



City of Chicago



O2013-6139

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	9/11/2013
Sponsor(s):	Waguespack, Scott (32)
Type:	Ordinance
Title:	Vacation of Public Alley(s) in area bounded by W Fullerton Ave and N Wolcott Ave
Committee(s) Assignment:	Committee on Transportation and Public Way

COMMERCIAL 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 1900-1938 W. Fullerton Avenue, and 2401-2413 N. Elston Avenue are owned by Vienna Beef, Limited, an Illinois corporation ; and

WHEREAS, Vienna Beef, Limited proposes to ultimately build over and incorporate the alley into their south property, in conjugation with the realignment of N. Elston Avenue being done by the City of Chicago Department of Transportation; 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. THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 15 IN BLOCK 8 OF FULLERTON'S ADDITION TO CHICAGO RECORDED ON MAY 7, 1879 AS DOCUMENT NUMBER 221101; THENCE NORTHERLY ON AN ASSUMED BEARING OF NORTH 0 DEGREES 24 MINUTES 44 SECONDS WEST ALONG THE WEST LINE OF NORTH WOLCOTT AVENUE, 16.00 FEET TO THE NORTHERLY LINE OF THE EAST-WEST 16 FOOT PUBLIC ALLEY, SAID ALLEY ADJOINING THE NORTHERLY LINE OF LOTS 15 THROUGH 31 IN SAID BLOCK 8; THENCE SOUTH 89 DEGREES 59 MINUTES 35 SECONDS WEST ALONG SAID NORTH LINE, 337.00 FEET TO THE SOUTHWEST LINE OF VACATED LOT 1 IN SAID BLOCK 8, SAID LOT VACATED BY DOCUMENT NUMBER 2339230 RECORDED JANUARY 27, 1896; THENCE NORTH 46 DEGREES 11 MINUTES 32 SECONDS WEST ALONG SAID LINE, 17.86 FEET TO THE SOUTHERLY LINE OF THE LANDS VACATED BY DOCUMENT NUMBER 3112626 RECORDED JUNE 10TH, 1901; THENCE SOUTH 66 DEGREES 34 MINUTES 10 SECONDS WEST ALONG SAID LINE, 17.35 FEET TO THE SOUTHEAST CORNER OF VACATED LOT 33 IN SAID BLOCK 8, SAID LOT VACATED BY SAID DOCUMENT NUMBER 2339230; THENCE SOUTH 46 DEGREES 11 MINUTES 32 SECONDS EAST ALONG NORTHEAST LINE OF LOT 31 AND LOT 30 IN SAID BLOCK 8, A DISTANCE OF 31.01 FEET TO THE SOUTH LINE OF SAID ALLEY; THENCE NORTH 89 DEGREES 59 MINUTES 35 SECONDS EAST ALONG SAID LINE, 343.55 FEET TO THE POINT OF BEGINNING. SAID PART CONTAINING 0.134 ACRE (5,835 SQ. FT.), MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the drawing hereto attached as Exhibit A, 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 vacations.

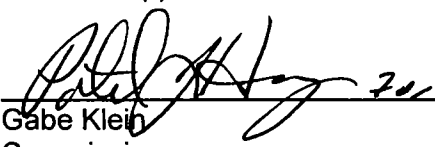
SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison and AT&T, their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the alley herein vacated, with the right of ingress and egress. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison and/or AT&T's facilities. No buildings, permanent structures or obstructions shall be placed over said facilities without written release of easement by Commonwealth Edison and/or AT&T. Any future vacation-beneficiary prompted relocation of said facilities lying within the area being vacated will be completed by the respective utility and done at the expense of beneficiary of the vacation.

SECTION 3. The vacation herein provided for is made under the compensation terms described in of the Real Estate Agreement, Section 3A between the City of Chicago Department of Transportation and Vienna Beef, Limited, as authorized by an ordinance approved by City Council on May 8, 2012 and published at pages 52861 – 52881 in the Journal of Proceedings of the City Council of such date; which in the judgment of this body will be equal to such benefits as accrued to the City in association with Realignment Project consisting of the reconfiguration of N. Elston Avenue and other adjacent public way.

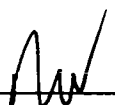
SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, Vienna Beef, Limited, its successor or identified agent shall pay or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois, a certified copy of this ordinance, , and the attached plat approved by the Superintendent of Maps and Plats.

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

Vacation Approved:


Gabe Klein
Commissioner

Approved as to Form and Legality


Richard Wendy
Deputy Corporation Counsel



Honorable Alderman Waguespack
Alderman, 32nd Ward

EXHIBIT "A"

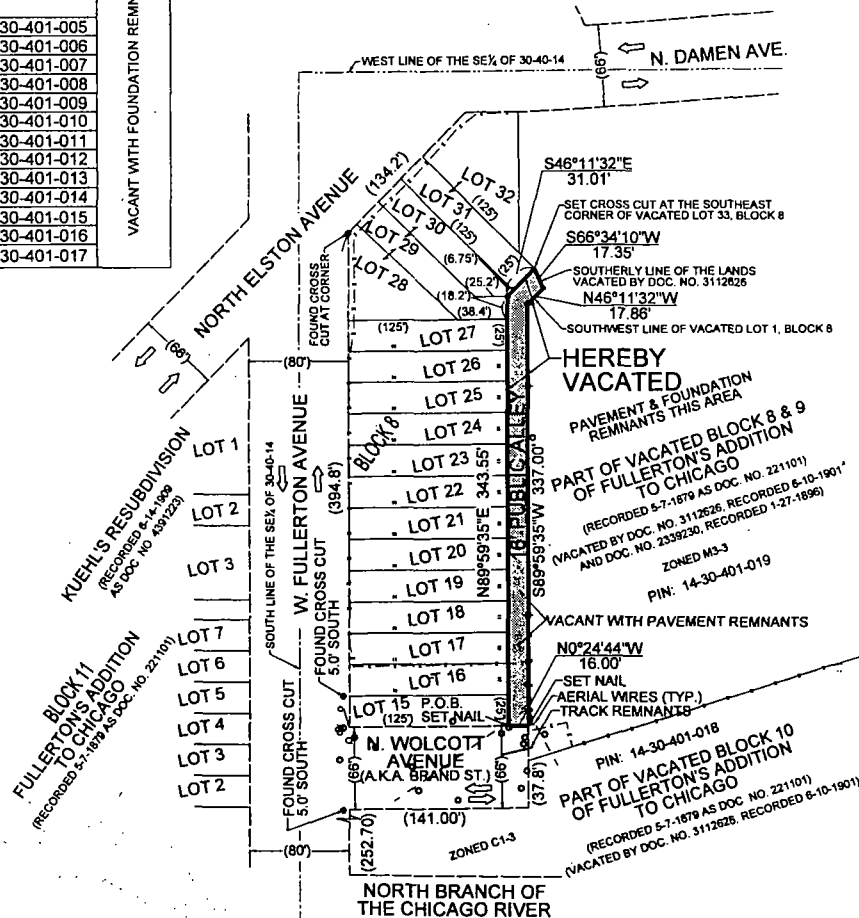
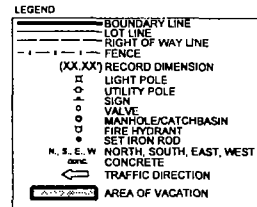
PLAT OF VACATION

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHEAST CORNER OF LOT 15 IN BLOCK 8 OF FULLERTON'S ADDITION TO CHICAGO RECORDED ON MAY 7, 1879 AS DOCUMENT NUMBER 221101; THENCE NORTHERLY ON AN ASSUMED BEARING OF NORTH 0 DEGREES 24 MINUTES 44 SECONDS WEST ALONG THE WEST LINE OF NORTH WOLCOTT AVENUE, 16.00 FEET TO THE NORTHERLY LINE OF THE EAST-WEST 16 FOOT PUBLIC ALLEY, SAID ALLEY ADJOINING THE NORTHERLY LINE OF LOTS 15 THROUGH 31 IN SAID BLOCK 8; THENCE SOUTH 89 DEGREES 59 MINUTES 35 SECONDS WEST ALONG SAID NORTH LINE, 337.00 FEET TO THE SOUTHWEST LINE OF VACATED LOT 1 IN SAID BLOCK 8, SAID LOT VACATED BY DOCUMENT NUMBER 2339230 RECORDED JANUARY 27, 1896, THENCE NORTH 46 DEGREES 11 MINUTES 32 SECONDS WEST ALONG SAID LINE, 17.86 FEET TO THE SOUTHERLY LINE OF THE LANDS VACATED BY DOCUMENT NUMBER 3112626 RECORDED JUNE 10TH, 1901; THENCE SOUTH 66 DEGREES 34 MINUTES 10 SECONDS WEST ALONG SAID LINE, 17.35 FEET TO THE SOUTHEAST CORNER OF VACATED LOT 33 IN SAID BLOCK 8, SAID LOT VACATED BY SAID DOCUMENT NUMBER 2339230; THENCE SOUTH 46 DEGREES 11 MINUTES 32 SECONDS EAST ALONG NORTHEAST LINE OF LOT 31 AND LOT 30 IN SAID BLOCK 8, A DISTANCE OF 31.01 FEET TO THE SOUTH LINE OF SAID ALLEY; THENCE NORTH 89 DEGREES 59 MINUTES 35 SECONDS EAST ALONG SAID LINE, 343.55 FEET TO THE POINT OF BEGINNING.
 SAID PART CONTAINING 0.134 ACRE (5,835 SQ. FT.), MORE OR LESS.

BLOCK 8 LOT #	TAX NUMBER	
LOT 32	14-30-401-003	
LOT 31		
LOT 30		
LOT 29	14-30-401-004	
LOT 28		
LOT 27	14-30-401-005	
LOT 26	14-30-401-006	
LOT 25	14-30-401-007	
LOT 24	14-30-401-008	
LOT 23	14-30-401-009	
LOT 22	14-30-401-010	
LOT 21	14-30-401-011	
LOT 20	14-30-401-012	
LOT 19	14-30-401-013	
LOT 18	14-30-401-014	
LOT 17	14-30-401-015	
LOT 16	14-30-401-016	
LOT 15	14-30-401-017	

VACANT WITH FOUNDATION REMNANTS



NOTES.

- 1) THE BASIS OF BEARING IS ASSUMED N0°24'44"W ON THE WEST RIGHT OF WAY LINE OF NORTH WOLCOTT AVENUE.
- 2) DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- 3) NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
- 4) ZONING INFORMATION BASED ON CITY OF CHICAGO PLANNING AND ZONING BUREAU ONLINE MAPPING.
- 5) PINS 14-30-401-003 THROUGH 14-30-401-017 ARE ZONED M3-3.
- 6) FIELD WORK PERFORMED: 10-18-08

I, DOUGLAS G. MASSEY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THIS PLAT OF VACATION IS A COMPILATION OF THE VARIOUS RECORDS CREATING THE EAST-WEST 16 FOOT PUBLIC ALLEY AS DEPICTED HEREON AND IS A CORRECT REPRESENTATION OF THAT PORTION OF SAID ALLEY HEREBY BEING VACATED. GIVEN UNDER MY HAND AND SEAL IN CHICAGO, ILLINOIS THIS 15TH DAY OF APRIL, 2013. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS.

DOUGLAS G. MASSEY, ILLINOIS PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER 3685
 EXPIRATION DATE: NOVEMBER 30TH, 2014

CDOT#: 30-32-13-3610

SURVEY PREPARED FOR MATHEWSON RIGHT OF WAY COMPANY
 COPIES TO: MARK D. MATHEWSON
 30 NORTH LASALLE ST, SUITE 1728, CHICAGO, IL 60602

benesch
 engineers · scientists · planners

Alfred Benesch & Company
 205 North Michigan Avenue, Suite 2400
 Chicago, Illinois 60601
 312-565-0450
 Design Firm License # 184.000882

CHICAGO DEPARTMENT OF TRANSPORTATION
 PLAT OF VACATION

REVISED	5-07-13
REVISED	
REVISED	
REVISED	
REVISED	
REVISED	

**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:

Vienna Beef, Ltd.

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: 2501 North Damen

Chicago, IL 60647

C. Telephone: (773) 278-7800 Fax: (773) 278-4759 Email: jpbod@viennabeef.com

D. Name of contact person: Jack Bodman

E. Federal Employer Identification No. (if you have one) _____

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

Application for alley vacation for the north-south alley bounded by Damen Ave., Wolcott Ave., and the Applicant's property.

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

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

Specification # N/A and Contract # N/A

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 checked="" type="checkbox"/> Privately held business corporation | <input type="checkbox"/> Joint venture |
| <input type="checkbox"/> Sole proprietorship | <input 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 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 attached

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
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 ☒ 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.
DLA Piper LLP (US)	203 North LaSalle St., Suite 1900 Chicago	Attorney	\$25,000 (est)

(Add sheets if necessary)

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

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

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

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

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

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

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

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

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

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

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

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

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

N/A

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

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

None

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

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

☐ is ☒ is not

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

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

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

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

N/A

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 N/A

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):

 N/A - This matter is not federally funded.

(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 N/A

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 N/A

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 N/A

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

☐ Yes ☐ No N/A

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

N/A - This matter is not federally funded

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, 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.

Vienna Beef, Ltd.

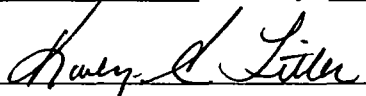
(Print or type name of Disclosing Party)

By: 
(Sign here)

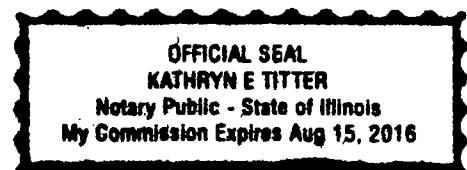
Jack Bodman
(Print or type name of person signing)

President
(Print or type title of person signing)

Signed and sworn to before me on (date) April 19, 2013,
at Cook County, Illinois (state).

 Notary Public.

Commission expires: 8/15/2016.



**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.

Attachment to Economic Disclosure Statement and Affidavit
Disclosing Party: Vienna Beef, Ltd.

Section II – Disclosure of Ownership Interests

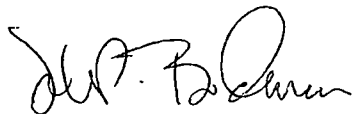
B.1 Executive Officers and Directors:

<u>Name</u>	<u>Title</u>
James W. Bodman	Chairman, CEO, Treasurer and Assistant Secretary
James Eisenberg	Chairman Emeritus
Kim Brown	Vice President
Mike Carlino	Vice President - Procurement
John P. Bodman	President
Jim Dencek	Vice President – Food Service Sales Western
Carolyn Goldhaber	Vice President – Controller
Eliot Kaufman	Vice President
Jane Lustig	Vice President – Human Resources
Richard Mueller	Vice President - Maintenance
Tim O'Brien	President
Robert D. Schwartz	Senior Vice President
Tom Pierce	Vice President – Customer Service
Keith Smith	Vice President
Richard Ewert	President (Chipico)
Donna Overacker	Vice President (Chipico)

B.2 Shareholders:

<u>Name</u>	<u>Percent Interest</u>
Steven J. Eisenberg	13.68%
James Bodman	19.68%
James Eisenberg	12.01%

The remaining individual shareholders do not own over
7.5% of the disclosing party



President - Vienna Beef, Ltd.

9.4.13

(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.

Application for alley vacation for the north-south alley bounde

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

Vienna Beef, Ltd.

Date: 9.4.13

(Print or type legal name of Disclosing Party)

By:

John P. Bodman

(sign here)

Print or type name of signatory:

John P. Bodman

Title of signatory:

President - Vienna Beef, Ltd.

Signed and sworn to before me on [date] Sept 4, 2013, by
John P. Bodman, at Cook County, Illinois [state].

Kathryn E. Titter Notary Public.

Commission expires: 8/15/2016

