



# City of Chicago



O2019-1415

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	3/13/2019
<b>Sponsor(s):</b>	Cardenas (12)
<b>Type:</b>	Ordinance
<b>Title:</b>	Vacation of public way(s) in area bounded by W 38th Pl, S Ashland Ave, W Pershing Rd and S Paulina St
<b>Committee(s) Assignment:</b>	Committee on Transportation and Public Way

## COMMERCIAL VACATION ORDINANCE

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

WHEREAS, the properties at 3838 to 3856 S. Ashland Avenue are owned by Stockyards Brick LLC ("Developer"); and

WHEREAS, the Developer proposes to use the portion of the street remnant to be vacated herein for construction of a commercial building; 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 that portion of the public street, described in the following ordinance; now therefore,

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

### SECTION 1.

**VACATION: THAT PART OF LOTS 19, 20, 21, 22, 23, 24, 25 AND 26, IN CHITTENDEN'S SUBDIVISION OF BLOCK 36, RECORDED FEBRUARY 24, 1868 (ANTE-FIRE), IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 19; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 66 DEGREES 31 MINUTES 36 SECONDS EAST, TO A POINT 20.00 FEET NORTH OF THE SOUTH LINE AND 46.00 FEET EAST OF THE WEST LINE OF SAID LOT 19, A DISTANCE OF 50.15 FEET; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 48 DEGREES 53 MINUTES 30 SECONDS EAST TO A POINT 27.00 FEET WEST OF THE WEST LINE OF S. ASHLAND AVENUE, AS WIDENED, AND 16.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 30.51 FEET; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 17 DEGREES 18 MINUTES 33 SECONDS EAST TO A POINT ON THE SOUTH LINE OF SAID LOT 22 TO ITS INTERSECTION WITH A LINE 17.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF S. ASHLAND AVENUE, AS WIDENED, A DISTANCE OF 33.66 FEET; THENCE NORTH ALONG THE AFOREMENTIONED PARALLEL LINE WITH A BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST TO THE NORTH LINE OF SAID LOT 26, A DISTANCE OF 120.35 FEET; THENCE EAST ALONG THE SAID NORTH LINE OF LOT 26 WITH A BEARING OF SOUTH 89 DEGREES 58 MINUTES 10 SECONDS EAST TO ITS INTERSECTION WITH A LINE 6.00 FEET WEST OF AND PARALLEL**

WITH THE WEST LINE OF S. ASHLAND AVENUE, AS WIDENED, A DISTANCE OF 11.00 FEET; THENCE SOUTH ALONG THE LAST DESCRIBED PARALLEL LINE WITH A BEARING OF SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST TO A POINT OF TANGENCY WITH A CURVE CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 24.00 FEET, A DISTANCE OF 168.55 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A CHORD LENGTH OF 33.95 FEET AND BEARING SOUTH 45 DEGREES 00 MINUTES 55 SECONDS WEST, AN ARC LENGTH OF 37.71 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 19, SAID POINT BEING 65.99 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 19; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 19 WITH A BEARING OF NORTH 89 DEGREES 58 MINUTES 10 SECONDS WEST, A DISTANCE OF 65.99 FEET TO THE POINT OF BEGINNING, THE ABOVE DESCRIBED PROPERTY BEING PART OF THE TRACT OF LAND TAKEN BY THE CITY OF CHICAGO FOR USE IN THE S. ASHLAND AVENUE AND W. PERSHING ROAD OVERPASS AS STATED IN DOCUMENT #18274276 RECORDED SEPTEMBER 13, 1961 FOR THAT PART OF LOT 19, DOCUMENT #18274273 RECORDED SEPTEMBER 13, 1961 FOR THAT PART OF LOT 20, DOCUMENT #18166785 RECORDED MAY 19, 1961 FOR THAT PART OF LOTS 27, 28 & 29 AND THAT PART OF LOTS 21 TO 26 (NO AVAILABLE RECORDING DOCUMENT), BOTH INCLUSIVE, IN THE AFOREMENTIONED CHITTENDEN'S SUBDIVISION, ALL IN COOK COUNTY, ILLINOIS SAID LAND AREA = 3,707 sq. ft. = 0.085 acre, more or less (COMMONLY KNOWN AS: 3846-56 S. ASHLAND AVE., CHICAGO, ILLINOIS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit A, which plat for greater clarity, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The City of Chicago hereby reserves for the benefit of Commonwealth Edison, AT&T/SBC, Comcast, 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 street segment 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, AT&T/SBC, and/or Comcast facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by the involved utilities. Any future Developer-prompted relocation of facilities lying within the area herein vacated will be accomplished by the involved utility, and be done at the expense of the Developer, its successors or assigns.

**SECTION 3.** The City of Chicago reserves for the Metropolitan Water Reclamation District, and its successors or assigns, a perpetual easement for facilities now located, or which in the future may be located in the street as herein vacated, and for the maintenance, renewal and reconstruction of such facilities. It is also provided that, the Metropolitan Water Reclamation District shall have 24 hour access to the area to be vacated, that no buildings or other permanent structures shall be erected, or grade changed, on said easement herein reserved, or other use made of said area, which in the sole discretion and judgment of the respective officials having control of the aforesaid service facilities, would interfere with the use, maintenance, renewal, or reconstruction of said facilities, or the construction of additional service facilities. It is further provided that the repair, renewal or replacement of any private materials, or private property damaged as a result of the Metropolitan Water Reclamation District exercising of its easement rights in the area to be vacated, shall be the sole expense and responsibility of the Developer, its successors or assigns.

**SECTION 4.** The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developer 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 remnant hereby vacated the sum \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which sum in the judgment of this body will be equal to such benefits.

**SECTION 5.** The vacation herein provided for are made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer shall file or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plats as approved by the Acting Superintendent of Maps and Plats.

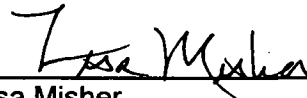
**SECTION 6.** This ordinance shall take effect and be in force from and after its passage and publication. The vacation shall take effect and be in force from and after recording of the approved ordinance and plat.

Vacation Approved:

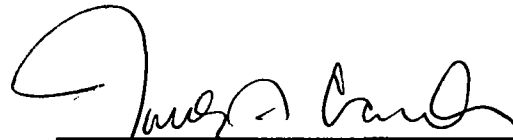


Rebekah Scheinfeld  
Commissioner of Transportation

Approved as to Form and Legality



Lisa Misher  
Deputy Corporation Counsel

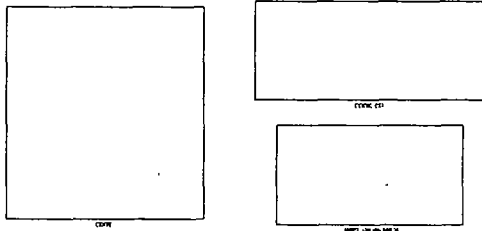
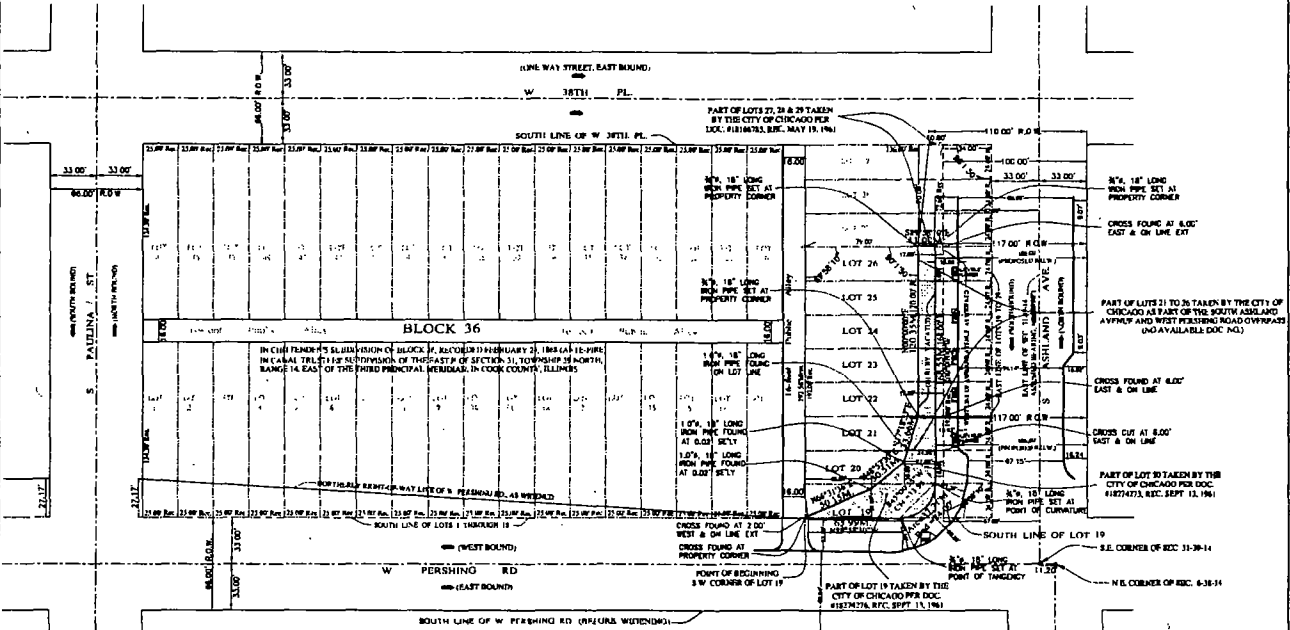


Honorable George Cardenas  
Alderman, 12th Ward

**EXHIBIT "A"**  
**PLAT OF VACATION**  
**OF**

THAT PART OF LOTS 19, 20, 21, 22, 23, 24, 25 AND 26, IN CHITTENDEN'S SUBDIVISION OF BLOCK 36, RECORDED FEBRUARY 24, 1868 (ANTE-FIRE), IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 19, THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 66 DEGREES 31 MINUTES 36 SECONDS EAST TO A POINT 20.00 FEET NORTH OF THE SOUTH LINE AND 46.00 FEET EAST OF THE WEST LINE OF SAID LOT 19, A DISTANCE OF 50.15 FEET, THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 48 DEGREES 53 MINUTES 30 SECONDS EAST TO A POINT 27.00 FEET WEST OF THE WEST LINE OF S ASHLAND AVENUE, AS WIDENED, AND 14.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 26, A DISTANCE OF 30.51 FEET, THENCE NORTHEASTERLY ALONG A STRAIGHT LINE WITH A BEARING OF NORTH 17 DEGREES 15 MINUTES 33 SECONDS EAST TO A POINT ON THE SOUTH LINE OF SAID LOT 22 TO ITS INTERSECTION WITH A LINE 17.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF S ASHLAND AVENUE, AS WIDENED, A DISTANCE OF 33.66 FEET, THENCE NORTH ALONG THE AFOREMENTIONED PARALLEL LINE WITH A BEARING OF NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST TO THE NORTH LINE OF SAID LOT 26, A DISTANCE OF 120.33 FEET, THENCE EAST ALONG THE SAID NORTH LINE OF LOT 26 WITH A BEARING OF SOUTH 89 DEGREES 58 MINUTES 10 SECONDS EAST TO ITS INTERSECTION WITH A LINE 6.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF S ASHLAND AVENUE, AS WIDENED, A DISTANCE OF 11.00 FEET, THENCE SOUTH ALONG THE LAST DESCRIBED PARALLEL LINE WITH A BEARING OF SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST TO A POINT OF TANGENCY WITH A CURVE CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 24.00 FEET, A DISTANCE OF 168.55 FEET, THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A CHORD LENGTH OF 33.95 FEET AND BEARING SOUTH 45 DEGREES 00 MINUTES 55 SECONDS WEST, AN ARC LENGTH OF 37.71 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 19, SAID POINT BEING 65.99 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 19, THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 19 WITH A BEARING OF NORTH 89 DEGREES 58 MINUTES 10 SECONDS WEST, A DISTANCE OF 65.99 FEET TO THE POINT OF BEGINNING, THE ABOVE DESCRIBED PROPERTY BEING PART OF THE TRACT OF LAND TAKEN BY THE CITY OF CHICAGO FOR USE IN THE S ASHLAND AVENUE AND W PERSHING ROAD OVERPASS AS STATED IN DOCUMENT #18274276 RECORDED SEPTEMBER 13, 1961 FOR THAT PART OF LOT 19, DOCUMENT #18274273 RECORDED SEPTEMBER 13, 1961 FOR THAT PART OF LOT 20, DOCUMENT #18166785 RECORDED MAY 19, 1961 FOR THAT PART OF LOTS 27, 28 & 29 AND THAT PART OF LOTS 21 TO 26 (NO AVAILABLE RECORDING DOCUMENT), BOTH INCLUSIVE, IN THE AFOREMENTIONED CHITTENDEN'S SUBDIVISION, ALL IN COOK COUNTY, ILLINOIS

LAND AREA = 3,707 sq. ft. = 0.085 acre, more or less  
COMMONLY KNOWN AS: 3846-56 S ASHLAND AVE, CHICAGO, ILLINOIS



LOT NUMBER	P.L.N.
Lot in Block 36 of Chittenden's Subdivision	
Part of Lot 19	17-31-411-644-0288
Part of Lot 20	17-31-411-644-0290
Part of Lot 21 to 26	17-31-411-644-0292

**Surveyor's Notes**

All dimensions and angles are measured on the field.  
Dimensions are shown in feet and decimal parts thereof.  
(R or Rec = Record) are dimensions found in recorded subdivision (M or Meas = Measured) refers to dimensions found on the field.  
No dimensions should be assumed by scale measurements upon the plat. For building lines, easements and other restrictions not shown hereon, refer to your deed, title policy and local zoning ordinance, etc. The above described property is within Zone District M1-2 (Manufacturing District).  
Unless otherwise noted hereon, the bearing basis, elevation datum and coordinate datum if used is assumed.  
As of the last day of fieldwork noted below, the above described property is vacant.  
Last Date of Fieldwork: July 05, 2017  
Date of Last Revision: January 31, 2019

**Surveyor's Certificate**  
State of Illinois) s.s.  
County of Cook)

The above described property was surveyed by M M Surveying Company, Inc., under the supervision of Zbigniew Domogoych, an Illinois Professional Land Surveyor, and the plat hereon drawn is a correct representation of said survey, all distances are shown in feet and decimal parts thereof.  
Containing 3,707 sq. ft. = 0.085 acre, more or less.  
This professional service conforms to the current Illinois Minimum Standard for Boundary Survey.  
Given under my hand and seal at Chicago, Illinois, this 30th day of JANUARY, A. D. 2019.

By: Zbigniew Domogoych  
Illinois Professional Land Surveyor No 35-3758  
Lic. Exp. 11/30/2020



**LINETYPES USED**

LINETYPE USED	DESCRIPTION
ACAD_ISO01W100	Solid Line (Property Line, Right of Way Line)
CENTER(2X)	Long Dash Short (Street Center Line)
CENTER	Short Dash Short (Original Lot Lines)
DOT2	Dots (Lead Arrows)
ACAD_ISO01W100	Solid Line (Areas to be dedicated for alley)
SOLID	Hatch (Areas to be Vacated)
R O W	Right-Of-Way
Rad.	Radius
CH	Chord

Plat Prepared for: LAW OFFICE OF MICHAEL E REDIGER, P C  
55 WEST WACKER DR., 9TH FLR.  
CHICAGO, ILLINOIS 60601  
Mail to: MICHAEL E REDIGER  
LAW OFFICE OF MICHAEL E REDIGER, P C  
55 WEST WACKER DR., 9TH FLR  
CHICAGO, ILLINOIS 60601

**MM SURVEYING CO., INC.**

3812 W HICGOND AVE CHICAGO, ILLINOIS 60610  
PROFESSIONAL DESIGN FIRM NO. 184-003513  
PHONE: 773/282-5700  
FAX: 773/282-4434  
DRAWING NO. 8932 SCALE: 1" = 40' FILEPATHNAME: A:\work\Lead\Desktop\Project 88952\1\LEFESUR\88952\mg88952.dwg

**EXHIBIT "A"**  
**PLAT OF VACATION**  
 Drawing Detail in Scale 1:30

NORTH

**W. 38TH. PL.** (ONE WAY STREET, EAST BOUND)

PART OF LOTS 27, 28 & 29 TAKEN BY THE CITY OF CHICAGO PER DOC. #18166785, REC. MAY 19, 1961

SOUTH LINE OF W. 38TH PL

110.00' R.O.W.

33.00'  
33.00'  
66.00' R.O.W.

25.00' Rec 25.00' Rec  
 LOT 31 LOT 30

LOT 29

3/4" ø, 18" LONG IRON PIPE SET AT PROPERTY CORNER LOT 28

3/4" ø, 18" LONG IRON PIPE SET AT PROPERTY CORNER LOT 27

LOT 26

LOT 25

LOT 24

LOT 23

3/4" ø, 18" LONG IRON PIPE SET AT PROPERTY CORNER LOT 22

1" ø, 18" LONG IRON PIPE FOUND ON LINE LOT 21

1" ø, 18" LONG IRON PIPE FOUND AT 0.02" SE'LY.

1" ø, 18" LONG IRON PIPE FOUND AT 0.02" SE'LY.

LOT 20

LOT 19

65.99M, N89°58'10"W SOUTH LINE OF LOT 19  
 3/4" ø, 18" LONG IRON PIPE SET AT POINT OF TANGENCY

CROSS FOUND AT 6.00' EAST & ON LINE EXT.

17.00' R.O.W. (PROPOSED R.O.W.)

EAST LINE OF SEC. 31-39-14 ASSUMED BEARING, N00°00'00"E

**S. ASHLAND AVE.**  
 (SOUTH BOUND) (NORTH BOUND)

PART OF LOTS 21 TO 26 TAKEN BY THE CITY OF CHICAGO AS PART OF THE SOUTH ASHLAND AVENUE AND WEST PERSHING ROAD OVERPASS (NO AVAILABLE DOC. NO.)

117.00' R.O.W.

CROSS FOUND AT 6.00' EAST & ON LINE

CROSS FOUND AT 6.00' EAST & ON LINE

106.00' (PROPOSED R.O.W.)

PART OF LOT 20 TAKEN BY THE CITY OF CHICAGO PER DOC. #18274273, REC. SEPT. 13, 1961

3/4" ø, 18" LONG IRON PIPE SET AT POINT OF CURVATURE

(WEST BOUND)

S.E. CORNER OF SEC. 31-39-14

(EAST BOUND)

N.E. CORNER OF SEC. 6-38-14

**BLOCK 36**  
 IN CHITTENDEN'S SUBDIVISION OF BLOCK 36, RECORDED FEBRUARY 24, 1868 (ANTE-FIRE), IN CANAL TRUSTEES' SUBDIVISION OF THE EAST 1/2 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

16-foot Public Alley

16-foot Public Alley

16-foot Public Alley

16-foot Public Alley

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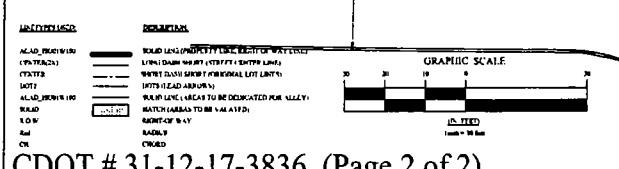
16-foot Public Alley

16-foot Public Alley

16-foot Public Alley

16-foot Public Alley

16-foot Public Alley



**MM SURVEYING CO., INC.**

5812 W. HIGGINS AVE CHICAGO, ILLINOIS 60630  
 PROFESSIONAL DESIGN FIRM NO. 184-003233  
 www.mmsurvey1285@stglobal.net FAX. 773/282-9424

DRAWING NO. 88952 SCALE 1 in. : 30 ft. FILEPATHNAME Autodesk Land Desktop/Project 88952/[Z:\RESUR\88952\dwg\88952.dwg]

**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:

Stockyards Brick LLC

**Check ONE of the following three boxes:**

Indicate whether the Disclosing Party submitting this EDS is:

1.  the Applicant

OR

2.  a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name: \_\_\_\_\_

OR

3.  a legal entity with a direct or indirect right of control of the Applicant (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: 4150 South Packers Avenue  
Chicago, Illinois 60609

C. Telephone: 312-327-3350 Fax: 312-327-3315 Email: michael@acostaezgur.com

D. Name of contact person: Michael Ezgur

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

F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):

Vacation of the property located at 3846-56 South Ashland Avenue

G. Which City agency or department is requesting this EDS? CDOT

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 checked="" 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 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

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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       Organized in Illinois

**B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:**

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) **for not-for-profit corporations**, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) **for trusts, estates or other similar entities**, the trustee, executor, administrator, or similarly situated party; (iv) **for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures**, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant.

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

Name	Title
Matthew Joyce	Manager

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2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. 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:** Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
Matthew Joyce	117 South Park Avenue, Hinsdale, Illinois, 60521	100%

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**SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS**

Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS?  Yes  No

Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS?  Yes  No

If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation:

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Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party?

Yes  No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s).

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), 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. 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 ( <u>indicate whether paid or estimated.</u> ) <b>NOTE:</b> "hourly rate" or "t.b.d." is not an acceptable response.
Michael Ezgur (retained)	1030 West Chicago Avenue, Suite 300, Chicago, Illinois 60642	Attorney	\$10,000 (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 MCC 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. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

3. 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, during the 5 years before 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 subparagraph (b) above;

d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and

e. have not, during the 5 years before 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.

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).

5. Certifications (5), (6) and (7) 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 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 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 subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
  - d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
6. Neither the Disclosing Party, nor any 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.
7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant 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 MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
10. [FOR APPLICANT ONLY] The Applicant 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 Certifications (2) and (9) 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 Applicant has reason to believe has not provided or cannot provide truthful certifications.

11. 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.

12. 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 date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

None

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13. 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 \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

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### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

is  is not

a "financial institution" as defined in MCC 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 MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. 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 MCC Section 2-32-455(b)) is a predatory lender within the meaning of MCC Chapter 2-32, 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 FINANCIAL INTEREST IN CITY BUSINESS**

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, 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), skip Items D(2) and D(3) and 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 financial interest and identify the nature of the financial interest:

Name	Business Address	Nature of Financial Interest
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

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SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, 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, as amended, 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," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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  Reports not required

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 -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

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 Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance 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 this ordinance.
- 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 City transactions. 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 in, and appended to, this EDS may be made publicly available 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 MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

**CERTIFICATION**

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

Stockyards Brick LLC

\_\_\_\_\_  
(Print or type exact legal name of Disclosing Party)

By: Matthew Joyce  
(Sign here)

Matthew Joyce

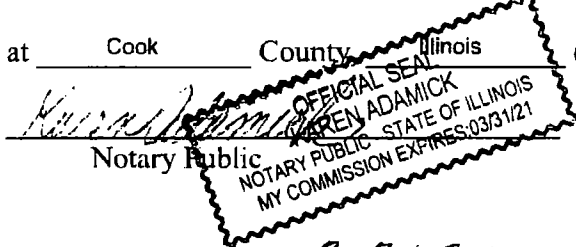
\_\_\_\_\_  
(Print or type name of person signing)

Manager

\_\_\_\_\_  
(Print or type title of person signing)

Signed and sworn to before me on (date) Dec 11, 2018.

at Cook County, Illinois (state).



Commission expires: 3-31-21

**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%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.**

Under MCC 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% 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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**CITY OF CHICAGO  
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT  
APPENDIX B**

**BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION**

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% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

1. Pursuant to MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

Yes

No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

Yes

No

The Applicant is not publicly traded on any exchange.

3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.

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

**PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION**

This Appendix is to be completed only by an Applicant that is completing this EDS as a “contractor” as defined in MCC Section 2-92-385. That section, which should be consulted ([www.amlegal.com](http://www.amlegal.com)), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

On behalf of an Applicant that is a contractor pursuant to MCC Section 2-92-385, I hereby certify that the Applicant is in compliance with MCC Section 2-92-385(b)(1) and (2), which prohibit: (i) screening job applicants based on their wage or salary history, or (ii) seeking job applicants’ wage or salary history from current or former employers. I also certify that the Applicant has adopted a policy that includes those prohibitions.

Yes

No

N/A – I am not an Applicant that is a “contractor” as defined in MCC Section 2-92-385.

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1).

If you checked “no” to the above, please explain.

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