



# Office of Chicago City Clerk



**O2011-3001**

Office of the City Clerk

## City Council Document Tracking Sheet

**Meeting Date:** 4/13/2011

**Sponsor(s):** Waguespack, Scott (32)

**Type:** Ordinance

**Title:** Vacation of public street(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 City wishes to support the charitable, educational and philanthropic activities of established Not for Profit Corporations and encourage the continued viability and growth of such activities; and

WHEREAS, many Not For Profit Corporations own property that adjoins streets and alleys that are no longer required for public use and might more productively be used in furtherance of such activities; and

WHEREAS, the City would benefit from the vacation of these streets and alleys by reducing City expenditures on maintenance, repair and replacement; by reducing fly-dumping, vandalism and other criminal activity; and by providing support for such charitable, educational and philanthropic activities; and

WHEREAS, the City can promote strong communities by facilitating services to the public, and increase the City's job base through the vacation of public alley for no compensation; and

WHEREAS, the properties at 2334-2358 N. Racine, also known as permanent index No. 14-32-10-106-005-0000 ("the abutting properties") are owned by DePaul University, an Illinois Not For Profit Corporation; and

WHEREAS, DePaul University, an Illinois Not For Profit Corporation, uses its facilities at this site for higher level education; and

WHEREAS, DePaul University, an Illinois Not For Profit Corporation, proposes to use the portion of the public street to be vacated herein for the construction of a new theater school, containing theaters, classrooms, offices, and accessory facilities; 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 parts of public street described in the following ordinance; now therefore,

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

SECTION 1. All that part of West Medill Avenue (formerly known as Huber Place) in the resubdivision of the Northeast  $\frac{1}{4}$  of block 12 of Sheffield's Addition to Chicago in Section 32, Township 40 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded January 18, 1904 as Document 3490274; lying north of the most southerly north line of Lot 31, in the resubdivision of the northeast  $\frac{1}{4}$  of block 12 of Sheffield's Addition to Chicago in Section 32 aforesaid; lying south of the south line of Lot 30 and its westerly extension, in the resubdivision of the northeast  $\frac{1}{4}$  of block 12 of Sheffield's Addition to Chicago in Section 32 aforesaid; lying east of the most westerly east line of Lot 31 aforesaid, and lying west of a line drawn from the most southerly northeast corner of Lot 31 aforesaid to the southeast corner of Lot 30, in the resubdivision of the northeast  $\frac{1}{4}$  of block 12 of Sheffield's Addition to Chicago in Section 32 aforesaid, excepting therefrom the south 22.00 feet thereof and the west 16.00 feet thereof, all 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, with title vesting in DePaul University as owner of the Abutting Properties.

SECTION 2. The Commissioner of Transportation is hereby authorized to accept and approve a redevelopment agreement or similar instrument restricting the use and improvement of the public way vacated in Section 1 of this ordinance to educational purposes which includes, but

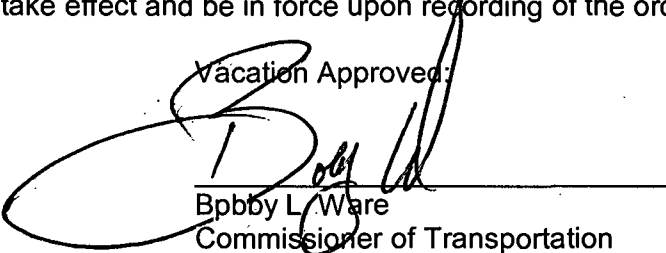
shall not be limited to: educational and artistic purposes and for such use and improvements that are accessory, as that term is defined in the Chicago Zoning Ordinance, to such social service purposes, such uses and improvements to be owned and operated by a non-profit corporation, subject to the approval of the Corporation Counsel as to form and legality. The restriction on use and improvement in the covenant, agreement or instrument shall be for a term of 40 years and upon breach of such restriction the public way herein vacated shall revert to the City to be subject to the terms and conditions of the dedication by which it has been heretofore held by the City.

SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, DePaul University shall deposit in the City Treasury of the City of Chicago a sum sufficient to defray the costs of removing paving and curb returns and constructing sidewalk and curb across the entrance to the portion of the street hereby vacated, similar to the contiguous sidewalk and curb along the West line of North Racine Avenue. The precise amount of the sum so deposited shall be ascertained by the Commissioner of Transportation after such investigation as is requisite.

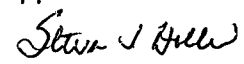
SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, DePaul University, an Illinois Not For Profit Corporation, shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, together with a redevelopment agreement complying with Section 2 of this ordinance, approved by the Corporation Counsel, an attached drawing.


SECTION 5. This ordinance shall take effect and be in force from and after its passage. This vacation shall take effect and be in force upon recording of the ordinance.

Vacation Approved:

  
Bobby L. Ware  
Commissioner of Transportation

Approved as to Form and Legality

  
Deputy Corporation Counsel

  
Honorable Scott Waguespack  
Alderman, 32<sup>nd</sup> Ward

"A"  
Resubdivision of the Northeast 1/4 of Block 12, Sheffield's Addition to Chicago etc.  
Rec. Jan. 18, 1904 Doc. 3490274

"B"  
Jacob Huber's Sub. of the Northeast 1/4 of Block 12 in Sheffield Addition to Chicago etc.  
Rec. Oct. 11, 1884 Doc. 580219

"C"  
Vacated by Instrument  
Rec. July 1, 1903 Doc. 3411559

"D"  
Vacated by Instrument  
Rec. Nov. 12, 1903 Doc. 3467454

"E"  
Vacated by Ordinance Passed Dec. 21, 1903

# NATIONAL SURVEY SERVICE, INC.

## Plat of Vacations

OF PUBLIC STREET

IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH,  
RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SURVEY NO. N-127931-C VACATION

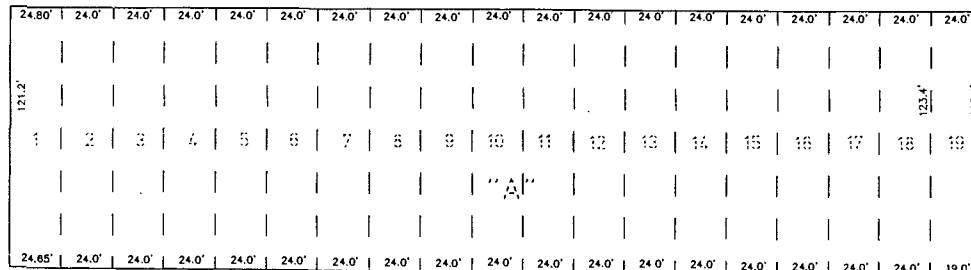
DATE: JUNE 30, 2010

W. FULLERTON

AVE.

65.00'

AVE.



16 FT. PUBLIC

ALLEY

BLOCK 12

"A"

31

"E" VACATED "B" W. HUBER "C" PLACE "D"

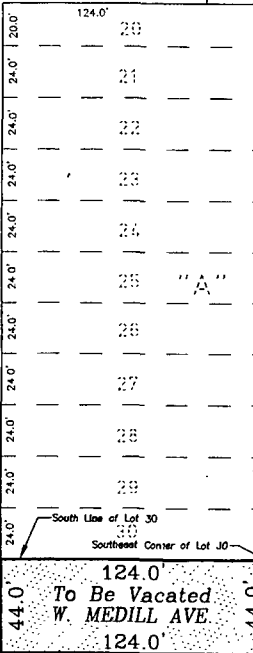
16 FT. PUBLIC ALLEY

Most Westerly East Line of Lot 31

ALLEY

16 FT. PUBLIC

Westerly Extension of the South Line of Lot 30



To Be Vacated  
W. MEDILL AVE.

22 FT. PUBLIC ALLEY

Most Southerly North Line of Lot 31  
Most Southerly Northeast Corner of Lot 31

AVE.

N. RACINE

STATE OF ILLINOIS ) SS  
COUNTY OF COOK )

NATIONAL SURVEY SERVICE, INC., A CORPORATION OF THE  
STATE OF ILLINOIS, DOES HEREBY CERTIFY THAT A SURVEY  
HAS BEEN MADE AT AND UNDER ITS DIRECTION BY AN  
ILLINOIS PROFESSIONAL LAND SURVEYOR OF THE  
PROPERTY HEREIN DESCRIBED:

THAT PART OF WEST MEDILL AVENUE (FORMERLY KNOWN  
AS HUBER PLACE) IN THE RESUBDIVISION OF THE  
NORTHEAST 1/4 OF BLOCK 12 OF SHEFFIELD'S ADDITION TO  
CHICAGO IN SECTION 32, TOWNSHIP 40 NORTH, RANGE 14  
EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO  
THE PLAT THEREOF RECORDED JANUARY 18, 1904 AS  
DOCUMENT 3490274; LYING NORTH OF THE MOST  
SOUTHERLY NORTH LINE OF LOT 31, IN THE RESUBDIVISION  
OF THE NORTHEAST 1/4 OF BLOCK 12 OF SHEFFIELD'S  
ADDITION TO CHICAGO IN SECTION 32 AFORESAID; LYING  
SOUTH OF THE SOUTH LINE OF LOT 30 AND ITS WESTERLY  
EXTENSION, IN THE RESUBDIVISION OF THE NORTHEAST 1/4  
OF BLOCK 12 OF SHEFFIELD'S ADDITION TO CHICAGO IN  
SECTION 32 AFORESAID; LYING EAST OF THE MOST  
WESTERLY EAST LINE OF LOT 31 AFORESAID, AND LYING  
WEST OF A LINE DRAWN FROM THE MOST SOUTHERLY  
NORTHEAST CORNER OF LOT 31 AFORESAID TO THE  
SOUTHEAST CORNER OF LOT 30, IN THE RESUBDIVISION OF  
THE NORTHEAST 1/4 OF BLOCK 12 OF SHEFFIELD'S ADDITION  
TO CHICAGO IN SECTION 32 AFORESAID, EXCEPTING  
THEREFROM THE SOUTH 22.00 FEET THEREOF AND THE  
WEST 16.00 FEET THEREOF, ALL IN COOK COUNTY,  
ILLINOIS.

AREA = 5456.0 SQUARE FEET OR 0.1253 ACRES.  
CHICAGO, ILLINOIS JUNE 30, A.D. 2010  
NATIONAL SURVEY SERVICE, INC.

BY Joseph A. Lima  
VICE-PRESIDENT  
ATTEST: Robert M. Giamberdi  
ASSISTANT SECRETARY



STATE OF ILLINOIS ) SS  
COUNTY OF COOK )

I, JOSEPH A. LIMA, AN ILLINOIS PROFESSIONAL LAND  
SURVEYOR DO HEREBY CERTIFY THAT I HAVE SURVEYED  
THE PROPERTY HEREIN DRAWN FOR THE PURPOSE OF  
VACATING THE SAME AND THAT THE PLAT HEREON DRAWN  
IS A CORRECT REPRESENTATION THEREOF.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS  
THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 62  
FAHRENHEIT.

CHICAGO, ILLINOIS, JUNE 30, A.D. 2010

BY Joseph A. Lima  
JOSEPH A. LIMA  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3080



MY LICENSE EXPIRES 11/09/2010

Dr. No. \_\_\_\_\_ W. BELDEN

IMPORTANT

NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE  
PLAT  
DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF, THUS: 4.57  
MEANS 4 FEET AND 20 INCHES, OR IN FEET AND INCHES, THUS: 4'-8 1/2"  
© NATIONAL SURVEY SERVICE, INC. 2007 "ALL RIGHTS RESERVED"

65.00'

AVE.

SCALE = 1" = 40'

SURVEY NO. N-127931-C VACATION DATE: JUNE 30, 2010  
THIS INSTRUMENT PREPARED BY:

NATIONAL SURVEY SERVICE, INC.  
PROFESSIONAL LAND SURVEYORS  
30 S. MICHIGAN AVENUE, SUITE 200 CHICAGO, ILLINOIS 60603  
TEL: 312-030-9400 FAX: 312-030-9404

FILE NO. 32-32-10-3192

TOTAL AREA TO BE VACATED = 5,456.0 Sq. Ft.

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

**SECTION I -- GENERAL INFORMATION**

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

DePaul University

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☒ the Applicant

OR

2. ☐ a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: \_\_\_\_\_

OR

3. ☐ a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control: \_\_\_\_\_

B. Business address of the Disclosing Party: 1 E. Jackson Blvd.

Chicago, Illinois 60604

C. Telephone: 312-362-8074 Fax: 312-362-5664 Email: rraguse@depaul.edu

D. Name of contact person: Rick Raguse, Esq

E. Federal Employer Identification No. (if you have one): 36-2167048

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):

Street Vacation

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

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

Specification # \_\_\_\_\_ and Contract # \_\_\_\_\_

**SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS****A. NATURE OF THE DISCLOSING PARTY****1. Indicate the nature of the Disclosing Party:**

- |   |   |
|---|---|
| <input type="checkbox"/> Person                                   | <input type="checkbox"/> Limited liability company                  |
| <input type="checkbox"/> Publicly registered business corporation | <input type="checkbox"/> Limited liability partnership              |
| <input type="checkbox"/> Privately held business corporation      | <input type="checkbox"/> Joint venture                              |
| <input type="checkbox"/> Sole proprietorship                      | <input checked="" type="checkbox"/> Not-for-profit corporation      |
| <input type="checkbox"/> General partnership                      | (Is the not-for-profit corporation also a 501(c)(3))?               |
| <input type="checkbox"/> Limited partnership                      | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Trust                                    | <input type="checkbox"/> Other (please specify)                     |

**2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:**Illinois**3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?**☐ Yes ☐ No ☒ N/A**B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:****1. List below the full names and titles of all executive officers and all directors of the entity.**

**NOTE:** For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party.

**NOTE:** Each legal entity listed below must submit an EDS on its own behalf.

Name

Title

See Exhibit A, attached hereto and made part hereof.No members.**2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,**

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

Name	Business Address	Percentage Interest in the Disclosing Party
N/A		

**SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS**

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

☐ Yes      ☒ No

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

**SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES**

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

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

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



Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
John J. Lawlor	233 S. Wacker	Attorney	\$20,000-estimate
Sonnenscheln Nath	Chicago, Illinois 60606		
& Rosenthal LLE			

(Add sheets if necessary)

☐ Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

## SECTION V – CERTIFICATIONS

### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

☐ Yes      ☐ No      ☒ No person directly or indirectly owns 10% or more of the Disclosing Party.

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

☐ Yes      ☐ No

### B. FURTHER CERTIFICATIONS

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

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

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

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

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

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

N/A

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

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

☐ is ☒ is not

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

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

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

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

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

☐ Yes ☒ No

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

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

Does the Matter involve a City Property Sale?

☒ Yes

☐ No

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

Name

Business Address

Nature of Interest

N/A

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

X 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

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

## SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

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

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

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

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

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

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes

☐ No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

☐ Yes

☐ No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

☐ Yes

☐ No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

☐ Yes

☐ No

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

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

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

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

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



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

## CERTIFICATION

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

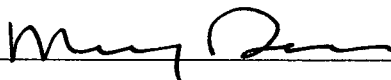
DePaul University  
(Print or type name of Disclosing Party)

By:   
(Sign here)

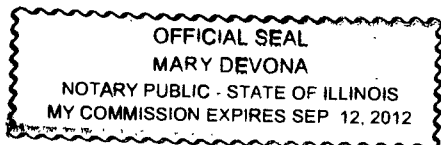
ROBERT L KOZOMANI  
(Print or type name of person signing)

EXECUTIVE VICE PRESIDENT  
(Print or type title of person signing)

Signed and sworn to before me on (date) 1/31/11,  
at Cook County, Illinois (state).

 Notary Public.

Commission expires: 9-12-2012.



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

**FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS**

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

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

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

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

☐ Yes

☒ No

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

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## **EXHIBIT A**

### **EXECUTIVE OFFICERS**

Rev. Dennis H. Holtschneider, C.M., Ed.D., President  
Rev. John T. Richardson, C.M., S.T.D., Chancellor  
Helmut P. Epp, Ph.D., Provost  
Robert L. Kozoman, C.P.A., Executive Vice President  
Rev. Edward R. Udovic, C.M., Ph.D., Secretary of the University

### **BOARD OF TRUSTEES**

Chair: Ms. Mary A. Dempsey  
Vice-Chair: Mr. James M. Jenness

Peter C. Argianas  
*Chairman, President & CEO*  
Gold Coast Bank

Ms. Karen M. Atwood  
*President*  
Blue Cross Blue Shield of Illinois

Mr. Gerald A. Beeson  
*Chief Operating Officer*  
Citadel LLC

Mr. William E. Bennett  
*Retired, President & CEO*  
First National Bank of Chicago

Rev. Richard Benson, C.M.  
*Academic Dean*  
St. Johns Seminary

Rev. Daniel P. Borlik, C.M.

Mr. John L. Brennan  
*Head of Private Wealth Management*  
William Blair & Company

Mr. Gery J. Chico  
*Attorney at Law*  
Chico & Nunes, P.C.

Mr. Frank M. Clark  
*Chairman and CEO*  
ComEd

Dr. Curtis J. Crawford  
*President and Chief Executive Officer*  
XCEO, Inc.

Mr. Sebastian S Cualoping  
*CEO & President*  
AMPAC International

Dr. Connie R. Curran  
*President*  
Curran Associates

Mr. James L. Czech  
*President*  
The James L Czech Company LLC

Ms. Mary A. Dempsey  
*Commissioner*  
Chicago Public Library

Dr. Jonathan F. Fanton  
*Franklin D. Roosevelt Visiting Fellow*  
Hunter College

Ms. Sue L. Gin  
*Chairman*  
Flying Food Group Inc.

Mr. Jack M. Greenberg  
*Retired Chairman & CEO*  
McDonald's Corporation

Mr. Arnold T. Grisham  
*President and CEO*  
Peer Review Solutions

**Mr. Richard A. Hanson**  
*Principal*  
Mesa Development LLC

**Mr. William E. Hay**  
*President*  
William E. Hay & Co.

**Roberto R. Herencia**  
*President and CEO*  
Midwest Banc Holdings, Inc.

**Mr. James M. Jenness**  
*Chairman of the Board*  
Kellogg Company

**Dr. Arthur Elliott Levine**  
*President*  
The Woodrow Wilson National  
Fellowship Foundation

**Rev. Robert P. Maloney, C.M.**  
*Project DREAM Coordinator*  
Theological College

**Mr. Patrick J. Moore**  
*Chief Executive Officer*  
Smurfit-Stone Container Corporation

**Mr. Peter Pesce**  
*Vice President, Human Resources*  
A.T. Kearney, LLC

**Ms. Anne R. Pramaggiore**  
*President & Chief Operating Officer*  
ComEd

**Mr. George Ruff**  
*Senior Principal*  
Trinity Hotel Investors LLC

**Mr. Bertram L. Scott**  
*President*  
CIGNA Corporation

**Mr. John C. Staley**  
*Retired Managing Partner*  
Ernst & Young LLP

**Mrs. Joanne Velasquez**  
*Executive Vice President*  
Azteca Foods Inc

**Mr. Harry Harczak**  
*Former EVP*  
CDW Computer Centers, Inc.

**Rev. Perry Henry, C.M.**  
*Provincial Superior*  
Western Province, Congregation of the Mission

**Rev. Dennis Holtschneider, C.M., Ed.D.**  
*President*  
DePaul University

**Mr. Jeffrey J Kroll**  
*Principal*  
Law Offices of Jeffrey J. Kroll

**Rev. James J. Maher, C.M.**  
*Vice President for Student Affairs*  
St. John's University

**Ms. Carla Michelotti**  
*Executive VP/Chief Legal, Government, and Corporate Affi*  
Leo Burnett Company, Inc

**Ms. Trish J. Parson**  
*Retired, Consultant to AmerInd*  
FCBS, Inc

**Mr. Roger L. Plummer**  
*President*  
Plummer & Associates Consulting

**Mr. Larry R. Rogers, Sr.**  
*Partner*  
Power, Rogers & Smith, P.C.

**Mr. Jim Ryan**  
*Chairman, President and CEO*  
W.W. Grainger, Inc.

**Mr. John B. Simon**  
*Partner*  
Jenner & Block

**Mr. Daniel C Ustian**  
*Chairman, President & CEO*  
Navistar International Corporation

**Ms. Dia S. Weil**  
*Retired*

## **MEMBERS OF THE CORPORATION**

**Dr. Connie R. Curran**  
**Ms. Mary Dempsey**  
**Rev. Paul L. Golden, C.M.**  
**Mr. Richard A. Heise, Sr.**  
**Rev. Perry Henry, C. M.**  
**Rev. Dennis H. Holt Schneider, C.M.**  
**Rev. Michael P. Joyce, C.M.**  
**Rev. Robert P. Maloney, C.M.**  
**Rev. William R. Piletic, C.M.**  
**Rev. Mark Pranaitis, C.M.**  
**Rev. Edward R. Udovic, C.M.**  
**Rev. Raymond A. VanDorpe, C.M.**