



# Office of the City Clerk

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

## Legislation Details (With Text)

**File #:** O2011-4464  
**Type:** Ordinance **Status:** Passed  
**File created:** 6/8/2011 **In control:** City Council  
**Final action:** 7/28/2011  
**Title:** Zoning Reclassification Map No. 4-K at 2100-2118 S Kilbourn Ave - App No. 17279  
**Sponsors:** Misc. Transmittal  
**Indexes:** Map No. 4-K  
**Attachments:** 1. O2011-4464.pdf

Date	Ver.	Action By	Action	Result
7/28/2011	1	City Council	Passed	Pass
7/12/2011	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	Pass
6/8/2011	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 M2-3 Light Industry District symbols and indications as shown on Map No. 4-k in the area bounded by

beginning at a line 662.16 feet north of and parallel to West Cermak Road; the northerly right-of-way line of the Chicago Transit Authority (CTA) and the Metropolitan West Side Elevated Railroad Company; a line 518.44 feet west of and parallel to North Kilbourn Avenue; a line 263.83 feet north of and parallel to West Cermak Road; a line 468.44 west of and parallel to South Kilbourn Avenue; a line 586.63 feet north of and parallel to West Cermak Road; and South Kilbourn Avenue (ToB),  
to those of a M3-3 Heavy Industry 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: 2100-18 South Kilbourn Avenue

CITY OF CHICAGO

•APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

ADDRESS of the property Applicant is seeking to rezone:

2100-18 S. Kilbourn Avenue\_\_

Ward Number that property is located in: 24\_\_

applicant GreenWay Development, LLC

address 5859 W. Ogden Avenue

city Cicero state IL ZIP CODE 60804

phone (708)652-0025 contact person Jeff Thompson, President

Is the applicant the owner of the property? YES\_\_NO X\_\_

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 Harsco Corporation

address 350 Poplar Church Road\_\_

city Camp Hill\_state PA zip code 17011\_

PHONE (717) 730-1958 contact PERSON Ursula R. Siverling, Senior Counsel

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

Michael J. Castellino

attorney Del Galdo Law Group, LLC\_\_\_\_\_

address 1441 S. Harlem Avenue city \_\_\_\_\_

CITY Berwyn\_state IL\_ZIP CODE 60402\_\_\_\_\_

PHONE (708)222-7000 FAX (708)222-7001

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.

Jeff Thompson, 100% owner\_

7. On what date did the owner acquire legal title to the subject property? January 2, 1964 and

September 19, 1977

8. Has the present owner previously rezoned this property? If yes, when?

No

9. Present Zoning District M2-3\_Proposed Zoning District M3-3\_\_\_\_\_

10. Lot size in square feet (or dimensions) 269,636 Square feet\_

ii Current Use of the property Vacant; formerly used as a warehouse with adjacent

parking and outside storage" i 2. Reason for rezoning the property to allow for the operation of a Class V Recycling

Facility, as defined in Section 17-17-0105-0(5) of the Chicago Zoning Ordinance, pursuant to a special use permit that will be sought after the property is rezoned.

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)

After the rezoning, the Applicant intends to file for a special use permit to allow for the operation of a Class V Recycling Facility. There will be no structural modifications of the existing 56,000 square foot building.\_

14. On May 14<sup>th</sup>, 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<sup>9</sup> (See Fact Sheet for more information)

YES

NO X

COUNTY OF COOK STATE OF ILLINOIS

, 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.

**Subscribed and Sworn to before me this day of Kr/hH**

20 //

Mary Pub

: OFFICIAL SEAL

! JENNIFER J. SCACCIA

Notary Public - State of Illinois My Commission Expires Jun 07, 2012 j

**For Office Use Only**

Date of Introduction: File Number:

Ward:

**WRITTEN NOTICE AFFIDAVIT**

(Section 17-13-0107)

May 31, 2011

Honorable Daniel S. Solis Chairman, Committee on Zoning 121 North LaSalle Street Room 304, City Hall  
Chicago, IL 60602

The undersigned, Michael J. Castellino, being first duly sworn on oath deposes and states the following:

The undersigned certifies that he has complied with the requirements of Section 17-13-0107 of the Chicago Zoning Ordinance, 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 to the owners or all property within 250 feet in each direction of the lot lines of the subject property, exclusive of public roads, streets, alleys, and other public ways, or a total distance limited to 400 feet. Said "written notice" was sent by First Class U.S. 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; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; and a statement that the applicant intends to file the application for a change in zoning on approximately June 1, 2011.

The undersigned certifies that the applicant has made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Chicago Zoning Ordinance, and that the accompanying list of names and addresses of surrounding property owners within 250 feet of the subject site is a complete list containing the names and addresses of the people required to be served.

Subscribed and Sworn to before me this

Del Galdo Law Group, LLC

*Attorneys & Counselors*

May 31, 2011

16-22-307-034-0000 Joseph Mulligan 111 4606 W. 21st Street Cicero, IL 60804

Dear Property Owner:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance (the "Zoning Ordinance"), specifically Section 17-13-0107 thereof, please be informed that on or about June 3, 2011, the undersigned will file an application for a change in zoning from M2-3 to M3-3 on behalf of Green Way Development, LLC (the "Applicant") for the property located at 2100-18 S. Kilbourn Avenue, Chicago, Illinois 60623 (the "Property").

The Applicant intends to use the subject property for a Class V Recycling Facility, as defined in Section 17-17-0105-D(5) of the Zoning Ordinance.

The Applicant is located at 5859 W. Ogden Avenue, Cicero, Illinois 60804. The contact person for this application is Michael J. Castellino, Del Galdo Law Group, LLC, 1441 S. Harlem Avenue, Berwyn, Illinois 60402. The owner of the Property is Harsco Corporation, 350 Poplar Church Road, Camp Hill, Pennsylvania 17011.

**Please note that the Applicant is not seeking to rezone or purchase your property. The Applicant is required by law to send this notice because you own property within 250 feet of the property to be rezoned.**

Very truly yours,

Michael J. Castellino

1441 S. Harlem Avenue • Berwyn, Illinois 60402 • (708) 222-7000 - telephone • (708) 222-7001 - facsimile

Harsco Corporation

350 Poplar Church Road Camp Hill, PA 17011 USA Phone: 717.763.7064 Fax: 717.763.6424 Web: [www.harsco.com](http://www.harsco.com) <<http://www.harsco.com>>

**HAUSC**

May 23, 2011

Ms. Patricia Scudiero Commissioner City of Chicago

Department of Housing and Economic Development 121 North LaSalle Street Room 905

Chicago, Illinois 60602

**Re: Authorization to Rezone Property Located at 2100 - 2118 South Kilbourn from M2-3 to M3-3**

Dear Commissioner Scudiero:

Harsco Corporation, a Delaware corporation (the "Owner"), holds title to the properties located at 2100 - 2118 South Kilbourn, Chicago, Illinois (collectively, the "Property"). Greenway Development, LLC, an Illinois limited liability company ("Applicant") intends to file an application to rezone the Property from the M2-3 Light Industry District to the M3-3 Heavy Industry District in connection with its proposal to operate on the Property a Class V Recycling Facility (as defined in the City of Chicago Zoning Ordinance). In connection with this application, the Owner hereby authorizes Applicant to file an application to rezone the Property from the M2-3 Light Industry District to the M3-3 Heavy Industry District and to pursue approval of said application

Thank you for your consideration.

A. Verona Dorch

Vice President, Deputy General Counsel and Assistant Corporate Secretary

cc: U. R. Siverling

**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: Harsco Corporation

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

Disclosing Party is the owner of the property known as

Indicate whether the Disclosing Party Submitting this EDS is: 2100-2118 Kilbourne Avenue, Chicago, IL 60623 and the contract seller of said property to the Applicant, Greenway

1. ☐ the Applicant Development, LLC.

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: 350 Poplar Church Road \_\_\_\_\_

Camp Hill, PA 17011

717-730-1958

C. Telephone: 717-763-7064 fax: 717-763-6424 Email: usiverling@harsco.com <mailto:usiverling@harsco.com>

D. Name of contact person: Ursula R. Siverling, Senior Counsel \_\_\_\_\_

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):

Applications by Greenway Development, LLC for a special use permit and for rezoning of property. Disclosing Party has consented to the making of such applications.

Department of Housing and Economic Development,

G. Which City agency or department is requesting this EDS? Zoning and Land Use Planning. \_\_\_\_\_

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

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

Ver. 09-01-10

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**SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS**

**A. NATURE OF THE DISCLOSING PARTY**

I. 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:

Delaware

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 certified extract from the minutes of a meeting of the Board of Directors of Disclosing Party on April 26; 2011 with respect to the election of Corporate Officers.

- See attached listing of Directors.

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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Harsco Corporation

350 Poplar Church Road Camp Hill, PA 17011 USA Phone: 717.763.7064 Fax: 717 763.6424 Web: www.harsco <http://www.harsco> com

## HARS

Extract From Minutes of the Meeting of the Board of Directors of Harsco Corporation Held April 26, 2011

"Upon motion duly made and seconded, the following resolution was unanimously approved: RESOLVED, that effective April 26, 2011 the following persons be, and they hereby are, elected to the office of this Corporation, or the division of this Corporation, respectively, listed below opposite their names, to serve during the ensuing year and until their successor shall be elected and shall qualify subject, however, to removal at the pleasure of this Board:

### CORPORATE

Chairman, President and Chief Executive Officer Senior Vice President, Chief Financial Officer and Treasurer

Senior Vice President, Chief Administrative Officer, General Counsel and Corporate Secretary Executive Vice President and Group

CEO, Harsco Metals and Harsco Minerals Executive Vice President and Group CEO, Harsco Infrastructure

Vice President and Group President - Harsco Industrial

Vice President and Group President - Harsco Rail Vice President and Chief Information Officer Vice President-Taxes

Vice President Investor Relations and Credit Vice President - Internal Audit and Vice President - Interim Controller Vice President -

Business Transformation and Chief Supply Chain Officer Vice President, Deputy General Counsel and Assistant Corporate Secretary

Chief Procurement Officer

S. D. Fazzolari. S. J. Schnoor...

M. E. Kimmel...

G. J. Claro.....

I. J. Harrington

S. H. Gerson....

S. W. Jacoby...

D. Eubanks.....

M. H. Kolinsky..

E. M. Truett.....

B. E. Malamud.

R. A. Sullivan...

A. V. Dorch.....

R. Bhalla.....

### HARSCO METALS GROUP

G. J. Claro.....Group Chief Executive Officer

J.G.A.M. Jansen.....Group CFO Metals and Minerals  
D. Attorre.....President, Asia Pacific  
S. Navarra.....President, Europe  
C. Stuckey.....President, Middle East & Africa  
M. P. Monberg.....Interim Vice President, North America .  
F. Gomes.....Vice President, South America  
G. A. Iannazzo.....Chief Commercial Officer, Harsco Metals and  
Harsco Minerals  
C. A. Kirkwood.....Chief Technology Officer  
R. J. Iriart.....Vice President Commercial, Middle East & Africa  
J. Ellis.....Regional Finance Director - North America  
E. Manfredi.....Regional Finance Director - South America  
C. C. L. Whistler.....Vice President & Controller - Europe

**HARSCO MINERALS GROUP**

G. J. Claro.....Group Chief Executive Officer  
D. S. McAtee.....President-Harsco Minerals  
G. A. Iannazzo.....Chief Commercial Officer, Harsco Metals and  
Minerals  
J.G.A.M. Jansen.....Group CFO Metals and Minerals  
G. Andersen.....Vice President Global Sales & Marketing  
M. Carpinello.....Vice President of Operations  
J. Brodeur.....Vice President of Business Development  
J. Dumas.....Chief Operating Officer - Canada

**HARSCO INFRASTRUCTURE GROUP**

I. J. Harrington :.....Group Chief Executive Officer  
M. H. Cubitt.....Group Chief Financial Officer  
C. McGalpine.....Group Vice President & Controller  
M. L. Evelhoch.....Vice President Finance - Harsco Infrastructure Americas  
R. J. Russo.....President Infrastructure - Americas  
D. Bodin.....Vice President and General Manager-Industrial  
B. Rowe.....Regional Manager  
J. Hughes.....Vice President and General Manager, Construction  
G. Varela.....Vice President and General Manager, Latin America  
J. Tracey.....Regional Finance Director - Middle East, Africa and  
Asia-Pacific  
A. Maxwell.....Regional Managing Director Infrastructure,  
Middle East, Africa and Asia-Pacific  
P. O'Kelly.....Regional Managing Director Infrastructure, Europe  
A. MacDonald.....Regional Finance Director Europe

**HARSCO RAIL GROUP**

S. W. Jacoby.....Group President  
J. J. Collins.....Group Vice President & Controller  
J. Dougherty.....Group Vice President International Sales & Marketing  
J. Gowan.....Group Vice President Domestic Sales & Marketing

**HARSCO INDUSTRIAL GROUP**

S. H. Gerson.....Group President  
D. Smith.....Group Vice President & General Manager -  
Harsco Industrial - Patterson-Kelley  
R. G. Ketchum.....Vice President & General Manager-  
Harsco Industrial - Air-X-Changers  
O. Jarrett, Jr.....Vice President of Strategic Initiatives .  
C. Sperry.....Vice President & General Manger - Harsco  
Industrial - I KG  
K. Hendrix.....Interim Controller - Harsco Industrial

I, Mark E. Kirnmel, Senior Vice President, Chief Administrative Officer, General Counsel and Corporate Secretary of Harsco Corporation, a Delaware corporation, do hereby certify that the foregoing is a true and correct extract from the minutes of a Meeting of the Board of Directors of Harsco Corporation held on the 26th of April, 2011. IN WITNESS 'WHEREOF, I hereunto set my hand as Senior Vice President, Chief Administrative Officer, General Counsel and Corporate Secretary, and affix the corporate seal, of Harsco Corporation, this ^)fft- day of U.dxf ,2011.

••' ° SEAL \a/

Senior Vice President, Chief Administrative Officer, General Counsel and Corporate

Secretary

« 1 S> 56 «v .

■ 2- :

## HARSCO CORPORATION DIRECTORS

Salvatore D. Fazzolari Kathy G. Eddy David C. Everitt Stuart E. Graham Terry D. Growcock Henry W. Knueppel James E. Loree Andrew J. Sordoni, III Robert C. Wilburn

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May 13, 2011

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

None

## 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 Business Relationship to Disclosing Party Fees (indicate whether retained or anticipated Address (subcontractor, attorney, paid or estimated.) NOTE: to be retained) . lobbyist, etc.) "hourly rate" or "t.b.d." is

not an acceptable response.

Gregg S. Gaines, Esq. DLA Piper US LLP Attorney \$2,000 estimated for the matter  
203 North LaSalle St., Ste. 1900 Chicago, IL 60601-1293

(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.

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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 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").

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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:

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

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

1. The Disclosing Party certifies that the Disclosing Party (check one) ☐ is ☒ is not a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:  
"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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

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.

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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.

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:

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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) <<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. (The Disclosing Party is not aware of any material delinquent taxes due to Illinois. In the event the Disclosing Party would become aware, the Disclosing Party would work to close the matter as quickly as possible.)

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.  
Harsco Corporation

(Sign here)

Mark E. Kimmel

(Print or type name of person signing)

Sr. VP, CAO, General Counsel & Corporate Secretary (Print or type title of person signing)

Signed and sworn to before me on (date) May 11, 2011

at Cumberland County, Pennsylvania (state).

Notary Public.

Commission expires: .

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL DEBRA L. STEELE, Notary Public Boro of Wormleysburg, Cumberland County

Commission Expires May 6, 2012

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## 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 n.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?

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

☐ No

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## 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-

**GreenWay Development, LLC**

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is: ☐ the Applicant OR

☐ 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: j \_\_\_\_\_

OR

3. f] 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:** \_ 58 \_ ^ \_ 0 \_ gden Aye ^ \_\_\_\_\_  
**Cicero, IL 60804**

C. Telephone: (708) 652-0025 \_\_\_ Fax: (708) 222-1687 \_\_\_ Email:

**jeff@greenwayrecycles.com <mailto:jeff@greenwayrecycles.com>**

**D. Name of contact person:** Jeff Thompson

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):

**Zoning map amendment application for 2100-18 S. Kilbourn Avenue**

**G Which City agency or department is requesting this EDS? Dept. of Zoning and Land Use Planning**

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

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

Vcr 09-0 1-10

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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 [x] Limited liability company

Publicly registered business corporation [ ] Limited liability partnership

Privately held business corporation [ ] Joint venture

Sole proprietorship [ ] Not-for-profit corporation

General partnership (Is the not-for-profit corporation also a 50 1 (c)(3))<sup>9</sup> Limited partnership [ ] Yes [ ] No

Trust [ ] Other (please specify)

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

NHnois i

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<sup>9</sup>

( ) Yes [ ] No (X) 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

**Jeff Thompson President**

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 -1 54-030 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

^ f L T n ? r T I P ^ n 5859W. Ogden!\_Aye. J00%

Cicero, IL 60804

### 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 Business Relationship to Disclosing Party Fees (indicate whether retained or anticipated Address (subcontractor, attorney, paid or estimated.) NOTE:**

to be retained) lobbyist, etc.) • "hourly rate" or "t.b.d." is not an acceptable response.

Michael J. Castellino 144 J. Darlem Ave. Attorney A1Q^000 - \$J^000)  
Pel Galdo Law Group, LLC Berwyn, IL 60402 J^sjmrated)  
(retained)

Kareem Musawwir, LLC 221 N. LaSalle St. (Land use/ \$1,600 ("reTamed); Sulte~3WCT  
z^mng~coh!;u7fani) TesTimaTed")

(Add sheets if necessary) Chicago, IL 60601

☐ 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 2-92-4 I 5, 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 1 ("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 1 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 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").

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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 2-5 5 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

N/A

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

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

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

☐ is ☒ is not

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

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

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

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

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 2-156-1 10 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.

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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.

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 (he 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<sup>9</sup> (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 1 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

**GreenWay Development, LLC**

(Print or type name of Disclosing Party)

**Jeff Thompson**

(Print or type name of person signing)

**President**

(Print or type title of person signing)

*Signed and sworn to before me on (date) c?-(t> - /1*

' OFFICIAL SEAL

Notary Public.

JENNIFER J, SCACCIA Notary Public - State of Illinois My Commission Expires .Km 07,2012

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## 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 2-154-01 5, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

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

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

☐ Yes ☒ No

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

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# CHICAGOLAND

PROFESSIONAL DESIGN

6501 W. 65TH STREET CHICAGO LI

TO

I

6)  
IS

to  
I\*

(R=261.33')

P.O.B. - TRACT N0.2 PARCEL 1

CHAIN LINK FENCE

### LEGEND:

N S E W  
O.L

O

XT ©

®

NORTH SOUTH EAST WEST ON UNE

3' X 3' MANHOLE MANHOLE CATCH BASIN POWER POLE GUY WIRE LIGHT POLE SIGN POLE MONITORING WELL INLET

GAS VALVE GUARD POST FIRE HYDRANT GAS METER WATER METER ELECTRIC METER WATER B. BOX

1' x 1.1

to ■

8 (0

in a ii  
07'E & O.L  
9B.83'  
CB  
RIM 100.23' INV 95.13'  
O  
ASPHALT PVM T-  
i »

P.L.N. 16-22-312-014-0000

# RVEY COMPANY INC.

NISE NO: 184-005262 EXPIRES 04/30/2013

ICO, ILLINOIS 60638 (773)271-9447 IRVEY@SBCGLOBAL.NET

<mailto:IRVEY@SBCGLOBAL.NET>

## BLOCK 11

SOUTH KILBOURN STREET \_\_\_\_\_' i  
ASPHALT PVM T ,  
2 I  
I

## CK 6

ASPHALT PVM T-  
EXTENDED NORTH LINE OF WEST 21ST STREET /  
(R=S99.44') -/--

## ALT A/ACS M TITLE SURVEY OF

TRACT NO. 1  
LOT 1 IN HILL-CLARKE MACHINERY COMPANY'S SUBDIVISION OF THAT PART OF BLOCKS 9 AND 10 LYING NORTH OF RIGHT OF WAY OF  
THE METROPOLITAN WEST SIDE ELEVATED RAILWAY COMPANY (EXCEPT THE WEST 261.83 FEET AND EXCEPT THE EAST 33 FEET  
THEREOF TAKEN FOR SOUTH KILBOURN AVENUE) IN SEYMOUR ESTATE SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF  
SECTION 22, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.  
TRACT NO. 2

4-  
I\*

II o  
i6"

AIR CONDITIONER HANDICAP PARKING SPACE  
GUARD RAIL WOOD FENCE CHAIN UNK FENCE PROPERTY UNE LOT LINE CENTERUNE  
TRANSFORMER TRAFFIC SIGNAL  
5.09'W  
(R=22B.

0.52"W & 0.35"N" N89°5B'37"E

M=R=50.00'

i « « ii "  
CHAIN UNK FENCE 87'S & 2.61'E  
CB  
RIM 100.20' INV 95.25'

\\

12"PIPE MH  
RIM 100.72' INVS 95.02' INVE 93.27' INVW 94.32  
CO  
CB  
RIM 100.36' INV 95.26'  
P.I.N. 16-22-312-017-0000  
^--ASPHALT PVM'T-  
CB  
RIM 100.60' INV 95.70'  
-2.67'N & 6.39'W  
EDGE OF PVMT  
CHAJN \_ UNK \_reNCE \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ Jj^WNJ,) NK, ft

**M=R=257,55'**

SB9<sup>5</sup>5B'37"ir

## METROPOLITAN WEST SIDE

FIELD WORK COMPLETED 05/19/2011

1^1

30

30

SCALE: 1" = 30'

ORDERED BY: FOUNTAINHEAD ENGINEERING LTD. FILE NO.: 104-34

BEARING BASIS:

THE WESTERLY UNE OF SUBJECT PROPERTY IS ASSUMED TO BE NORTH 0 DEGREES 25 MINUTES 05 SECONDS WEST.

NOTES:

FOR BUILDING UNE AND OTHER RESTRICTIONS NOT SHOWN ON THE SURVEY PLAT. REFER TO YOUR ABSTRACT, DEED, AND LOCAL BUILDING REGULATIONS. UTILITY DATA, OTHER THAN PHYSICAL EVIDENCE VISIBLE ON THE GROUND, IS SHOWN AS PROVIDED BY THE PRIVATE AND PUBLIC SOURCES AND SHOULD BE ASSUMED TO BE APPROXIMATE.

CB  
RIM 100.31' INV 95.06'  
CB  
RIM 100.33' INV 95.33'  
CB  
RIM 100.30' INV 95.35"

## TRACT NO. 2 PARCEL 1 LOT 2

P.J.N. 16-22-312-032-0000

12"PIPE  
12"PIPE> \_  
MH  
RIM 100.78' INVS 91.78' INVE 90.88' INVN 93.98  
ASPHALT PVM'T-  
UJ  
on'

NORTH UNE OF BLOCK 9  
CB

RIM 100.18" INV 95.28'  
CB  
RIM 100.25' INV 95.15'  
CB  
RIM 100.16"  
NO VISIBLE PIPE

**BM#4**  
100.93'  
EDGE OF PVMT x-x-x-x-x-x-x-  
-1.24'N  
CHAIN UNK

r  
108.72"

## TED RAILROAD COMPANY

261.B0

CK 9

IF CURRENT EARTH MOVING WORK, OR BUILDING ADDITIONS, RECENT NSTRUCTION OR REPAIRS. SITE USE 3UMP OR SANITARY LANDFILL IS LOCATED IN AREA DETERMINED TO BE IN NO 5 ESTABLISHED BY THE FEDERAL EMERGENCY MUNITY PANEL 17031 C 0505 J. EFFECTIVE PANEL NOT PRINTED.

ZONING:

M2-3: MANUFACTURING DISTRICT UGHT INDUSTRY DISTRICT  
FOR BULK RESTRICTION REFER TO: PLANNING AND ZONING DIVISION ROOM 905. CrTY HALL 121 N. LASALLE STREET CHICAGO. ILLINOIS 60602 TEL (312) 744-5777

**PROPERTY AREA= 230,324 SQ. FT. OR 5.287S BUILDING AREA= 57,081 SQ. FT. PARKING SPACES: 57 REGULAR PARKING SPACES**

9 AND 10 LYING NORTH OF RIGHT OF WAY OF THE METROPOLITAN WEST SIDE ELEVATED RAILWAY COMPANY (EXCEPT THE WEST 261.83 FEET AND EXCEPT THE EAST 33 FEET THEREOF TAKEN FOR SOUTH KILBOURN AVENUE) IN SEYMOUR ESTATE SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. ALSO

ALL THOSE PORTIONS OF BLOCKS 9 AND 10 IN L.C. PAINE FREER (RECEIVERS) SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTH LINE OF SAID BLOCK 10, 130 FEET EAST TO THE EAST LINE OF THE SOUTH 46 TH. AVENUE AND RUNNING THENCE EAST ON SAID NORTH LINE OF BLOCK 10, 98.83 FEET; THENCE SOUTH ON A LINE PARALLEL WITH SAID EAST LINE OF SAID SOUTH 46 TH. AVENUE, 404.44 FEET TO A POINT IN THE NORTH LINE OF RIGHT OF WAY OF METROPOLITAN WEST SIDE ELEVATED RAILWAY COMPANY, 228.83 FEET EAST OF SAID EAST LINE OF SAID SOUTH 46 TH. AVENUE, THENCE WEST ON SAID NORTH LINE OF SAID RIGHT OF WAY 148.83 FEET; THENCE NORTH ON A LINE PARALLEL WITH SAID EAST LINE OF SAID SOUTH 46 TH. AVENUE, 71.8 FEET; THENCE EAST ON THE NORTH LINE OF SAID BLOCK 9, 50 FEET; THENCE NORTH ON A LINE PARALLEL WITH SAID EAST LINE OF SAID SOUTH 46 TH. AVENUE 332.64 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2

ALL THOSE PORTIONS OF BLOCK 6 AND 7 IN L.C. PAINE FREER (RECEIVERS) SUBDIVISION AFORESAID, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SOUTH 45 TH. AVENUE (NOW KILBOURN AVENUE) AND THE NORTH LINE OF WEST 21 ST STREET, IF EXTENDED WEST FROM THE EAST LINE OF SOUTH 44 TH. AVENUE (NOW KOSTNER AVENUE) SAID INTERSECTION BEING 599.44 FEET WEST OF THE WEST LINE OF SOUTH 44 TH. AVENUE (NOW KOSTNER AVENUE); THENCE EAST ON SAID NORTH LINE OF WEST 21 ST STREET IF EXTENDED WEST FROM THE EAST LINE OF SOUTH 44 TH. AVENUE, 269.34 FEET TO A POINT OF INTERSECTION WITH A CURVED LINE CONVEX TO THE NORTHWEST OF RADIUS OF 500 FEET; THENCE SOUTHWESTERLY ALONG AFORESAID CURVED LINE 103.21 FEET TO A POINT OF TANGENT; THENCE CONTINUING SOUTHWESTERLY ON STRAIGHT LINE, TANGENT TO LAST DESCRIBED CURVE, 274.79 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ON CURVED LINE CONVEX SOUTHEASTERLY OF RADIUS OF 450 FEET, 46.12 FEET TO THE NORTH LINE OF WEST 21 ST PLACE IF EXTENDED WEST FROM THE EAST LINE OF SOUTH 44 TH. AVENUE (NOW KOSTNER AVENUE) SAID POINT BEING 74.2 FEET NORTH OF THE SOUTH LINE OF SAID BLOCK 7; THENCE WEST ALONG SAID EXTENDED NORTH LINE OF WEST 21 ST PLACE 4.83 FEET TO THE EAST LINE OF SOUTH 45 TH. AVENUE (NOW KILBOURN AVENUE); THENCE NORTH ALONG THE EAST LINE OF SAID SOUTH 45 TH. AVENUE (NOW KILBOURN AVENUE) 332 FEET MORE OR LESS TO THE POINT OF BEGINNING EXCEPT THAT PART OF BLOCK 6 AFORESAID LYING NORTH OF A LINE 72 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID BLOCK 6, ALL IN COOK COUNTY, ILLINOIS.

PROPERTY KNOWN AS: 2100 SOUTH KILBOURN AVENUE, CHICAGO, ILLINOIS.

PIN: 16-22-312-014-0000, 16-22-312-017-0000, 16-22-312-031-0000, 16-22-312-032-0000 & 16-22-313-033-0000

**NOTE:**

NO TITLE COMMITMENT PROVIDED.

THE UNDERSIGNED HEREBY CERTIFIES, AS OF MAY 27, 2011, TO:

CHICAGO TITLE INSURANCE COMPANY HARSCO CORPORATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2,3,4,6,7,8,9,11,14,16,17,18 OF TABLE A THEREOF.

DATED THIS \_\_\_\_\_?Z\_Itt\_\_ DAY OF\_\_

MAY

.2011.

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«\$\*Y v- .Him,... "1,

LAND SURVEYOR - STATE OF 5r

5-0<>. ILLINOIS

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