



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Details (With Text)

File #: O2011-3952
Type: Ordinance **Status:** Introduced
File created: 5/4/2011 **In control:** Committee on Zoning, Landmarks and Building Standards
Final action:
Title: Zoning Reclassification Map No. 16-J at 6463 S Kimbark Ave - App No. 17254
Sponsors: Misc. Transmittal
Indexes: Map No. 16-J
Attachments: 1. O2011-3952.pdf

Date	Ver.	Action By	Action	Result
6/9/2011	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
5/4/2011	1	City Council	Referred	

ORDINANCE

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all the RS-2 Residential Single-Unit (Detached House) District symbols and indications as shown on Map No. 16-D in the area bounded by a line 600.10 feet south of and parallel to East 64th Street; the alley next east of and parallel to South Kimbark Avenue; a line 667.10 feet south of and parallel to East 64th Street; and South Kimbark Avenue, to those of a RM-5 Residential Multi-Unit District and a corresponding uses district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Common address of property:

6463 South Kimbark Avenue

CITY OF CHICAGO APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

ADDRESS of the property Applicant is seeking to rezone: 6463 S. Kimbark_

Ward Number that property is located in: 20

APPLICANT: Suburban Bank and Trust Company as Trustee under Trust Agreement dated October 2009 and known as Trust Number 74-4260 c/o Law Offices of Samuel VP Banks, 221 N. LaSalle, Suite 3800, Chicago, IL 60601

ADDRESS: 9901 S. Western Ave.

CITY: Chicago STATE: IL ZIPCODE: 60643

PHONE: (312) 782-1983 CONTACT PERSON: Sylvia C. Michas, Esq._

Attorney for Applicant

Is the Applicant the owner of the property YES X NO_

If the Applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the application to proceed.

OWNER Same as Above_

ADDRESS_

CITY STATE ZIPCODE

PHONE CONTACT PERSON

If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY Law Offices of Samuel VP Banks

ADDRESS 221 North LaSalle Street #3800

CITY Chicago STATE: JL ZIP CODE 60601

PHONE: (312) 782-1983 FAX: (312) 782-2433

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.), please provide the names of all owners as disclosed on the Economic Disclosure Statements
Suburban Bank and Trust Company as Trustee under Trust Agreement dated October 9, 2009 known as Trust Number 74-4260

7. On what date did the owner acquire legal title to the subject property? October 9, 2009

8. Has the present owner previously rezoned this property? If Yes, when? no

9. Present Zoning: RS2 Residential Single-Unit (Detached House) District

Proposed Zoning: RM5 Residential Multi-Unit District ! 10. Lot size in square feet (or dimensions?): 67' x 165' - 11,055 sq. ft.

11. Current Use of the Property The subject property is currently vacant.

12. Reason for rezoning the property: To permit the residential development of the subject property.

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)

The zoning change is required in order to permit the construction of a new 4-story residential building containing twelve (12) dwelling units and on-site parking for twelve (12) cars. The on-site parking will consist of two (2) three-car garages and six (6) outdoor parking spaces. The height of the proposed building is 47 feet.

14. On May 14, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this

project subject to the Affordable "Requirements Ordinance? (See Fact Sheet for more information)

YES NO

COUNTY OF COOK STATE OF ILLINOIS

_, on behalf of Suburban Bank and Trust Company as Trustee under Trust Agreement dated October 9, 2009, and known as Trust Number 74-4260, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct. ,,

suteutm sank & T^vymm/j -fujtiL

Signature of Applicant

Subscribed and Sworn to before me this **• olb ^ day of /lpI IL- 2011.**

This instrument * executed by the undersigned Land Trustee, not personally but solely t» Trustee in Che exercise of the power and authority conferred upon and vested In it as such Trustee «is expressly understood and agreed that all ot mt- warranties, indemnities, representations, cow-runts, vf ulertakmas. and agreements heien< made on Ihe part of Ihe Trustee are undertaken oy it sotet/ m its capacity as Trustee and not personally It is further understood and aotcil that me Trustee merely holds title to the property heiein described and has no agents, employees or coi .not over the management of the property and no know)-, edge of other tactual matieis uxecept as Kspresenmu to it by the Deneftioaryiies) of the Trust No personal liability or personal responsibility is assumed by or shall at any time be asserted or enfcieeabie against the Trustee in this instrument all such liability being expressly Mtoft by every person now or hereafter claiming any ngm or security hereunder, and ma ower of am Indebtedness or cause of action for breach of any warranty, iratemrety, representations, covenant, undertaking or agreement accruing hereunder shad look solely to the Trust estate tor tie payment thereof

For Office Use Only

Date of Introduction: File Number:

Ward:

NOTICE

Via USPS First Class Mail

April 26, 2011 Dear Sir or Madam:

In accordance with Amendment to the Zoning Code enacted by the City Council, Section 17-13-0107-A, please be informed that on or about April 26, 2011,1, the undersigned, filed an application for a change in zoning from a RS2 Residential Single-Unit (Detached House) District to a RMS Residential Multi-Unit District, on behalf of the Applicant/Owner, Suburban Bank and Trust Company as Trustee under Trust Agreement dated October 2009 and known as Trust Number 74-4260, for the property located at 6463 S. Kimbark Chicago, IL.

The zoning change is required in order to permit the construction of a new 4-story residential building containing twelve (12) dwelling units and on-site parking for twelve (12) cars, The on-site parking will consist of two (2) three-car garages and six (6) outdoor parking spaces. The height of the proposed building is 47 feet. Suburban Bank and Trust Company as Trustee under Trust Agreement dated October 2009 and known as Trust Number 74-4260 is located at 9901 S. Western Ave. Chicago, IL.

Please note that the applicant is not seeking to purchase or rezone your property. The applicant is required by law to send this notice because you own property located within 250 feet of the proposed amendment.

The contact person for this application is Sylvia C. Michas. My address is 221 N. LaSalle Street, Chicago, IL 60601. My telephone number is 312-782-1983.

Very truly yours,

LAW OFFICES OF SAMUEL V.P. BANKS

Written Notice, Form of Affidavit: Section 17-13-0107

April 26, 2011

Honorable Daniel Solis Chairman, Committee on Zoning 121 North LaSalle Street Room 304 - City Hall Chicago, Illinois 60602

To Whom It May Concern:

The undersigned, Sylvia C. Michas, being first duly sworn on oath, deposes and says the following:

That the undersigned certifies that she has complied with the requirements of Section 17-13-0107 of the Zoning Code of the City of Chicago, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the applicant, and on the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of the public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. Said written notice was or will be sent by USPS First Class Mail no more than 30 days before filing the application.

The undersigned certifies that the notice contained the address of the property sought to be rezoned as 6463 South Kimbark Chicago, IL; a statement of intended use of said property; the name and address of the applicant; the name and address of the owner; and a statement that the applicant intends to file an application for a change in zoning on approximately April 26, 2011.

The applicant has made a bonafide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Zoning Code of the City of Chicago; that the applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet is a complete list containing the names and last known addresses of the owners of the property required to be served.

Law Offices of Samuel V.P. Banks

FORM OF AFFIDAVIT

Chairman, Committee on Zoning Room 304 - City Hall Chicago, IL 60602

To Whom It May Concern:

on behalf of Suburban Bank and Trust Company as Trustee

under Trust Agreement dated October 9, 2009, and known as Trust Number 74-4260, understand that the Law Office of Samuel V.P. Banks has filed a sworn affidavit identifying Suburban Bank and Trust Company as Trustee under Trust Agreement dated October 9, 2009, and known as Trust Number 74-4260 as Applicant/Owner holding interest in land subject to the proposed zoning amendment for the property identified as 6463 South Kimbark, Chicago, IL.

behalf of Suburban Bank and Trust Company as Trustee under Trust Agreement dated October 9, 2009, and known as Trust No. 74-4260, being first duly sworn oath, depose and say that Suburban Bank and Trust Company as Trustee

under Trust Agreement dated October 9, 2009 and known as Trust No. 74-4260, holds 4)M aJ ■&> Co /<l -fcyh*- j<-

that interest for itself and no other person, association, or shareholder.

Suburban Bank and Trust Company as Trustee under Trust Agreement Dated October 9, 2009 and known as Trust No. 74-4260 v/dtr-pl/MtftzJ-

By: (jy/WI,U-' '

Subscribed and ^SMOi^itg.igefrpi'rne^0^ *jv f*>><> *<< *> .>*,ta>iKTiiiiinin n u u uoriin run w . ~.~TMV

■<■>• isoo**** on

SYLVIA "-BATCH*^

Notary Public, State of Illinois g iooisw: wr.vm »m ;oi

My Commission Expires 03/25/15

To whom it may concern:

L tiff/d/iJ-yoJ V^on behalf of Suburban Bank and Trust Company as Trustee of Trust Agreement dated October 9, 2009, and known as Trust Number 74-4260, Owner of property located at 6463 South Kimbark Chicago, IL, authorize the Law Office of Samuel V.P. Banks, to file a Zoning Amendment Application with the City of Chicago for that property.

/JMA}hd^

Suburban Bank and Trust Company as Trustee of Trust Agreement Dated October 9, 2009 and known as Trust Number 74-4260 rjootfar?>od&lltj,

This instrument is executed By the undei signed Land Trustee, not personally but solely as Trustee in the exercise of me power and authority conteired upon and vested in it as such Trustee it is expressly im jerstood and agreed that an of me warranties, indemnities, representations covenants !- r:«itings and agreements neiem madeonthe part of the Trustee are undertaken by it sCW, >:s capacity as Trustee and not personally it is fu.'t.er understood and ageed that the l: merely holds tni.- ;<. the property herein described and has no agents, employees or control over the man.v>ment of the property -rid no knowledge of other factual matters except as represenmo tu it by the oeneic...iv><<;si of the Trust No personal liability or personal responsibility >s assumed by 01 snail at tui:e be asserted or enforceable against the trustee in this instrument, all such liability being expressly waived by every person now or hceafter claiming any right or security hereunder; and the ower of any indebtedness or cause of action for breach of any warranty, indemnity, representations, covenant, undertaking or agreement accruing hereunder shall look solely to the Trust estate for the payment thereof

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:

Check ONE of the following three boxes: '

Indicate whether the Disclosing Party submitting this EDS is:

1. f<] 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. [1 a legal entity with a ricrht of control ('see Section TT.R.1 , "1 State the leal name of the entity in which the Disclosing Party holds a right of control: _____

B. Business address of the Disclosing Party: c{<\0{ ^ |jOc<sk-j-+-[r%e- • _____

J^U _Lo _Ldj> _____

C. Telephone: _____ Fax: _____ Email: cbc-^ _____

D. Name of contact person: V\$jlV"* C - M<-cUl Pjjjj jjr- Aff Uecw^

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

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

G. Which City agency or department is requesting this EDS? Jy?^J-

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

Specification # _____ and Contract # _____

Vcr. 09-01-10

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SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

Person

Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership Limited partnership Trust

Limited liability company

Limited liability partnership

Joint venture

Not-for-profit corporation

(Is the not-for-profit corporation also a 501(c)(3))?

Yes No Other (please specify)

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

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 _

Qctycr ___; ___: ___

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,

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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 •

k3j

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.

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Name (indicate whether retained or anticipated) Business Relationship to Disclosing Party Fees (indicate whether retained or anticipated) lobbyist, etc.) "hourly rate" or "t.b.d." is f, / not an acceptable response.

/Jfis-*S pj-/i aro

Que

(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?

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.

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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

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

is

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

Does the Matter involve a City Property Sale?

Yes No

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

Name Business Address Nature of Interest

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

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SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

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

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B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

Yes No

If "Yes," answer the three questions below:

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

Yes No

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

Yes No

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

Yes No

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

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

The Disclosing Party understands and agrees that:

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

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

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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.

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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.

Suburban Bank & Trust Co., as Trustee under Trust Agreement dated October 9, 2009, and known as Trust Number 74-4260.

(Print or type name of Disclosing Party)

By: **flUA JI VIM^L ; V. P'** (Sign here) ⁷

(Print or type name of person signing)

(Print or type title of person signing)

Signed and sworn to before me on (date) *i^iU \ 6~j /-IC'A'I I , < ^^I*

at *ijQd// County, ILUk){/%* (state).

U)j)U'.)/K^ j f 7/ (W^MW.^/Notary Public.

Commission expires: <5~Q-! => "£.Of-£? .

This instrument is executed by the undersigned Land Trustee, not personally but soSsiy S3 Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee It is expressly understood and agreed that all of the warranties, indemnities, representations, covenants, conditions, and agreements herein made on the part of the TrustSet of 13 are undertaken by the Trustee in its capacity as Trustee and not personally It is further understood and agreed that the Trustee merely holds title to the property herein described and has no agents, employees or control over the management of the property and no knowledge of other factual matters except as represented to it by the beneficiary(ies) of the

Trust No personal ;-! or personal responsibility is assumed cy or shall at any time be asserts Of enforceabki ojamst the Trustee in this instrument, all such liability being expressly waive by every person now or hereafter claiming any right or security hereunder; and the ower of amy in&btde&s or cause of action for breach of any warranty, indemnity, representations, covenant, undertaking or agreement accruing hereunder shall look solely lo the Trust estate for the payment thereof.

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 pwnership 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 HB.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 hmited 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 sunilar 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?

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.

[] Yes •

Page 13 of 13

17-13-0303-C (1) Narrative Zoning Analysis

Address: 6463 South Kimbark

Proposed Zoning: RM5 Residential Multi-Unit District

Lot Area: 67'x 165'= 11,055 sq. ft.

Proposed Land Use: To permit the construction of a 4-story, 12-unit residential building

(a) The Project's floor area ratio: Allowed: 22,110 sq.ft. Proposed: 20,888 sq. ft.

(b) The project's density (Lot Area Per Dwelling Unit) Allowed: 27

Proposed: 12

(c) The amount of off-street parking:

Required: 12 Proposed: 12

(d) Setbacks:

a. Front Yard: Required: 15' Proposed: 15'

b. Rear Yard: Required: 49.5' Proposed: 49.5'

c. Side Yards: Required: 6.7' Proposed: 10'

d. Rear Yard Open Space: (580 sq. ft. required - 585 sq. ft. provided)

(e) Building Height: 47' (allowed and provided)

*17-10-0207-A

17-13-0303-C (2) Drawings, Photographs and/or Plans Attached.

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8012 SOUTH MELMUy AVEHUE CHICAGO, IL 6062(5 TEL; (773) 633-2448. CELL; (708)785-1985

FAX: (773) 633-2362

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HALLS ADDITION TO HYDE PARK. A SUBDIVISION 23. TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRDN COOK COUNTY, ILLINOIS.
:: 6463 SOUTH KIMBARK AVENUE. CHICAGO, ILLINOIS.

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SITE PLAN

SCALEWA
ARCHITECTURE
COPYRIGHT 2010
SUITE 2103

BASEMENT FLOOR FUN

1ST FLOOR PLAN

4 STORY 12 UNIT 6463 S KIMBARK AVE

COPYRIGHT 2010
ARCHITECTURE
186Q N. LA. SALLE STREET SUITE 2103
CHICAGO, ILLINOIS 60614