(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

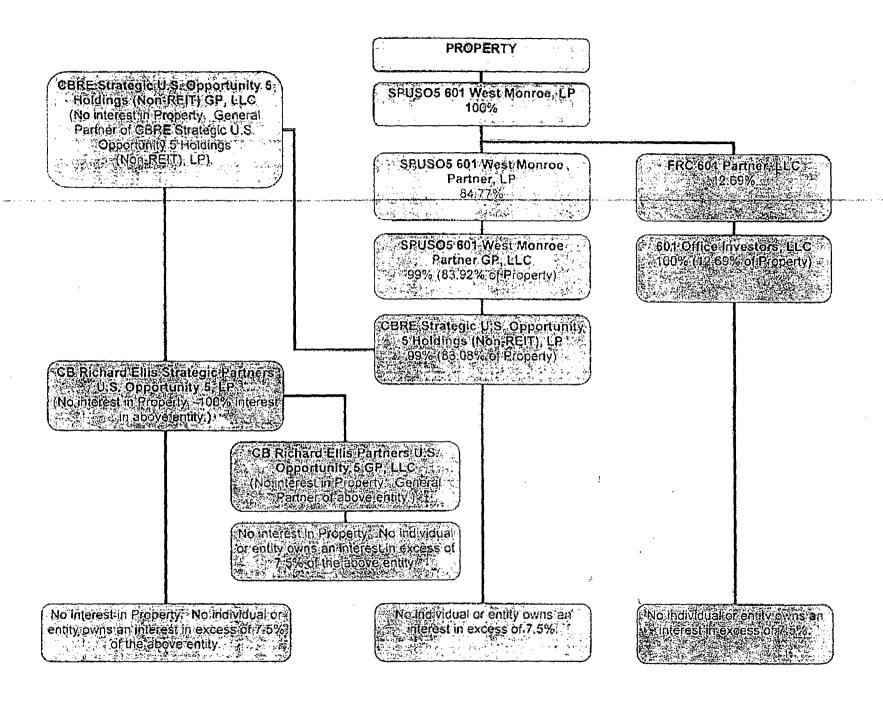
Generally, for use with City Council matters. Not for City procurements unless requested.

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. 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 fumished to the City and continue to be true, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

SPUSO5 601 WEST MONROE, LP	Date: October 20, 2010
(Print or type legal name of Disclosing Party	)
Ву:	
Attunt Mill	
(sign here)	
Print or type name of signatory:	
Steven Fifield	
Title of signatory:	
General Partner	
Signed and swom to before me on this 20 Steven Fifield, at, at,	<del>-</del>
Susa Stines	Notary Public.
Commission expires: 6\109112	<u></u> .

Ver. 11-01-05

OFFICIAL SEAL LISA STINER NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:01/09/12



2910

### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

### **SECTION I -- GENERAL INFORMATION**

A. Legal name of Disclosing Pa	rty submitting	this EDS. Incl	lude d/b/a/ if	applicable:	
SPUS05 601 West Monroe Partner,	tP		· 		
Check ONE of the following th	ree boxes:				
Indicate whether Disclosing Part 1. [] the Applicant OR	ty submitting th	nis EDS is:			
2. [x] a legal entity holding a Applicant in which Disclos					
3. [] a specified legal entity the entity in which Disclos	_	•		•	•
B. Business address of Disclosing	ng Party:	515 S. Ploy			
C. Telephone: 213/683-4243	p <sub>ax:</sub> 213/	683-4336	Email:	jgilb@cbrei;	ivestors.com
D. Name of contact person:	ohn M. Gilb				
E. Federal Employer Identificati	on No. (if you l	have one): <u> </u>	26-1548754	<del></del>	
F. Brief description of contract, which this EDS pertains. (Include					•
Apr Alley Vacotion	- 601/625 W	. Monroe Street	t	<u> </u>	
G. Which City agency or departs				E Trunsport	ત્ર <b>જારાજ્ય ક</b> ર્જ <del>ે ન</del> િજી સ્ટાઉલ્લે કર્જાજી સ્ટાઉલ્લેખ
If the Matter is a contract beir complete the following:	ng handled by th	he City's Depa	irtment of Pi	cocurement Serv	vices, please
Specification #  * "The Disclosing Party 1		and Contra	act #		·
* The Disclosing Party 1 Perty holds an indirection an ontity which is	t-in <del>terest i</del>	n-u-le <del>gal-e</del> n	rtlty will ci	rin-turn-hol	Diaolosing da an interest
Ver. 11-01-05		age 1 of 13			

#### SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

#### A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	arty:
[] Person	[] Limited liability company*
[ ] Publicly registered business corporation	[ ] Limited liability partnership*
[ ] Privately held business corporation	[] Joint venture*
[] Sole proprietorship	[ ] Not-for-profit corporation
[] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?
[X] Limited partnership*	[] Yes [] No
[] Trust	[] Other (please specify)
* Note B.I.b below.	
2. For legal entities, the state (or foreign of	country) of incorporation or organization, if applicable:
	,
Delaware	
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	tate of Illinois: Has the organization registered to do tity?
[x] Yes [] No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
For not-for-profit corporations, also list below	tles of all executive officers and all directors of the entity.  all members, if any, which are legal entities. If there are rusts, estates or other similar entities, list below the legal
Name	Title
.3	

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name SPUSO5 601 W	EST MONROE PARTNER GP, LLC	Title GENERAL PARTNER
indirect beneficia of such an interes interest of a mem estate or other sin Municipal Code of	l interest (including ownership) in a t include shares in a corporation, pa ber or manager in a limited liabihty nilar entity. If none, state "None."	cerning each person or entity having a direct or excess of 7.5% of the Disclosing Party. Examples artnership interest in a partnership or joint venture, company, or interest of a beneficiary of a trust, NOTE: Pursuant to Section 2-154-030 of the City may require any such additional information achieve full disclosure.
Name SPOSO5 601 WI	Business Address	Percentage Interest in the Disclosing Party 99%
515 S. Flower	St., Los Angeles, CA 90071	· · · · · · · · · · · · · · · · · · ·
SECTION III	BUSINESS RELATIONSHIPS V	WITH CITY ELECTED OFFICIALS
		ship," as defined in Chapter 2-156 of the Municipals before the date this EDS is signed?
[ ] Yes	[x] No	
If yes, please iden	tify below the name(s) of such Cit	y elected official(s) and describe such
SECTION IV	DISCLOSURE OF SUBCONTR	ACTORS AND OTHER RETAINED PARTIES

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

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.

Relationship to Disclosing Party

(subcontractor, attorney,

Fees

(indicate whether

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.

Business

Address

Name

(indicate whether

retained or ant to be retained)	•	lobbyist, etc.)	paid or estimated)
		-	a series de la companya della companya della companya de la companya de la companya della compan
			<u> </u>
(Add sheets if	necessary)		
[x] Check here entities.	if the Disclosing	g party has not retained, nor expects t	o retain, any such persons or
SECTION V	CERTIFICA	TIONS	
A. COURT-O	RDERED CHIL	D SUPPORT COMPLIANCE	
		ion 2-92-415, substantial owners of biance with their child support obligati	
	-	r indirectly owns 10% or more of the obligations by any Illinois court of co	9
[]Yes	[X] No	[] No person owns 10% or more	of the Disclosing Party.
		d into a court-approved agreement fo th that agreement?	r payment of all support owed and
[] Yes	[ ] No		

#### **B. FURTHER CERTIFICATIONS**

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.I. 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. 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:				

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.

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

#### 1. CERTIFICATION

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):		
	he word "None," or no response a ed that the Disclosing Party certi	appears on the lines above, it will be fied to the above statements.
D. CERTIFICATIO	N REGARDING INTEREST IN	CITY BUSINESS
Any words or terms meanings when used	<del>-</del>	of the Municipal Code have the same
		Aunicipal Code: Does any official or employee name or in the name of any other person or
NOTE: If you chec Item D.1., proceed to	· •	to Items D.2. and D.3. If you checked "No" to
elected official or en any other person or e for taxes or assessme "City Property Sale"	nployee shall have a financial into entity in the purchase of any prop ents, or (iii) is sold by virtue of le	we bidding, or otherwise permitted, no City erest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold egal process at the suit of the City (collectively, ten pursuant to the City's eminent domain power ning of this Part D.
Does the Matter invo	olve a City Property Sale?	
[] Yes	[x] No	
_	d "Yes" to Item D.1., provide the	names and business addresses of the City fy 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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.
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 requisite information as set forth in that paragraph 2.
1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.
2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such 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.
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: (Begin list here, add sheets as 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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants forms.html.

- 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	[X] No
If "Yes," answer the three	questions below:
	and do you have on file affirmative action programs pursuant to ons? (See 41 CFR Part 60-2.) [] No
Contract Compliance Progunder the applicable filing	•
[] Yes	[ ] No
3. Have you participate equal opportunity clause?	ed in any previous contracts or subcontracts subject to the
[] Yes	[ ] No
If you checked "No" to que	estion 1. or 2. above, please provide an explanation:
	ONLED CHENTS CONTRACT INCORDORATION
SECTION VII ACKNO COMPLIANCE, PENAL	OWLEDGMENTS, CONTRACT INCORPORATION, TIES. DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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.
- C. 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 <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), 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.
- E. 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 H.1., H.2. or H.3. above, an explanatory statement must be attached to this EDS.

#### CERTIFICATION

SPOSO5 601 WEST MONTOE PARTNER, LP

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

Date: (Print or type name of Disclosing Party) By: SPUSOS 601 WEST MONROE PARTNER GP, LLC (sign here) (sign here) JOHN M. GILB No G. Hench SECRETARY/TREASURER (Print or type name of person signing) (Print or type name of person signing) (Print or type title of person signing) (Print or type title of person signing) Signed and sworn to before me on (date) June 12, 2008, by John M. Gilb + Philip G. at Cock County, Illinois (state). Notary Public. Commission expires "OFFICIAL SEAL" **BETH HARRINGTON** Notary Public, State of Illinois My Commission Expires 07/29/09

(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)

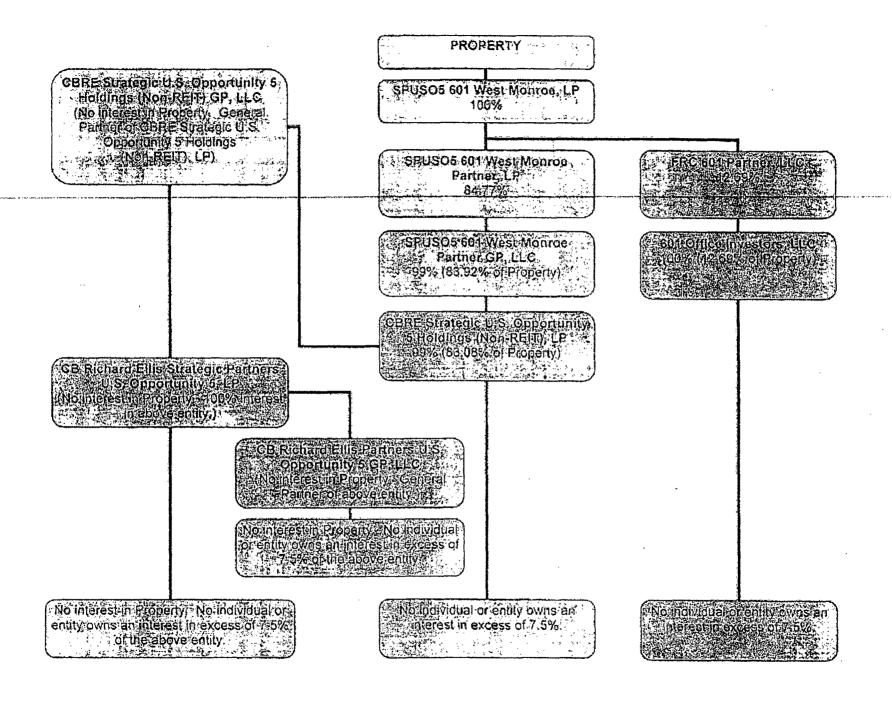
#### RECERTIFICATION

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

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. 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 fumished to the City and continue to be true, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

SPUSO5 60 <u>1 WEST MONROE PARTNER, LP</u>	Date: October , 2010
(Print or type legal name of Disclosing Party)	<del></del> -
By: SPUSO5 601 WEST MONROE PARTNEI	R GR, LC, its General Partner, by:
(sign here)	(sign hat believe
Print or type name of signatory:	Print or type name of signatory:
John M. Gilb	Philio G. Hench
Title of signatory:	Title of signatory:
Secretary, Treasurer & Vice President	Vice President
Signed and swom to before me on this 19th day bhy M. Gilb & Philip G. Hematil Los Avige les  No  Commussion expires: Bec. 25, 2012.	of October, 2010, by County, <u>California</u> [state]. tary Public.
Ver. 11-01-05	MIRIAM JUAREZ BLAKELEY Commission # 1825067 Notary Public - Caiitornia Los Angeles County

My Comm. Expires Dec 25, 2012



### 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:
SPUS05 601 West Monroe Partner	GP. LLC
Check ONE of the following three boxes:	
Indicate whether Disclosing Party submitting this I  1. [] the Applicant  OR	EDS is:
	interest in the Applicant. State the legal name of the interest. SPUSES west Mande, LP
	ntrol (see Section II.B.1.b.) State the legal name of ight of control:
B. Business address of Disclosing Party:	515 S. Flower St.
	Los Angeles, CA 90071
C. Telephone: 213/683-4243 Fax: 213/68	Email: jgilb@cbreinvestors.com
D. Name of contact person: John M. Gilb	) - (1
E. Federal Employer Identification No. (if you hav	
F. Brief description of contract, transaction or othe which this EDS pertains. (Include project number	er undertaking (referred to below as the "Matter") to and location of property, if applicable):
	- 601/625 W. Monroe Street
G. Which City agency or department is requesting	this EDS? 1 Dept. of Trans perhapion and
If the Matter is a contract being handled by the complete the following:	City's Department of Procurement Services, please
Specification #	and Contract #
* "The-Disclosing-Party-is-not-related-t	entlty which in turn holds an iuterest in an

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	arty:
Person	[ ] Limited liability company*
Publicly registered business corporation	[ ] Limited liability partnership*
Privately held business corporation	[] Joint venture*
[] Sole proprietorship	[] Not-for-profit corporation
k] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?
Limited partnership*	[] Yes [] No
[] Trust	[ ] Other (please specify)
* Note B.l.b below.	
2. For legal entities, the state (or foreign c	country) of incorporation or organization, if applicable:
Delaware	
business in the State of Illinois as a foreign en	
[]Yes 🔂 No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
For not-for-profit corporations, also list below	les of all executive officers and all directors of the entity. all members, if any, which are legal entities. If there are usts, estates or other similar entities, list below the legal
Name	Title

l.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.I. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Each legal entity listed below must submit an EDS on its own behalf. Name Title Any two authorized officers as designated in a resolution of the Disclosing Party. 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** 998 CBRE Strategic U.S. Opportunity 5 Holdings (Non-REIT), L.P. Address same as Disclosing Party 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): SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

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.

(indicate whether retained or anticipate to be retained)	Address ed	(subcontractor, attorney, lobbyist, etc.)	(indicate whether paid or estimated)
	V		
(Add sheets if necess	sary)		
[k] Check here if the entities.	Disclosing part	y has not retained, nor expects to retain	, any such persons or
SECTION V CE	RTIFICATION	NS	
A. COURT-ORDER	ED CHILD SU	JPPORT COMPLIANCE	
<del>-</del>		-92-415, substantial owners of business with their child support obligations thro	
		rectly owns 10% or more of the Disclos ations by any Illinois court of competen	
[] <b>Y</b> es	pt] No [	] No person owns 10% or more of the I	Disclosing Party.
If "Yes," has the persis the person in comp		a court-approved agreement for payme t agreement?	ent of all support owed and
[]Yes	[ ] No		

#### **B. FURTHER CERTIFICATIONS**

- 1. 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. 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:
TCAL 1 BNTA HAL	nce appears on the lines above it will be conclusively

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.

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

#### 1. CERTIFICATION

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 Mu	nicipal Code, explain here (att	ach additional pages if necessary):
		sponse appears on the lines above, it will be ty certified to the above statements.
D. CERTIFICA	ATION REGARDING INTERI	EST IN CITY BUSINESS
-	erms that are defined in Chapte used in this Part D.	r 2-156 of the Municipal Code have the same
of the City have entity in the Ma	e a financial interest in his or he atter?	of the Municipal Code: Does any official or employee er own name or in the name of any other person or
[] Yes	<b>ķc</b> k No	
NOTE: If you Item D.I., proce	<u>-</u>	roceed to Items D.2. and D.3. If you checked "No" to
elected official of any other person for taxes or asse "City Property S	or employee shall have a finand or entity in the purchase of ar essments, or (iii) is sold by virtu	mpetitive bidding, or otherwise permitted, no City cial interest in his or her own name or in the name of my property that (i) belongs to the City, or (ii) is sold use of legal process at the suit of the City (collectively, erty taken pursuant to the City's eminent domain power the meaning of this Part D.
Does the Matter	involve a City Property Sale?	
[]Yes	{x} No	
		vide the names and business addresses of the City I 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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has

disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.
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 requisite information as set forth in that paragraph
<u>x</u> 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.
2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such 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.
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: (Begin list here, add sheets as 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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants forms.html.

- 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 I	rty the Applicant?	
[] Yes	[ <b>¾</b> No	
If "Yes," answer t	three questions below:	
=	veloped and do you have on file affirmative action programs pursuant tegulations? (See 41 CFR Part 60-2.)	Ö
[] Yes	[ ] No	
Contract Complian	ed with the Joint Reporting Committee, the Director of the Office of Fe e Programs, or the Equal Employment Opportunity Commission all rep filing requirements?	
[] Yes	[] No	
3. Have you p equal opportunity	ticipated in any previous contracts or subcontracts subject to the ause?	
[] Yes	[ ] No	
If you checked "N	'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. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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.
- C. 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 <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), 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.
- E. 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

SPUS05 601 West Monroe partner GP, LLC	Date: 6/12/08
(Print or type name of Disclosing Party)	
By: Man HM	
(sign here)	(sign here) Philip G. Hench
John M. Gilb	Vice President
(Print or type name of person signing)	(Print or type name of person signing)
Vice President, Secretary & Treasurer	
(Print or type title of person signing)	(Print or type title of person signing)
Signed and sworn to before me on (date) June 12, at Cock County, Thois (state).  But Hammy Notary Pr	Herch
Commission expires: 7/29/09	"OFFICIAL SEAL" BETH HARRINGTON Notary Public, Stata of Illinois My Commission Suppres 07/29/09

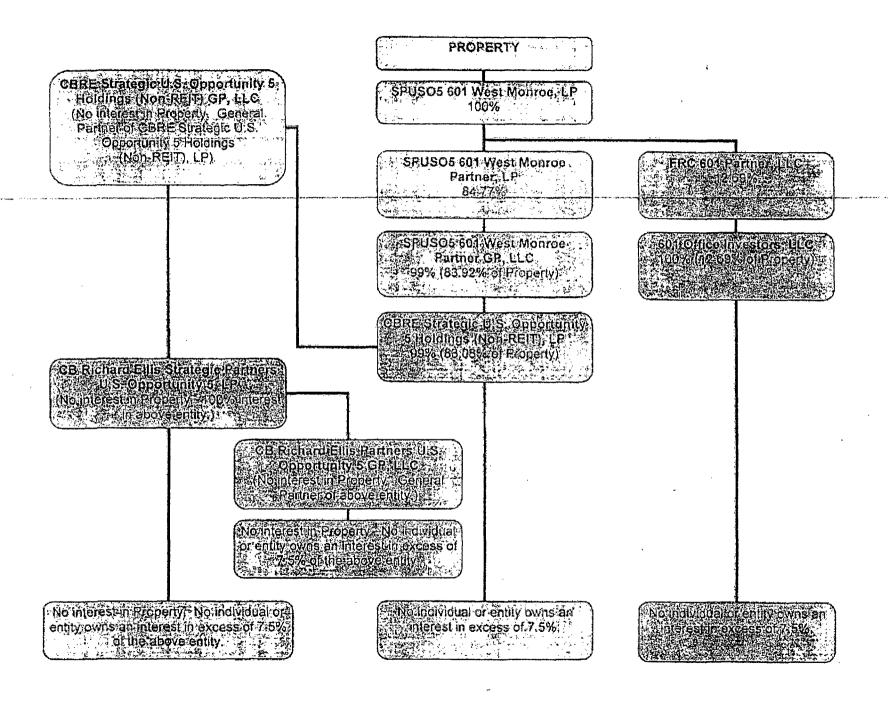
(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify tmthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

### RECERTIFICATION

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

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. 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 fumished to the City and continue to be true, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

SPUSO5 601 WEST MONROE PARTNER GP, (Print or type legal name of Disclosing Party)	LLC Date: October, 2010
By:  [Man ky]	
(sign here)	(sign has
Print or type name of signatory:	Print or type name of signatory:
John M. Gilb	Philip G. Hench
Title of signatory:	Title of signatory:
Secretary, Treasurer & Vice President	Vice President
Signed and swom to before me on this 19th day land Gilb Philip G-HOWN at Los Angeles  Not	County, (A) TOYNIA [state].  tary Public. MIRIAM JUAREZ BLAKELEY
Commission expires: 12.5, 2012.  Ver. 11-01-05	Commission # 1825067 Notary Public - California Los Angeles County My Comm. Expires Dec 25, 2012



# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### SECTION I -- GENERAL INFORMATION

A Least name of Disclaring Porty submitting this	a EDS Include d/h/a/if annliachla.
A. Legal name of Disclosing Party submitting thi	s EDS. Include d/b/a/ 11 applicable:
CBRE Strategic U.S. Opportunity 5	Holdings (Non-REIT), L.P.
Check ONE of the following three boxes:	·
Indicate whether Disclosing Party submitting this 1. [] the Applicant OR	EDS is:
<ol> <li>[x] a legal entity holding a direct or indirect Applicant in which Disclosing Party holds a OR</li> </ol>	interest in the Applicant. State the legal name of the in interes SPUSOS WEST-MONTOE, LP
	entrol (see Section II.B.1.b.) State the legal name of right of control:
B. Business address of Disclosing Party:	515 S. Flower Street
_	Los Angeles, CA 90071
C. Telephone: 213/683-4243 Fax:213/68  D. Name of contact person: John M. Gilb	•
E. Federal Employer Identification No. (if you ha	ve one):26-1448303
F. Brief description of contract, transaction or oth which this EDS pertains. (Include project number	ner undertaking (referred to below as the "Matter") to r and location of property, if applicable):
Alley Vacation	n - 601/625 W. Monroe Street
G. Which City agency or department is requesting	g this EDS? Dept. of Transpertation
If the Matter is a contract being handled by the complete the following:	City's Department of Procurement Services, please
Specification #	and Contract #
	and Contract # and Contract # to the Applicant. However, the Dioglooing Part all entity which in turn helds an interest in an

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	arty:
[] Person	[] Limited liability company*
[ ] Publicly registered business corporation	[ ] Limited liability partnership*
[ ] Privately held business corporation	[] Joint venture*
[] Sole proprietorship	[ ] Not-for-profit corporation
[] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?
[C] Limited partnership*	[] Yes [] No
[] Trust	[] Other (please specify)
* Note B.I.b below.	
2. For legal entities, the state (or foreign of	country) of incorporation or organization, if applicable:
Delaware	
3. For legal entities not organized in the S business in the State of Illinois as a foreign en  [] Yes [] No	State of Illinois: Has the organization registered to do tity?  [] N/A
B. IF THE DISCLOSING PARTY IS A LEG	SAL ENTITY:
For not-for-profit corporations, also list below	tles of all executive officers and all directors of the entity.  A all members, if any, which are legal entities. If there are rusts, estates or other similar entities, list below the legal
Name	Title

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.I. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name	•	Title
CBRE Strateg	ic N.S. Opportunity 5 Holdings	(Non-RRIT)GR, L.L.C., its general partn
	· · · · · · · · · · · · · · · · · · ·	
indirect beneficial of such an interest interest of a memberstate or other sim Municipal Code of	l interest (including ownership) in ext include shares in a corporation, part ber or manager in a limited liability in ilar entity. If none, state "None." N	eming each person or entity having a direct or access of 7.5% of the Disclosing Party. Examples thereship interest in a partnership or joint venture company, or interest of a beneficiary of a trust, IOTE: Pursuant to Section 2-154-030 of the City may require any such additional information thieve full disclosure.
Name	Business Address	Percentage Interest in the Disclosing Party
No ladividual	or entity holds an interest :	in excess of 7.5% of the Disclosing Party
SECTION III	BUSINESS RELATIONSHIPS W	TITH CITY ELECTED OFFICIALS
Has the Disclos	sing Party had a "business relationsh	tip," as defined in Chapter 2-156 of the Municipa
Code, with any Ci	ty elected official in the 12 months	before the date this EDS is signed?
[ ] <b>Y</b> es	[X] No	
If yes, please iden relationship(s):	tify below the name(s) of such City	elected official(s) and describe such

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

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.

(indicate whether retained or anticipate to be retained)	Address d	(subcontractor, attorney, lobbyist, etc.)	(indicate whether paid or estimated)
(Add sheets if necess	ary)		
[k] Check here if the I entities.	Disclosing party h	as not retained, nor expects to retain, a	any such persons or
SECTION V CER	RTIFICATIONS		
A. COURT-ORDER	ED CHILD SUPF	PORT COMPLIANCE	
<u>-</u>		-415, substantial owners of business e th their child support obligations throu	
·	=	tly owns 10% or more of the Disclosinons by any Illinois court of competent	9 3
[] Yes	KYNo []N	o person owns 10% or more of the Di	sclosing Party.
If "Yes," has the pers is the person in comp		court-approved agreement for paymen	t of all support owed and
[]Yes [	1 No		

# **B. FURTHER CERTIFICATIONS**

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.I. 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 antitmst 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

 	 · · · · · · · · · · · · · · · · · · ·		
•			

presumed that the Disclosing Party certified to the above statements.

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, tmst company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment tmst, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

#### 1. CERTIFICATION

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

[] is k ] 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):				
	the word "None," or no response med that the Disclosing Party certi	appears on the lines above, it will be ified to the above statements.		
D. CERTIFICAT	ON REGARDING INTEREST IN	I CITY BUSINESS		
Any words or term meanings when us		6 of the Municipal Code have the same		
,	financial interest in his or her own	Municipal Code: Does any official or employee name or in the name of any other person or		
	ecked "Yes" to Item D.I., proceed	to Items D.2. and D.3. If you checked "No" to		
elected official or any other person o for taxes or assess "City Property Sale	employee shall have a financial int r entity in the purchase of any prop ments, or (iii) is sold by virtue of le	ve bidding, or otherwise permitted, no City derest in his or her own name or in the name of perty that (i) belongs to the City, or (ii) is sold degal process at the suit of the City (collectively, ken pursuant to the City's eminent domain power aning of this Part D.		
Does the Matter in	volve a City Property Sale?			
[] Yes	[x] No			
	xed "Yes" to Item D.1., provide the ees having such interest and identi	e names and business addresses of the City fy 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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

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 requisite information as set forth in that paragraph 2. x 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders. 2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such 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. A. CERTIFICATION REGARDING LOBBYING

I. 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: (Begin list here, add sheets as 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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants forms.html.

- 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.I. 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 Pa	ty the Applicant?	
[]Yes	[x] No	
If "Yes," answer th	three questions below:	
applicable federal i	reloped and do you have on file affirmative action programs pursuant to gulations? (See 41 CFR Part 60-2.)	
[] Yes	[ ] No	
Contract Complian under the applicabl	d with the Joint Reporting Committee, the Director of the Office of Federal Programs, or the Equal Employment Opportunity Commission all reports due filing requirements?	
[]Yes	[ ] No	
3. Have you pa equal opportunity c	ticipated in any previous contracts or subcontracts subject to the nuse?	
[]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. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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.
- C. 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 <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), 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.
- E. 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City. CBRE Strategic U.S. Opportunity 5 Holdings (Non-REIT), L.P., by CBRE Strategic U.S. Opportunity 5 Holdings (Non-REIT) GP, L.L.C., its General Partner, by CB Richard Ellis Strategic Partners U.S. Opportunity 5 6/12/08 (Print or type name of Disclosing Party) L.P., its Sole Member, by CB Richard Ellis Partners U.S. Opportunity 5 GP, L.L.C. Bv: (sign here) (Sign her Philip G. Hench (ice President John M. Gilb (Print or type name of person signing) (Print of type name of person signing) Secretary, Treasurer S vice President Vice President

Signed and sworn to before rue on (date) <u>June 12</u>, <u>2008</u>, by <u>John M. Gilb + Phillips</u>. Hench at <u>Coch</u> County, <u>Zlinois</u> (state).

Bush Hammy Notary Public

Commission expires: 7/29/09

(Print or type title of person signing)

"OFFICIAL SEAL"
BETH HARRINGTON
Notary Public, State of Illinois
My Commission Expires 07/29/09

(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.

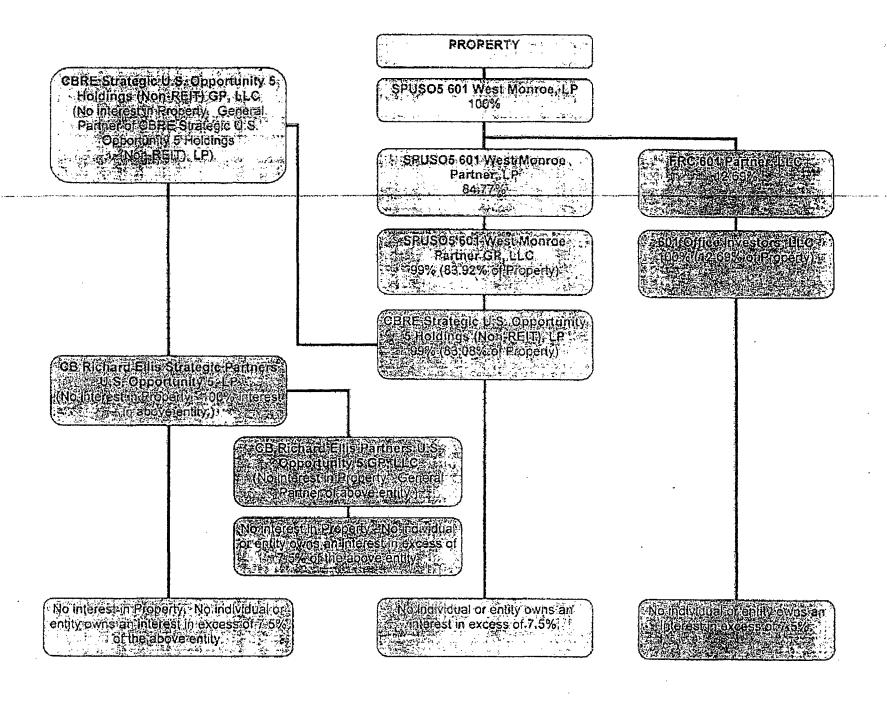
CDDE STD ATECIC HIS ODDODTINITY 5

This recertification is being submitted in commection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. Under penalty of perjury, the person signing below: (I) 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 fumished to the City and continue to be true, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

Data: October

2010

HOLDINGS (NON-REIT), L.P.	Date. October, 2010
(Print or type legal name of Disclosing Part	cy)
By: CBRE STRATEGIC U.S. OPPORTU General Partner	NITY 5 HOLDINGS (NON-REIT) GP, L.L.C., its
By: CB RICHARD ELLIS STRATE Sole Member	EGIC PARTNERS U.S. OPPORTUNITY 5, L.P., its
By: CB RICHARD ELLIS P General Partner, by:  (sign here)	ARTNERS U.S. OPPORTUNITY 5 GP, L.L.C., its  (sign here)
(sign here)	(sign here)
Print or type name of signatory:	Print or type name of signatory:
John M. Gilb	Philip G. Hench
Title of signatory:	Title of signatory:
Secretary, Treasurer & Vice President	Vice President
Signed and swom to before me on this 199 John M. Gills & Philip G. Hench at los Angel	Notary Public.  Notary Public.  MIRIAM JUAREZ BLAKELFY
Commission expires: DC. 25,2012	Commission # 1825067 Notary Public - California Los Angeles County
Ver. 11-01-05	My Comm. Expires Dec 25, 2012



Ver. 11-01-0S

# 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:
CBRE Strategic U.S. Opportunity 5 Holdings (Non-REIT) GP, L.L.C.
Check ONE of the following three boxes:
Indicate whether Disclosing Party submitting this EDS is  1. [] the Applicant  )R
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. M a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control: CBRE Strategic U.S. Open Hunit Holdings (Non-Reit), L
B. Business address of Disclosing Party: 515 S. Flower Street
Los Angeles, CA 90071
C. Telephone: 213/683-4243 Fax: 213/683-4336 Email: jgilb@cbreinvestors.com  D. Name of contact person: John M. Gilb
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):
Alley Vecation - 601/625 W. Monroe Street
G. Which City agency or department is requesting this EDS? Dect of Transportationd
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #
Specification # and Contract # and Contract # * "The Disclosing Party is not related to the Applicant. However, the Disclosing Party holds an indirect interest in a legal entity which in turn holds an interest in an entity which is under common control with the Applicant."

Page 1 of 13

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing P	arty:				
[ ] Person	★ Limited liability company*				
Publicly registered business corporation	[ ] Limited liability partnership*				
[ ] Privately held business corporation	[] Joint venture*				
[] Sole proprietorship	[] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))?				
[] General partnership*					
[] Limited partnership*	[] Yes [] No				
[] Trust	[] Other (please specify)				
* Note B.1.b below.					
2. For legal entities, the state (or foreign	country) of incorporation or organization, if applicable:				
Delaware					
business in the State of Illinois as a foreign er	[] N/A				
B. IF THE DISCLOSING PARTY IS A LEC	JAL ENIII Y:				
For not-for-profit corporations, also list below	tles of all executive officers and all directors of the entity.  v all members, if any, which are legal entities. If there are msts, estates or other similar entities, list below the legal				
Name	Title				

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

~.		m'al-
Name	llic Stratogia Bartnoro II S. On	Title portunity 5, L.P., managing member
CB RICHAIU E.	ills scrategic Partners U.S. Op	poleumicy 5, n.r., managing member
		· · · · · · · · · · · · · · · · · · ·
indirect beneficial	interest (including ownership) in exc	rning each person or entity having a direct or cess of 7.5% of the Disclosing Party. Examples
		nership interest in a partnership or joint venmre
	•	ompany, or interest of a beneficiary of a trust,
	•	OTE: Pursuant to Section 2-154-030 of the
	t which is reasonably intended to ach	ity may require any such additional information
пош апу аррисан	t which is reasonably intended to ach	icve full disclosure.
Name	Business Address	Percentage Interest in the
		Disclosing Party
CB Richard E	llis Strategic Partners U.	.s. 100%
Opportunity	5, L.P.	
Address Same	as Disclosing Party	
SECTION III –	BUSINESS RELATIONSHIPS WI	TH CITY ELECTED OFFICIALS
	-	o," as defined in Chapter 2-156 of the Municipa
Code, with any Ci	ty elected official in the 12 months be	efore the date this EDS is signed?
[ ] Yes	[X] No	
F 4 7 00	μη 110	
If yes, please iden relationship(s):	tify below the name(s) of such City e	lected official(s) and describe such

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

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 anticipat to be retained)	Busin Addre ed		onship to Disclosing Party intractor, attorney, st, etc.)	Fees (indicate whether paid or estimated)
				·
(Add sheets if neces	sary)			
(c) Check here if the entities.	Disclosing	party has not retai	ned, nor expects to retain,	any such persons or
SECTION V CE	RTIFICAT	'IONS		
A. COURT-ORDE	RED CHILE	SUPPORT COM	<b>IPLIANCE</b>	
<u>=</u>			antial owners of business of support obligations throu	
• •	_	<u>▼</u>	9% or more of the Disclosin Illinois court of competent	
[] Yes	[O] No	[] No person o	wns 10% or more of the D	isclosing Party.
If "Yes," has the per is the person in com			oved agreement for paymer	nt of all support owed and
[]Yes	[ ] No	·		

#### **B. FURTHER CERTIFICATIONS**

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.I. 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 antitrnst 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affihated Entity or Applicable Party, 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6.	If the Disclosing Party is	unable to certify to	any of the above st	atements in this Part l	B (Further
Certif	fications), the Disclosing P	arty must explain b	pelow:		
		-			
				· · · · · · · · · · · · · · · · · · ·	
					<del></del>

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.

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial instimtion" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, tmst company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment tmst, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Intemal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

#### 1. CERTIFICATION

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

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 employ 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 [k] No
NOTE: If you checked "Yes" to Item D.I., proceed to Items D.2. and D.3. If you checked "No" Item D.I., 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 virme of legal process at the suit of the City (collective "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain podoes not constitute a financial interest within the meaning of this Part D.
Does the Matter involve a City Property Sale?
[] Yes [k] No
3. If you checked "Yes" to Item D.I., provide the names and business addresses of the City officials or employees having such interest and identify the name 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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

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 requisite information as set forth in that paragraph 2.

x 1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of

the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has four no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.	
2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such 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.

#### A. CERTIFICATION REGARDING LOBBYING

<ol> <li>List below th</li> </ol>	ne names of all persons of	or entities registered u	nder the federal L	obbying	
Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with					
respect to the Matte	r: (Begin list here, add s	sheets as necessary):			
- ·	( · · · · · · · · · · · · · · · · · · ·	,			
	<del></del>				
				•	

(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.I. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants forms.html.

- 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 I	arty the Applicant?	
[] Yes	[ <sub>K</sub> ] No	
If "Yes," answer t	he three questions below:	
_	eveloped and do you have regulations? (See 41 CFR	on file affirmative action programs pursuant to Part 60-2.)
[]Yes	[ ] <b>N</b> o	
Contract Complian	-	g Committee, the Director of the Office of Federal Employment Opportunity Commission all reports due
[ ] Yes	[ ] <b>N</b> o	·
3. Have you p equal opportunity		contracts or subcontracts subject to the
[] Yes	_ [ ] No	•
If you checked "N	o" to question 1. or 2. abov	e, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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.
- C. 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 <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), 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.
- E. 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.I. 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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

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 H.1. and H.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 behave has not provided or cannot provide tmthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are tme, accurate and complete as of the date furnished to the City. CBRE Strategic U.S. Opportunity 5 Holdings (Non-REIT) GP, L.L.C., by CB Richard Ellis Strategic Partners U.S. Opportunity 5, L.P., its sole member, by CB Richard Ellis Partners U.S. Opportunity 5 GP, L.L.C., its General Partner Date: (Print or type name of Disclosing Party) By: (sign here) (sign her Vice President John M. Gilb (Print or type name of person signing) (Print or type name of person signing) Secretary, Treasurers vice President Vice President (Print or type title of person signing) Signed and swom to before me on (date) June 12, 2008 County, Thire is (state). Commission expires:

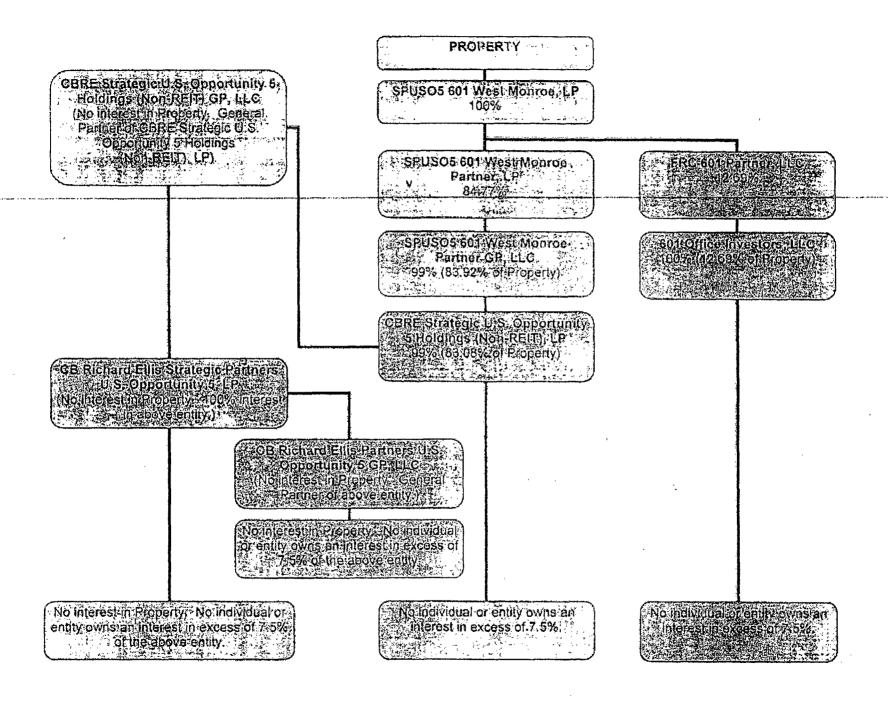
"OFFICIAL SEAL" **BETH HARRINGTON** Notary Public, State of Illinois y Commission Expires 07/29/09 (DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing 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 applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. 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.

CBRE STRATEGIC U.S. OPPORTUNITY 5  HOLDINGS (NON-REIT) GP, L.L.C.  (Print or type legal name of Disclosing Party)	Date: October, 2010
By: CB RICHARD ELLIS STRATEGIC PAR' Member	TNERS U.S. OPPORTUNITY 5 L.P., its Sole
Partner, by:  Al M M	U.S. OPPORTUNITY 5 GP, L.L.C., its General
(sign here)	(sigh fiere)
Print or type name of signatory:	Print or type name of signatory:
John M. Gilb	Philip G. Hench
Title of signatory:	Title of signatory:
Secretary, Treasurer & Vice President	Vice President
Signed and swom to before me on this 19th day lonn M. Gilb Philipg. Hondh, at Los Avigeles  No	of October, 2010, by [state].  County, California [state].  Otary Public.  MIRIAM JUAREZ BLAKELEY Commission # 1825067
Commission expires: DC . 25, 20)2.  Ver. 11-01-05	Notary Public - California Los Angeles County My Comm. Expires Dec 25, 2012



by il

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### SECTION I -- GENERAL INFORMATION

SECTION 1 GENERAL INFORMATION	
A. Legal name of Disclosing Party submitting this ED	OS. Include d/b/a/ if applicable:
CB Richard Ellis Strategic Partners	J.S. Opportunity 5, L.P.
Check ONE of the following three boxes:	
Indicate whether Disclosing Party submitting this EDS  1. [] the Applicant  OR  2.   a legal entity holding a direct or indirect inte	S is: rest in the Applicant. State the legal name of the
Applicant in which Disclosing Party holds an in  OR	
3. [x] a specified legal entity with a right of contro the entity in which Disclosing Party holds a righ	t of control: CBRE Strategic U.S. Opportunity Holdings (Non-REIT) 6P, L
B. Business address of Disclosing Party: 51	5 S. Flower Street
Lo	s Angeles, CA 90071
C. Telephone: 213/683-4243 Fax: 213/683-  D. Name of contact person: John M. Gilb	Email: jgilb@cbreinvestors.com
E. Federal Employer Identification No. (if you have o	ne): <u>26-1382281</u>
F. Brief description of contract, transaction or other u which this EDS pertains. (Include project number and	l location of property, if applicable):
Application for Alley Vacation -	- 601/625 W. Monroe Street
G. Which City agency or department is requesting thi	s EDS: Deat of Transportation
If the Matter is a contract being handled by the City complete the following:	's Department of Procurement Services, please
* The Disclosing Party is not related to	d Contract#  the Applicant, acwayer, the niselesing Farty  ntity which in turn holds an interest in an  the Applicant.

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF DISCLOSING PARTY

I. Indicate the namre of the Disclosing Pa	arty:
Person	[ ] Limited liability company*
Publicly registered business corporation	[ ] Limited liability partnership*
[ ] Privately held business corporation	[] Joint venmre*
[ ] Sole proprietorship	[ ] Not-for-profit corporation
[] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?
[X] Limited partnership*	[] Yes [] No
[] Trust	[] Other (please specify)
* Note B.I.b below.	
2. For legal entities, the state (or foreign of	country) of incorporation or organization, if applicable:
Delaware	·
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	State of Illinois: Has the organization registered to do tity?
[] Yes [x] No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
For not-for-profit corporations, also list below	tles of all executive officers and all directors of the entity.  all members, if any, which are legal entities. If there are msts, estates or other similar entities, list below the legal
Name .	Title

I.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.I. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

		its own behalf.
Name CB Richard El	lis Partners U.S. Upportunity	Title 5 GP, L.L.C., general partner
2. Please pro	vide the following information conc	erning each person or entity having a direct or
of such an interes	t include shares in a corporation, par	scess of 7.5% of the Disclosing Party. Examples thership interest in a partnership or joint venture, company, or interest of a beneficiary of a tmst,
		OTE: Pursuant to Section 2-154-030 of the
	of Chicago ("Municipal Code"), the out which is reasonably intended to ac	City may require any such additional information
from any appricar	it which is reasonably intended to ac	mieve full disclosure.
Name	Business Address	Percentage Interest in the
		Disclosing Party
No individual	or entity holds an interest	in excess of 7.5% of the Disclosing Party
•		
SECTION III	BUSINESS RELATIONSHIPS W	ITH CITY ELECTED OFFICIALS
the state of the s	sing Party had a "business relationsh ty elected official in the 12 months	ip," as defined in Chapter 2-156 of the Municipal before the date this <b>EDS</b> is signed?
[] <b>Y</b> es	[x] No	
If yes, please iden relationship(s):	tify below the name(s) of such City	elected official(s) and describe such
	<del></del>	

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)
(Add sheets if necessar	ry)		
[x] Check here if the I entities.	Disclosing party h	as not retained, nor expects to retain,	any such persons or
SECTION V CER	TIFICATIONS		
A. COURT-ORDERI	ED CHILD SUPF	PORT COMPLIANCE	
<del>-</del>		-415, substantial owners of business e th their child support obligations throu	
· -	•	ely owns 10% or more of the Disclosing ons by any Illinois court of competent	•
[]Yes p	] No [] N	o person owns 10% or more of the Di	sclosing Party.
If "Yes," has the person is the person in compl		court-approved agreement for paymen greement?	t of all support owed and
[]Yes [	] No		

#### **B. FURTHER CERTIFICATIONS**

- 1. 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 antitmst 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concem:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affihated 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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 (I) 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. 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:
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.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, tmst company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment tmst, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)
1. CERTIFICATION
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 Munic	cipal Code, explain here (attach add	itional pages if necessary):
	the word "None," or no response a med that the Disclosing Party certi	appears on the lines above, it will be fied to the above statements.
D. CERTIFICAT	ION REGARDING INTEREST IN	CITY BUSINESS
Any words or term meanings when us		of the Municipal Code have the same
of the City have a entity in the Matte	financial interest in his or her own : r?	Aunicipal Code: Does any official or employee name or in the name of any other person or
[] Yes	[2] No	
NOTE: If you ch Item D.1., proceed		to Items D.2. and D.3. If you checked "No" to
elected official or any other person o for taxes or assess: "City Property Sale	employee shall have a financial inter r entity in the purchase of any prop- ments, or (iii) is sold by virme of le	we bidding, or otherwise permitted, no City erest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, ten pursuant to the City's eminent domain powering of this Part D.
Does the Matter in	volve a City Property Sale?	
[] Yes	t√ No	
	ked "Yes" to Item D.I., provide the rees having such interest and identify	names and business addresses of the City fy the nature of such interest:
Name	Business Address	Nature of Interest
<del></del>		

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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

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 requisite information as set forth in that paragraph 2.

X I. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of
the Disclosing Party and any and all predecessor entities for records of investments or profits from
slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found
no records of investments or profits from slavery, the slave industry, or slaveholder insurance
policies and no records of names of any slaves or slaveholders.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing						
arty verifies that the following constimtes full disclosure of all such 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.

#### 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: (Begin list here, add sheets as 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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants\_forms.html.

- 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 Pa	arty the Applicant?	•
[]Yes	[x] No	
If "Yes," answer th	e three questions below:	
•	eveloped and do you have regulations? (See 41 CFR	on file affirmative action programs pursuant to Part 60-2.)
[]Yes	[ ] No	
Contract Complian under the applicabl	ce Programs, or the Equal e filing requirements?	ng Committee, the Director of the Office of Federal Employment Oppormnity Commission all reports due
[] Yes	[] No	
3. Have you pa equal opportunity c	• • •	contracts or subcontracts subject to the
[]Yes	[ ] No	
If you checked "No	" to question 1. or 2. abov	ve, please provide an explanation:

# SECTION VH - ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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 stamtes, ordinances, and regulations on which this EDS is based.
- C. 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 <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), 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.
- E. 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 tmthful certifications.

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

#### **CERTIFICATION**

Under penalty of perjury, the person signing below: (1	•
this EDS on behalf of the Disclosing Party, and (2) wa	rrants that all certifications and statements
contained in this EDS are tme, accurate and complete	as of the date furnished to the City.
CB Richard Ellis Strategic Partners U	.S. Opportunity 5, L.P., by
CB Richard Ellis Partners U.S. Opport	unity 5 GP, L.L.C., its General Partner
	Date: 6/12/08
	Date. 611400
(Print or type name of Disclosing Party)	
By: What My	
(sigh here)	(sign here)
	Philip G. Hench Vice President
John M. Gilb	Auge Liesidelif
(Print or type name of person signing)	(Print or type name of Person signing)
Secretary, Treasurer& Vice President	Vice President
(Print or type title of person signing)	
Signed and swom to before me on (date) June 12.  at Cock County, Zillion (state).	, 2008, by John M. Gilb + Philip G.
at Cock County, ZIIIOS (state).	Hench
Bus Hammyt Notary P	ublic.
Commission expires: -t/29/09.	**************************************

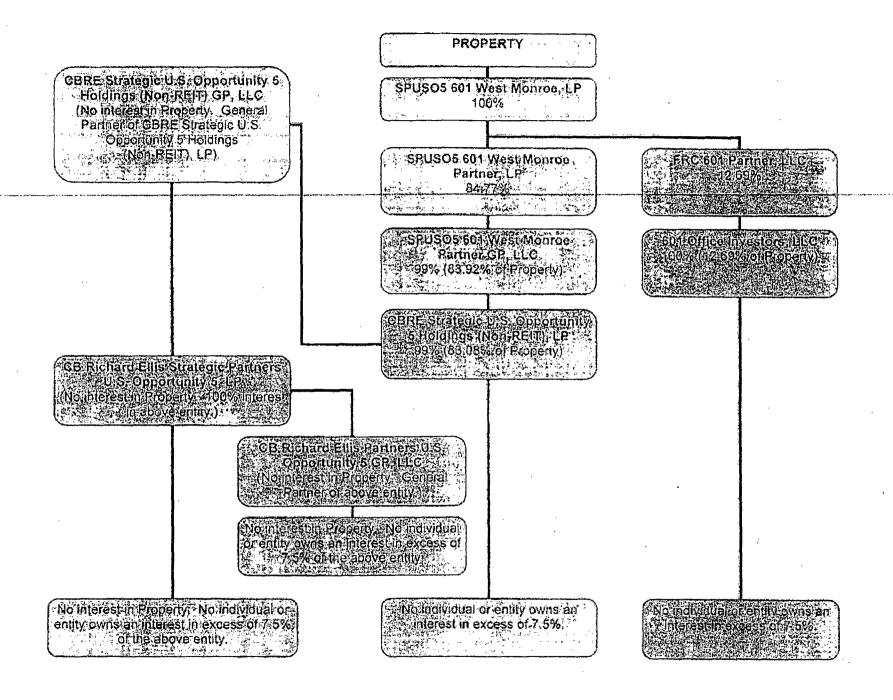
(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify tmthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

### RECERTIFICATION

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

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. 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 tme, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

CB RICHARD ELLIS STRATEGIC PARTNER <u>U.S. OPPORTUNITY 5, L.P.</u> (Print or type legal name of Disclosing Party)	S Date: October, 2010
By: CB RICHARD ELLIS PARTNERS U.S. O Partner, by:	PPORTUNITY 5 GP, L.L.C., its General
(sign here)	(sign here)
Print or type name of signatory:	Print or type name of signatory:
John M. Gilb	Philip G. Hench
Title of signatory:	Title of signatory:
Secretary, Treasurer & Vice President	Vice President
Signed and swom to before me on this Athday John M. Gilb & Philip G. Hendhat Los Avigeles  Not	of October, 2010, by County, California [state].
Commission expires: 15eC - 25, 2012.  Ver. 11-01-05	MIRIAM JUAREZ BLAKELEY Commission # 1825067 Notary Public - California Los Angeles County



7 06 00

Ver. 11-01-05

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### SECTION I -- GENERAL INFORMATION

SECTION I GENERAL INFORMATION
A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
CBRE Strategic U.S. Opportunity 5 Holdings (Non-REIT) GP, L.L.C.
Check ONE of the following three boxes:
Indicate whether 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 Disclosing Party holds an interest:
3. A specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control: CBRE Strategic U.S. Open Hunit, 5 Holdings (Non-Reit), L
B. Business address of Disclosing Party: 515 S. Flower Street
Los Angeles, CA 90071
C. Telephone: 213/683-4243 Fax: 213/683-4336 Email: jgilb@cbreinvestors.com  D. Name of contact person: John M. Gilb
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):
Alley Vecation - 601/625 W. Monroe Street
G. Which City agency or department is requesting this EDS? Dept of Trans portingd
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #
Specification # and Contract #

Page 1 of 13

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disc	losing Party:
[] Person	★ Limited liability company*
[ ] Publicly registered business corpo	ration [] Limited liability partnership*
[] Privately held business corporation	n [] Joint venture*
[] Sole proprietorship	[] Not-for-profit corporation
[] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?
[] Limited partnership*	[]Yes []No
[] Tmst	[] Other (please specify)
* Note B.I.b below.	·
2. For legal entifies, the state (or	foreign country) of incorporation or organization, if applicable:
Delaware	
business in the State of Illinois as a fo	
[] Yes [x] No	[] N/A
B. IF THE DISCLOSING PARTY IS	S A LEGAL ENTITY:
For not-for-profit corporations, also li	es and titles of all executive officers and all directors of the entity. ist below all members, if any, which are legal entities. If there are s." For trusts, estates or other similar entities, list below the legal
Name	Title
,	· · · · · · · · · · · · · · · · · · ·
<del></del>	

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venmre" in response to Item A.1. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name CB Richard E	Ellis Strategic Partners U.S. O	Title Opportunity 5, L.P., managing member
indirect beneficia of such an interes	l interest (including ownership) in ex st include shares in a corporation, par	eming each person or entity having a direct or excess of 7.5% of the Disclosing Party. Examples the extra threship interest in a partnership or joint venmre company, or interest of a beneficiary of a trust,
estate or other sir Municipal Code (	nilar entity. If none, state "None." N	OTE: Pursuant to Section 2-154-030 of the City may require any such additional information
Name	Business Address	Percentage Interest in the Disclosing Party
CB Richard E	Ellis Strategic Partners U	J.S. 100%
Opportunity	5, L.P.	
Address Same	e as Disclosing Party	
SECTION III –	BUSINESS RELATIONSHIPS W	ITH CITY ELECTED OFFICIALS
	sing Party had a "business relationshity elected official in the 12 months	nip," as defined in Chapter 2-156 of the Municipa before the date this EDS is signed?
[ ] <b>Y</b> es	[X] <b>N</b> o	•
If yes, please ider relationship(s):	ntify below the name(s) of such City	elected official(s) and describe such
		· · · · · · · · · · · · · · · · · · ·

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

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-protit 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.

(indicate whether retained or anticipate to be retained)	Address d	(subcontractor, attomey, lobbyist, etc.)	(indicate whether paid or estimated)
(Add sheets if necessar	ary)		
(c) Check here if the I entities.	Disclosing part	y has not retained, nor expects to retain,	any such persons or
SECTION V CER	TIFICATIO	NS	
A. COURT-ORDER	ED CHILD SU	JPPORT COMPLIANCE	
<del>-</del>		-92-415, substantial owners of business with their child support obhgations thro	
		rectly owns 10% or more of the Disclosi ations by any Illinois court of competen	
[]Yes ‡	Σ¶No [	] No person owns 10% or more of the D	isclosing Party.
If "Yes," has the person in compl		a court-approved agreement for payme t agreement?	nt of all support owed and
[]Yes [	] No		•

#### **B. FURTHER CERTIFICATIONS**

- 1. 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 antitmst 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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; idenfity 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Enfity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further					urther
Certifications), the Dis	sclosing Party must	t explain below:			
				-	
					<del></del>

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.

#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial instimtion" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, tmst company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities underwriter, investment tmst, venmre capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial insfimfion" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

#### 1. CERTIFICATION

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 Munic	ipal Code, explain here (attach add	lifional pages if necessary):
	the word "None," or no response med that the Disclosing Party certi	appears on the lines above, it will be fied to the above statements.
D. CERTIFICATI	ON REGARDING INTEREST IN	CITY BUSINESS
Any words or term meanings when us	<del>-</del>	of the Municipal Code have the same
of the City have a sentity in the Matter	financial interest in his or her own?	Municipal Code: Does any official or employee name or in the name of any other person or
[]Yes	k] No	
NOTE: If you che Item D.1., proceed	· •	to Items D.2. and D.3. If you checked "No" to
elected official or of any other person of for taxes or assessa "City Property Sale	employee shall have a financial int entity in the purchase of any prop nents, or (iii) is sold by virme of le	ve bidding, or otherwise permitted, no City erest in his or her own name or in the name of perty that (i) belongs to the City, or (ii) is sold egal process at the suit of the City (collectively, seen pursuant to the City's eminent domain power uning of this Part D.
Does the Matter in	volve a City Property Sale?	
[] Yes	[k] No	
	ted "Yes" to Item D.I., provide the ees having such interest and identi	names and business addresses of the City fy the namre of such interest:
Name	Business Address	Nature of Interest
		<del></del>

Page 8 of 13

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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entifies for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

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 requisite information as set forth in that paragraph 2. x\_1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders. 2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing Party verifies that the following constitutes full disclosure of all such 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.

#### A. CERTIFICATION REGARDING LOBBYING

		of all persons or	_		, ,	*.*
		have made lobby	_		closing Party v	vith
respect to the	ne maner: (Begin	list here, add she	ets as necessary):			
						<del></del>
				-		<del></del>

(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 enfifies 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 enfity heted 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 cooperafive 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.I. and A.2. above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants\_forms.html.

- 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 Par	rty the Applicant?	
[]Yes	[x] No	
If "Yes," answer the	three questions below:	
-	veloped and do you have gulations? (See 41 CFF	e on file affirmative action programs pursuant to R Part 60-2.)
Contract Comphanc		ng Committee, the Director of the Office of Federal l Employment Opportunity Commission all reports due
	ticipated in any previous	s contracts or subcontracts subject to the
If you checked "No'	' to question 1. or 2. abo	ve, please provide an explanation:

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

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or enfities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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.
- C. 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 <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), 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.
- E. 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 tmthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are tme, accurate and complete as of the date furnished to the City. CBRE Strategic U.S. Opportunity 5 Holdings (Non-REIT) GP, L.L.C., by CB Richard Ellis Strategic Partners U.S. Opportunity 5, L.P., its sole member, by CB Richard Ellis Partners U.S. Opportunity 5 GP, L.L.C., its General Partner Date: (Print or type name of Disclosing Party) By: (sign here) (sign her ip **G**.\Hench Vice President John M. Gilb (Print or type name of person signing) (Print or type name of person signing) Secretary, Treasurers vice President Vice President (Print or type title of person signing) Signed and swom to before me on (date) June 12, 2008 County, Illinois (state). Commission expires: ¬

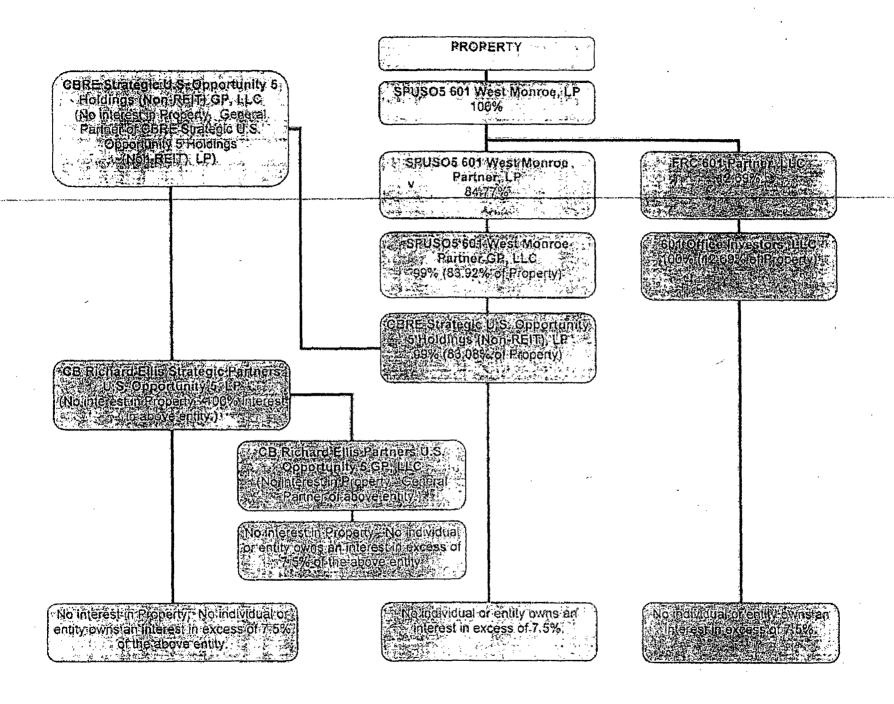
(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify tmthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

#### RECERTIFICATION

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

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. 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 tme, accurate and complete as of the date fumished to the City and continue to be true, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

CBRE STRATEGIC U.S. OPPORTUNITY 5  HOLDINGS (NON-REIT) GP, L.L.C.  (Print or type legal name of Disclosing Party)	Date: October, 2010
By: CB RICHARD ELLIS STRATEGIC PART Member	TNERS U.S. OPPORTUNITY 5 L.P., its Sole
Partner, by:  Ah M full	J.S. OPPORTUNITY 5 GP, L.L.C., its General
(sign here)	(sigh fiere)
Print or type name of signatory:	Print or type name of signatory:
John M. Gilb	Philip G. Hench
Title of signatory:	Title of signatory:
Secretary, Treasurer & Vice President	Vice President
Signed and swom to before me on this 19th day lohn M.Gilb Philipg. Hondh, at LOS Angeles  No	County, California [state].
Commission expires: DC .25, 2012.	Commission # 1825067 Notary Public - California Los Angeles County My Comm. Expires Dec 25, 2012



di po 8

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

## SECTION 1 -- GENERAL INFORMATION

A Legal name of Disaloging Porty submitting this EDS. Include d/h/s/ if applicable:
A. Legal name of Disclosing Party submitting this EDS. Include d/b/a/ if applicable:
CB Richard Ellis Partners U.S. Opportunity 5 GP, L.L.C.
Check ONE of the following three boxes:
Indicate whether 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 Disclosing Party holds an interest:  OR
3. A a specified legal entity with a right of control (see Section II.B.I.b.) State the legal name of the entity in which Disclosing Party holds a right of control: CB Dichard Ellis Strategic Partner U.S. Opportunity S, LP
B. Business address of Disclosing Party: 515 S. Flower Street
Los Angeles, CA 90071
C. Telephone: 213/683-4243 Fax: 213/683-4336 Email: jgilb@cbreinvestors.com  D. Name of contact person: John M. Gilb
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):
: Allow Vacation - GOI U. Monroe 5t.
G. Which City agency or department is requesting this EDS? Desti of Transportation and
If the Matter is a contract being handled by the City's Department of Procurement Services, please ———complete the following:
omplete the following.
Specification # and Contract #
* The Dicelosing-Party is not related to the Applicant. However, the Disclosing Party holdo-an-indirect interest in a legal entity which in turn-holds an interest in an entity which is duder common control with the Applicant."

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	arty:
[] Person	[X] Limited liability company*
[ ] Publicly registered business corporation	[] Limited liability partnership*
[ ] Privately held business corporation	[] Joint venmre*
[] Sole proprietorship	[] Not-for-protit corporation
[] General partnership*	(Is the not-for-protit corporation also a 501(c)(3))?
Limited partnership*	[] Yes [] No
[] Trust	[ ] Other (please specify)
* Note B.I.b below.	
2. For legal entities, the state (or foreign	country) of incorporation or organization, if applicable:
Delaware	
3. For legal entities not organized in the S business in the State of Illinois as a foreign en	State of Illinois: Has the organization registered to do atity?
[] Yes [x] No	[] N/A -
B. IF THE DISCLOSING PARTY IS A LEG	GAL ENTITY:
For not-for-protit corporations, also list below	tles of all executive officers and all directors of the entity.  all members, if any, which are legal entities. If there are rusts, estates or other similar entities, list below the legal
Name	Title
	· · · · · · · · · · · · · · · · · · ·

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Namre of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Name		Title	
John M. Gil	L <b>b</b>	Secretary,	Treasurer & Vice President
		.,	
indirect beneficia of such an interes interest of a mem estate or other sin Municipal Code of	l interest (including owne t include shares in a corp ber or manager in a limite nilar entity. If none, state	ership) in excess of 7. oration, partnership in ed liability company, e "None." NOTE: Pur Code"), the City may r	th person or entity having a direct or .5% of the Disclosing Party. Examples nterest in a partnership or joint venture or interest of a beneficiary of a trust, rsuant to Section 2-154-030 of the require any such additional information disclosure.
Name	Business Addr	ess P	Percentage Interest in the
			Disclosing Party
No individua	l or entity holds an	interest in excess	s of 7.5% of the Disclosing Part
		····	<u> </u>
SECTION HI	BUSINESS RELATION	NSHIPS WITH CIT	Y ELECTED OFFICIALS
Has the Disclo	sing Party had a "busines ity elected official in the	• •	tined in Chapter 2-156 of the Municipa date this EDS is signed?
Code, with any C	[x] No		
Code, with any C	באו - י י		
[]Yes		f such City elected of	ficial(s) and describe such
[] Yes If yes, please iden		f such City elected of	ficial(s) and describe such

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

## 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-protit 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.

**XI** - --- -

(indicate whether retained or anticipate to be retained)	Address		(indicate whether paid or estimated)
(Add sheets if necess			
[k] Check here if the entities.	Disclosing par	rty has not retained, nor expects to retain	, any such persons or
SECTION V CE	RTIFICATIO	NS	
A. COURT-ORDER	ED CHILD S	UPPORT COMPLIANCE	·
<del>-</del>		2-92-415, substantial owners of business with their child support obligations thro	
	-	irectly owns 10% or more of the Disclos gations by any Illinois court of competer	9
[]Yes	[O] No	[] No person owns 10% or more of the I	Disclosing Party.
If "Yes," has the persis the person in comp		to a court-approved agreement for payme at agreement?	ent of all support owed and
[]Yes	[ ] No	,	

#### **B. FURTHER CERTIFICATIONS**

- 1. 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 antitmst 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concern:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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 Applicable Parties, the term Affiliated Enfity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Enfity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acfing pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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.
- 4. Neither the Disclosing Party nor any Affiliated Enfity 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Tide 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. 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:
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.
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, tmst company, savings bank, investment bank, securities broker, municipal securities broker, securities
dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment
tmst, venmre capital company, bank holding company, financial services holding company, or any
licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential
Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity

whose predominant business is the providing of tax deferred, defined contribution, pension plans to

public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code.

## 1. CERTIFICATION

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.

(Additional definitions may be found in Municipal Code Section 2-32-455(b).)

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 Munici	pal Code, explain here (attach add	itional pages if necessary):
•	the word "None," or no response a ned that the Disclosing Party certif	appears on the lines above, it will be fied to the above statements.
D. CERTIFICATION	ON REGARDING INTEREST IN	CITY BUSINESS
Any words or terms meanings when use	_	of the Municipal Code have the same
	nancial interest in his or her own	Sunicipal Code: Does any official or employee name or in the name of any other person or
[]Yes	(c) No	
NOTE: If you che Item D.1., proceed	· -	o Items D.2. and D.3. If you checked "No" to
elected official or e any other person or for taxes or assessm "City Property Sale	mployee shall have a financial inte entity in the purchase of any prop- ents, or (iii) is sold by virme of le	we bidding, or otherwise permitted, no City erest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, en pursuant to the City's eminent domain powerning of this Part D.
Does the Matter inv	olve a City Property Sale?	
[]Yes	<mark>k∂</mark> No	
_	ed "Yes" to Item D.1., provide the	names and business addresses of the City fy the namre 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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

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 requisite information as set forth in that paragraph 2.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry,					
	or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing				
Party verifies that the following constitutes full disclosure of all such records:					
		V		. *	

#### 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.

## A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or Disclosure Act of 1995 who have made lobby respect to the Matter: (Begin list here, add she	ing contacts on behal	, 0	1

(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 enfities 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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants forms.html.

- 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.l. 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	e Applicant?
[] Yes	[x] No
If "Yes," answer the three	e questions below:
	ed and do you have on file affirmative action programs pursuant to ions? (See 41 CFR Part 60-2.)
[] Yes	[ ] No
	h the Joint Reporting Committee, the Director of the Office of Federal grams, or the Equal Employment Oppormnity Commission all reports due g requirements?  [] No
3. Have you participa equal opportunity clause?	ated in any previous contracts or subcontracts subject to the
[] Yes	[ ] No
If you checked "No" to qu	uesfion 1. or 2. above, please provide an explanation:

# SECTION VH -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entifies named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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.
- C. 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 <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), at law, or in equity, including terminating the Disclosing Party's parficipation 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.
- E. 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.I. and H.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 tmthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are tme, accurate and complete as of the date furnished to the City.

CB Richard Ellis Partners U.S. Opportunity 5 GP, L.L.C.	Date: 6/12/08
(Print or type name of Disclosing Party)	
By: Lih M Jell	
(sign here)	(sign hate) Rhilip G. Hench
John M. Gilb	Vice President
(Print or type name of person signing)	(Print or type name of person signing)
Secretary, Treasurers Vice President (Print or type title of person signing)	Vice President
Signed and swom to before me on (date) June 12 at Cook County, Thinks (state).	, 2000, by John m. Gilb+ Philip G
Bus Hanny Notary	Public.
Commission expires: 1)29/09.	"OFFICIAL SEAL" BETH HARRINGTON Notary Public, State of Illinois My Commission Expires 07/29/09

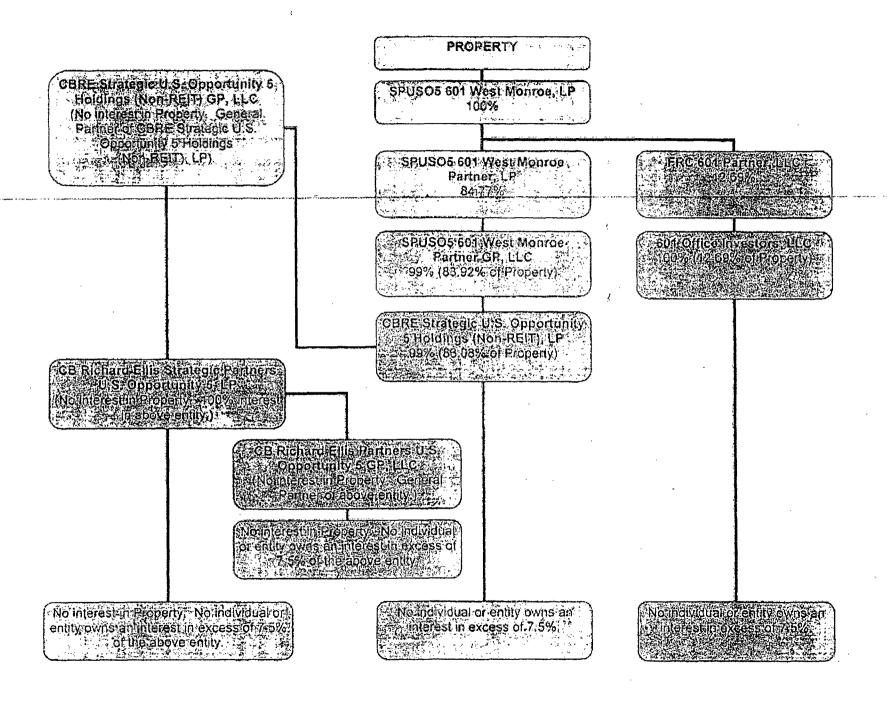
(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify tmthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

## RECERTIFICATION

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

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. 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 fumished to the City and continue to be tme, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

CB RICHARD ELLIS PARTNERS U.S.  OPPORTUNITY 5 GP, L.L.C.  (Print or type legal name of Disclosing Party)	Date: October, 2010
By:  (sign here)	(signhere)
Print or type name of signatory:	Print or type name of signatory:
John M. Gilb	Philio G. Hench
Title of signatory:	Title of signatory:
Secretary, Treasurer & Vice President	Vice President
Signed and swom to before me on this 19th day John M. Gills & Philip G. Hundrat Los Avgeles  No	of October, 2010, by County, California [state].
Commission expires: DC 25,2012.	MIRIAM JUAREZ BLAKELEY Commission # 1825067 Notary Public - California Los Angeles County



9410

# 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:
PRC 601 PARTNER, LLC
Check ONE of the following three boxes:
Indicate whether Disclosing Party submitting this EDS is:  1. [] the Applicant OR
2. Applicant in which Disclosing Party holds an interest: Sous of west Monoe, LP  OR
3. [] a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control:
B. Business address of Disclosing Party:  550 WEST ADAMS  SUITE 200, CRICAGO, IL 60661
C. Telephone: 312/424-6228 Fax: 312/855-1719 Email: aschachtman@fifield.com
D. Name of contact person: Alan Schachtman
E. Federal Employer Identification No. (if you have one): 42-1749702
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):
Alley Vacation - 601/625 West Monroe Street
G. Which City agency or department is requesting this EDS? Deet, of Toursportation
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #

# SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF DISCLOSING PARTY

I. Indicate the nature of the Diselosing Pa	arty:			
[] Person	kr Limited liabihty company*			
[ ] Publicly registered business corporation	[] Limited liability partnership*			
[] Privately held business corporation [] Joint venture*				
[] Sole proprietorship	[ ] Not-for-profit corporation			
[] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?			
[] Litnited partnership*	[] Yes [] No			
[] Trust	[] Other (please specify)			
* Note B.1.b below.				
2. For legal entities, the state (or foreign c	ountry) of incorporation or organization, if applicable:			
Delaware				
3. For legal entities not organized in the Stusiness in the State of Illinois as a foreign ent	tate of Illinois: Has the organization registered to do tity?			
ĭ Yes [] No	[ ] N/A			
B. IF THE DISCLOSING PARTY IS A LEGA	AL ENTITY:			
For not-for-profit corporations, also list below	les of all executive officers and all directors of the entity. all members, if any, which are legal entities. If there are usts, estates or other similar entities, list below the legal			
•	mv.			
Name	Titie			
	,			
· .				

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.I. above (Nature of Disclosing Party), list below the name and title of each general partner, managing member, manager or

Each legal entity listed below must submit an EDS on its own behalf. Title Name Steven Fifield Managing 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, parmership 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** SEE ATTACHED 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 kk No If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s): SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES The Disclosing Party must disclose the name and business address of each subcontractor, attorney,

any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE:

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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

Fifield Palisades 601 LLC 550 W Adams #200 Chicag0, IL 60661	24.0000%	
Charles W. Palmer Trust U//VD 10/12/95 35237 N. Ridgeway Drive Carefree, AZ 85377	20.0000%	
Ronald L. Taylor c/o DeVry, Inc. One Tower Lane, Suite 1000 Oak Brook Terrace, IL 60181	10.0000%	•
Dennis Keller c/o DeVry, Inc. One Tower Lane, Suite 1000 Oak Brook Terrace, IL 60181	10.0000%	
Timothy K. Ozark Revocable Trust 368 W. Huron, Suite 200 Chicago, iL 60610	10.0000%	
James Bernard Pinski Living Trust 55 East Washington, Suite 3400 Chicago, IL 60602	8.0000%	
JN Trust c/o Abraham Somer	8.0000%	

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	Business Address	Relationship to Disclosing Party (subcontractor, attorney,	(indicate whether
retained or anticipate to be retained)	ed	lobbyist, etc.)	paid or estimated)
(Add sheets if necess	sary)		
Check here if the entifies.	Disclosing party	has not retained, nor expects to retain,	any such persons or
SECTION V CEI	RTIFICATION	S	
A. COURT-ORDER	ED CHILD SU	PPORT COMPLIANCE	
_		92-415, substantial owners of business with their child support obligations thro	
· -	•	ectly owns 10% or more of the Disclosi tions by any Illinois court of competen	
[] Yes	[x] No []	No person owns 10% or more of the D	isclosing Party.
If "Yes," has the pers is the person in comp		a court-approved agreement for payme agreement?	nt of all support owed and
[]Yes	[ ] No		

#### **B. FURTHER CERTIFICATIONS**

- 1. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B. I. 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 otherwise criminally or civilly charged by a governmental entity (federal, state br local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concem:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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; identify 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affihated Entity or Applicable Party, 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Titie 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

	e Disclosing Party is unable to certify to any of the above statements in this Part B (Furtherns), the Disclosing Party must explain below:
	•
<u></u>	
	"NA," the word "None," or no response appears on the lines above, it will be conclusively at the Disclosing Party certified to the above statements.
C. CERTIF	ICATION OF STATUS AS FINANCIAL INSTITUTION
means a ban trust compar dealer, muni trust, venture licensee und Mortgage Li whose predo public emple	s of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" k, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, my, savings bank, investment bank, securities broker, municipal securities broker, securities cipal securities dealer, securities underwriter, municipal securities underwriter, investment e capital company, bank holding company, financial services holding company, or any er the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential censing Act. However, "financial instimtion" specifically shall not include any entity minant business is the providing of tax deferred, defined contribution, pension plans to bysees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. definitions may be found in Municipal Code Section 2-32-455(b).)
1. CERT	TIFICATION
The Disclosi	ng Party certifies that the Diselosing Party (check one)
[ ] is	[₃] is not
a "financial i	nstitution" 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:
Code. We fu ender as def	and will not become a predatory lender as defined in Chapter 2-32 of the Municipal orther pledge that none of our affiliates is, and none of them will become, a predatory fined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory oming an affiliate of a predatory lender may result in the loss of the privilege of doing a 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 Munic	cipal Code, explain here (attach add	litional pages if necessary):
	the word "None," or no response a med that the Disclosing Party certi	appears on the lines above, it will be fied to the above statements.
D. CERTIFICATI	ON REGARDING INTEREST IN	CITY BUSINESS
Any words or term meanings when us	<del>-</del>	of the Municipal Code have the same
	financial interest in his or her own	Aunicipal Code: Docs any official or employee name or in the name of any other person or
NOTE: If you che Item D.1., proceed		to Items D.2. and D.3. If you checked "No" to
elected official or e any other person of for taxes or assessi "City Property Sale	employee shall have a financial into rentity in the purchase of any prop- nents, or (iii) is sold by virtue of le	we bidding, or otherwise permitted, no City erest in his or her own name or in the name of erty that (i) belongs to the City, or (ii) is sold gal process at the suit of the City (collectively, ten pursuant to the City's eminent domain power ming of this Part D.
Does the Matter in	volve a City Property Sale?	·
[]Yes	[½No	
-	ed "Yes" to Item D.1., provide the ees having such interest and identif	names and business addresses of the City fy 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

The Disclosing Party has searched any and all records of the Disclosiag Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

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 requisite information as set forth in that paragraph 2.

1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of
the Disclosing Party and any and all predecessor entities for records of investments or profits from
slavery, the slave industry, or slaveholder insurance policies, and (h) the Disclosing Party has found
no records of investments or profits from slavery, the slave industry, or slaveholder insurance
policies and no records of names of any slaves or slaveholders.

Dis	_2. The Disclosing Farty verifies that, as a result of conducting the search in step 1(a) above, the closing Party has found records relating to investments or profits from slavery, the slave industry, laveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing			
Par	arty verifies that the following constitutes full disclosure of all such 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.

#### A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons of entities registered under the federal Loc	, ,
Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing	; Party with
respect to the Matter: (Begin list here, add sheets as 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.I. 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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/grants\_forms.html.

- 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 th	e Disclosing Party the	Applicant?
[]	Yes	[x] No
If "Y	es," answer the three	questions below:
		d and do you have on file affirmative action programs pursuant to ons? (See 41 CFR Part 60-2.)
	Yes	[] No
Cont unde	ract Compliance Prog r the applicable filing	_ *
LJ	Yes	[] No
	Have you participat l opportunity clause?	ed in any previous contracts or subcontracts subject to the
[]	Yes	[] No
If you	u checked "No" to qu	estion 1. or 2. above, please provide an explanation:

# SECTION VII – ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

- A. By completing and filing this EDS, the Disclosing Party acknowledges and agrees, on behalf of itself and the persons or entities named in this EDS, that the City may investigate the creditworthiness of some or all of the persons or entities named in this EDS.
- B. 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 stamtes, ordinances, and regulations on which this EDS is based.
- C. 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 <a href="www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

- D. 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, void or voidable), 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.
- E. It is the City's pohcy 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.
- F. 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the iatended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City.

PRC 601 PARTNER LLC	Date:	6.3.2008	
(Print or type name of Disclosing Party)	•		
By: (sign here)		·	
STEVEN FIFIELD			
(Print or type name of person signing)	•		
Nanaging Member		•	
(Print or type title of person signing)		·	•
	me 3, 2008 (state). Notary Public.	_, by STEVEND	FIFIELD
Commission expires: 2 20. 2011	<b>_</b> •		
OEFICML SEAL OEBORAN M. MOSCA Notary Public - Mote of Himois My Commission Expises Fob 20, 2011		,	

(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 mable to recertify tmthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

# RECERTIFICATION .

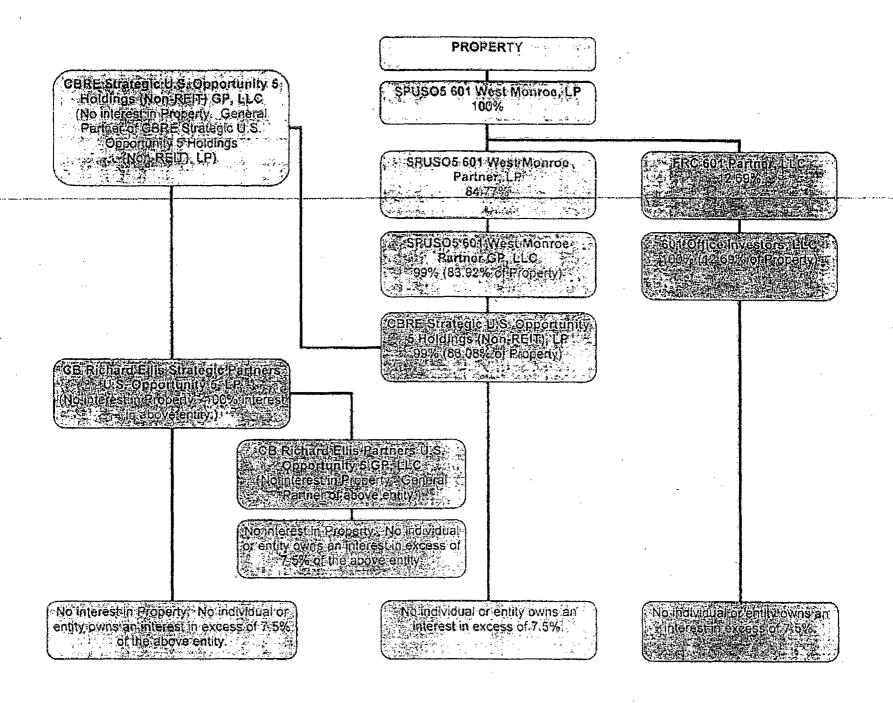
Generally, for use with City Council matters. Not for City procurements unless requested.

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Momoe, Jefferson, Adams and Des Plaines. 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 tme, accurate and complete as of the date fumished to the City and continue to be true, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

PRC 601 PARTNER LLC	Date: October 20, 2010
(Print or type legal name of Disclosing Party	)
By:  Thumbound	
(sign here)	
Print or type name of signatory:	•
Steven Fifield	
Title of signatory:	
Managing Member	
Signed and swom to before me on this <u>ao</u> Steven Fifield, at <u>will</u>	
Jusa Stire	Notary Public.
Commission expires: 01109113	·

Ver. 11-01-05

OFFICIAL SEAL LISA STINER NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:01/09/12



10 of 10

# 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:		
601 OFFICE INVESTORS LLC		
Check ONE of the following three boxes:		
Indicate whether Disclosing Party submitting this EDS is:  1. [] the Applicant OR		
2. k] 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 Spuses works, LP OR		
3. [] a specified legal entity with a right of control (see Section II.B.1.b.) State the legal name of the entity in which Disclosing Party holds a right of control:		
B. Business address of Disclosing Party: 550 WEST ADAMS, SUITE 200		
CHICAGO, IL 60661		
C. Telephone: 312/424-6228 Fax:312/855-1719 Email: aschachtman@fifield.com		
D. Name of contact person: Alan Schachtman		
E. Federal Employer Identification No. (if you have one): 42-1749699		
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):		
Alley Vacation 601/625 West Monroe Street		
G. Which City agency or department is requesting this EDS? Deet, of Transcordation		
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:		
Specification # and Contract #		

# SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

# A. NATURE OF DISCLOSING PARTY

1. Indicate the nature of the Disclosing Pa	arty:
[] Person	[x] Limited liability company*
[ ] Publicly registered business corporation	[] Limited liability partnership*
[] Privately held business corporation	[] Joint venture*
[] Sole proprietorship	Not-for-profit corporation
[] General partnership*	(Is the not-for-profit corporation also a 501(c)(3))?
[] Liruited partnership*	[] Yes [] No
[] Trust	[] Other (please specify)
* Note B.1.b below.	
2. For legal entities, the state (or foreign c	country) of incorporation or organization, if applicable:
Delaware	
business in the State of Illinois as a foreign en	tate of Ulinois: Has the organization registered to do tity?
ŊYes []No	[] N/A
B. IF THE DISCLOSING PARTY IS A LEG	AL ENTITY:
For not-for-profit corporations, also list below	les of all executive officers and all directors of the entity. all members, if any, which are legal entities. If there are usts, estates or other similar entities, list below the legal
titleholder(s).	
Name	Title
	· · · · · · · · · · · · · · · · · · ·

1.b. If you checked "General partnership," "Limited partnership," "Limited liability company," "Limited liability partnership" or "Joint venture" in response to Item A.1. above (Nature of Disclosing Party), 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 Managing Member Steven Pifield 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 tmst, 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 601 Office Investors, LLC 550 West Adams Street, Suite 200, Chicago, IL 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 [ k No If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

# 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.

Relationship to Disclosing Party

Fees

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.

Business

Name

(indicate whether retained or anticipate to be retained)	Addres ed	(subcontractor, attomey, lobbyist, etc.)	(indicate whether paid or estimated)
(			
(Add sheets if necess	sary)		
kk Check here if the entities.	Disclosing pa	rty has not retained, nor expects to re	etain, any such persons or
SECTION V CEI	RTIFICATIO	ons	
A. COURT-ORDER	RED CHILD	UPPORT COMPLIANCE	
_		2-92-415, substantial owners of busice with their child support obligations	
	-	irectly owns 10% or more of the Disgations by any Illinois court of comp	, -
[] Yes	<b>[x]</b> No	[] No person owns 10% or more of	tbe Disclosing Party.
If "Yes," has the pers is the person in comp		to a court-approved agreement for part agreement?	ayment of all support owed and
[]Yes	[ ] No		

#### **B. FURTHER CERTIFICATIONS**

- 1. 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 otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause B.1.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.
  - 2. The certifications in subparts 2, 3 and 4 concem:
  - the Disclosing Party;
  - any "Applicable Party" (meaning any party participating in the performance of the Matter, including but not limited to any 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 enfity 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 Applicable Parties, the term Affiliated Entity means a person or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another person or entity;

• any responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Applicable Party or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Applicable Party, nor any Affiliated Entity of either the Disclosing Party or any Applicable Party nor any Agents have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five years before the date of such Applicable Party'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).
- 3. Neither the Disclosing Party, Affiliated Entity or Applicable Party, 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.
- 4. 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.
- 5. The Disclosing Party understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Titie 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

6. 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:		

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.

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

For purposes of this Part C, under Municipal Code Section 2-32-455(b), the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code. (Additional definitions may be found in Municipal Code Section 2-32-455(b).)

### 1. CERTIFICATION

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 instimtion, 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

	icipal Code, explain here (attach a	dditional pages if necessary):
	," the word "None," or no respons umed that the Disclosing Party cer	re appears on the lines above, it will be retified to the above statements.
D. CERTIFICAT	ON REGARDING INTEREST I	IN CITY BUSINESS
Any words or termeanings when u	-	56 of the Municipal Code have the same
	financial interest in his or her ow	Municipal Code: Does any official or employee n name or in the name of any other person or
NOTE: If you ch Item D.1., proceed	· ·•	d to Items D.2. and D.3. If you checked "No" to
elected official or any other person of for taxes or assess "City Property Sa	employee shall have a financial in or entity in the purchase of any pro- ments, or (iii) is sold by virtue of	tive bidding, or otherwise permitted, no City interest in his or her own name or in the name of operty that (i) belongs to the City, or (ii) is sold legal process at the suit of the City (collectively, aken pursuant to the City's eminent domain power eaning of this Part D.
Does the Matter is	avolve a City Property Sale?	
[]Yes	[×] No	•
2 If you ahaa		he names and business addresses of the City
•	yees naving such interest and iden	, 120

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

The Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and has disclosed in this EDS any and all such records to the City. In addition, the Disclosing Party must disclose the names of any and all slaves or slaveholders described in those records. Failure to comply with these disclosure requirements may make the Matter to which this EDS pertains voidable by the City.

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: (Begin list here, add sheets as necessary):
A. CERTIFICATION REGARDING LOBBYING
NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII.
SECTION VI CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS
Party verifies that the following constitutes full disclosure of all such records:
2. The Disclosing Party verifies that, as a result of conducting the search in step 1(a) above, the Disclosing Party has found records relating to investments or profits from slavery, the slave industry or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Disclosing
the Disclosing Party and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) the Disclosing Party has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.
1. The Disclosing Party verifies that (a) the Disclosing Party has searched any and all records of
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 requisite information as set forth in that paragraph

(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.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any person or entity for influencing or attempting 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 Matter, the Disclosing Party must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at http://www.whitehouse.gov/omb/grants/sflllin.pdf, linked on the page http://www.whitehouse.gov/omb/grants/forms.html.

- 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 Pa	ty the Applicant?	
[]Ycs	[t] No	
If "Yes," answer th	three questions below:	
-	eloped and do you have on file affirmative action programs pursuant to	
	gulations? (See 41 CFR Part 60-2.)	
[] Yes	[ ] No	
Contract Compliane	with the Joint Reporting Committee, the Director of the Office of Federal Programs, or the Equal Employment Opportunity Commission all reports d filing requirements?	ue
[]Yes	[ ] <b>No</b>	
3. Have you pa equal opportunity c	icipated in any previous contracts or subcontracts subject to the use?	
[]Yes	[ ] No	
If you checked "No	to question 1. or 2. above, please provide an explanation:	
COMPLIANCE, P	CKNOWLEDGMENTS, CONTRACT INCORPORATION, NALTIES, DISCLOSURE understands and agrees that:	
itself and the person	d filing this EDS, the Disclosing Party acknowledges and agrees, on behalf or entities named in this EDS, that the City may investigate the ome or all of the persons or entities named in this EDS.	of
any contract or othe	disclosures, and acknowledgments contained in this EDS will become part agreement between the Applicant and the City in connection with the Matte, City assistance, or other City action, and are material inducements to the C	r,

C. 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 <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

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.

- D. 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, void or voidable), at law, or in equity, including terminating the Disclosing Party's participation in the Mafter 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.
- E. 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.
- F. The infonnation 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.

The Disclosing Party represents and warrants that:

G. The Disclosing Party has not withheld or reserved any disclosures as to economic interests in the Disclosing Party, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks City Council or other City agency action.

For purposes of the certifications in H.1. and H.2. below, the term "affiliate" means any person or entity that, directly or indirectly: contiols 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 of 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 the federal government or a state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity.

- H.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 affiliates 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.
- H.2 If the Disclosing Party is the Applicant, the Disclosing Party and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.

H.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 H.1. and H.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 H.1., H.2. or H.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 on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date fumished to the City.

601 OFFICE INVESTORS LLC	Date:	6.3. 2008
(Print or type name of Disclosing Party)		
By: MMW/W/ MM		
(sign here)		
STEVEN FIFIELD		
(Print or type name of person signing)		
MANAGING MEMBER		
(Print or type title of person signing)		
Signed and sworn to before me on (date) $\frac{J_{\nu}}{J_{\nu}}$	ine 3, 2008	. by Sieven D. FIFIELD
at COOK Sounty, ILLINOIS	(state).	
DAY NY M	Notary Public.	
Commission expires: 2.20.2011	•	
	٠	
OFFICIAL SEAL DEBORAN M. MOSCA Notary Public - State of Illinois My Commission Expires Fab 20, 2011		

(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 imless requested.

This recertification is being submitted in connection with applications for subdivision and alley vacation within the block bounded by Monroe, Jefferson, Adams and Des Plaines. Under penalty of perjury, the person signing below: (I) 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 fumished to the City and continue to be true, accurate and complete as of the date of this recertification; and (3) reaffirms its acknowledgments.

601 OFFICE INVESTORS LLC	Date: October, 2010
(Print or type legal name of Disclosing Party)	
By:	
Munin 700	
(sign here)	
Print or type name of signatory:	
Steven Fifield	
Title of signatory:	
Managing Member	
Signed and swom to before me on this <u>20</u> day Steven Fifield, at, at	
Disa Stines N	otary Public.
Commission expires: 6\ 169/12	•

Ver. 11-01-05

OFFICIAL SEAL
LISA STINER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:01/09/12

