



Office of the City Clerk

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

Legislation Details (With Text)

File #: O2015-7315
Type: Ordinance **Status:** Passed
File created: 9/24/2015 **In control:** City Council
Final action: 11/18/2015
Title: Access easement agreement with RKS LLC for alley ingress and egress at 3005 W Franklin Blvd
Sponsors: Emanuel, Rahm
Indexes: Easement
Attachments: 1. O2015-7315.pdf

Date	Ver.	Action By	Action	Result
11/18/2015	1	City Council	Passed	Pass
11/9/2015	1	Committee on Housing and Real Estate	Recommended to Pass	Pass
9/24/2015	1	City Council	Referred	

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

September 24, 2015

TO THE HONORABLE, THE CITY COUNCIL OF THE
CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing the execution of an access easement agreement for RKS, LLC.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

ORDINANCE

WHEREAS, the City of Chicago (the "City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, pursuant to an ordinance passed by the City Council of the City (the "City Council") on June 26, 2013, and published in the Journal of the Proceedings of the City Council for such date at pages 56409 through 56420 (the "June 2013 Ordinance"), the City Council authorized the City's conveyance of the property identified in Exhibit A attached hereto ("Phase I Site") to NeighborSpace, an Illinois not-for-profit corporation, for use as an urban farm; and

WHEREAS, pursuant to the City's quitclaim deed dated September 29, 2014, and recorded with the Office of the Recorder of Deeds of Cook County, Illinois, on October 2, 2014, as document number 1427529090, the City conveyed the Phase I Site to NeighborSpace; and

WHEREAS, the June 2013 Ordinance also authorized the City's conveyance to NeighborSpace of the property identified in Exhibit B attached hereto ("Phase II Site") for the expansion of the urban farm, such conveyance to occur following the City's completion of certain environmental and site preparation work for the Phase II Site and subject to an ingress/egress easement, to be approved by separate ordinance, in, on, over and across a portion of the Phase II Site (such portion, legally described in Exhibit C attached hereto, the "Sub-Phase II Site") in favor of the business located immediately to the east of the Sub-Phase II Site (the "Easement"); and

WHEREAS, the City has completed the environmental and site preparation work for the Phase II Site; and

WHEREAS, for purposes of the Easement, the real property of the business located immediately to the east of the Sub-Phase II Site is legally described in Exhibit D attached hereto (the "RKS Property"); and

WHEREAS, RKS, L.L.C, an Illinois limited liability company ("RKS"). located at 3005 West Franklin Blvd., Chicago, Illinois, is in title to the RKS Property; now, therefore,

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

SECTION 1. The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

SECTION 2. The Commissioner of the City's Department of Planning and Development, or any successor department thereto (the "Commissioner"), or a designee of the Commissioner, is each hereby authorized to execute, subject to the approval of the Corporation Counsel as to form and legality, a non-

exclusive ingress/egress easement in, on, over and across the property legally described in Exhibit E attached hereto (the "Easement Property") and depicted in the Plat of

Easement in Exhibit F attached hereto, for the benefit of RKS, substantially in the form attached hereto as Exhibit G and any other such documentation as may be necessary to effectuate the transaction described herein. The Commissioner, or a designee of the Commissioner, is each further authorized to execute, subject to the approval of the Corporation Counsel as to form and legal ity, a non-exclusive ingress/egress easement substantially in the form attached hereto as Exhibit G, revised, as applicable, for the benefit of any success-in-interest to the RKS Property, provided that such successor-in-interest operates on the RKS Property a business for the application of powder and liquid coatings to metal products.

SECTION 3. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 4. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall be in full force and effect immediately upon its passage and approval.

EXHIBIT A LEGAL DESCRIPTION OF PHASE I SITE

Parcel 1: LOT 1 IN B.A. BALDWIN'S SUBDIVISION OF LOTS 29 TO 32, INCLUSIVE, OF BLOCK 3 OF JAS. W. TAYLOR'S SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 419 North Kedzie Avenue, Chicago, Illinois Permanent
Index Number: 16-12-109-011 -0000

Parcel 2: LOT 3 IN B. A. BALDWIN'S SUBDIVISION OF LOTS 29 TO 32, INCLUSIVE, OF BLOCK 3 OF J AS. W. TAYLOR'S SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 415 North Kedzie Avenue, Chicago, Illinois Permanent
Index Number: 16-12-109-013-0000

Parcel 3: LOT 4 IN B.A. BALDWIN'S SUBDIVISION OF LOTS 29 TO 32, INCLUSIVE, OF BLOCK 3 OF JAS. W. TAYLOR'S SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD

PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 413 North Kedzie Avenue Chicago, Illinois Permanent
Index Number: 16-12-109-014-0000

Parcel 4: LOTS 21, 22, 23,26, 27, AND 28 IN B.A. BALDWIN'S SUBDIVISION OF LOTS 29 TO 32, INCLUSIVE, OF BLOCK 3 OF JAS. W. TAYLOR'S SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THAT STRIP OF LAND FORMERLY PART OF THE ALLEY IN SAID BLOCK 3 LYING NORTH OF THE SOUTH LINE OF LOT 23 AND SOUTH OF THE NORTH LINE OF LOT 21 IN BLOCK 3 PRODUCED EAST AND WEST AND NOW LOCATED, IN COOK COUNTY, ILLINOIS.

Commonly Known As: Permanent Index Number:
407 North Kedzie Avenue, Chicago, Illinois 16-12-109-028-0000

EXHIBIT B LEGAL DESCRIPTION OF PHASE II SITE

(subject to final title commitment and survey)

Parcel 1a: LOTS 11 TO 22, BOTH INCLUSIVE, TOGETHER WITH THE WEST HALF OF THAT CERTAIN NORTH/ SOUTH VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS 11 TO 22, BOTH INCLUSIVE, ALL IN BLOCK 2' IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 1b: LOTS 25 TO 29, INCLUSIVE, TOGETHER WITH THE EAST HALF OF THAT CERTAIN NORTH/SOUTH VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOTS 25 TO 29, BOTH INCLUSIVE, TOGETHER WITH THE WEST HALF (EXCEPT THE EAST 20 FEET THEREOF) OF THE VACATED NORTH WHIPPLE STREET LYING EAST OF AND ADJOINING THE EAST LINES OF LOTS 25 TO 29, BOTH INCLUSIVE, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION AFORESAID, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 405 North Albany Avenue Chicago, Illinois Permanent
Index Number: 16-12-111 -008-0000

Parcel 2: LOT 35 TOGETHER WITH THE EAST HALF OF THAT CERTAIN NORTH/SOUTH VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT 35, IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE

NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 428 North Whipple Street, Chicago, Illinois Permanent
Index Number: 16-12-111-011 -0000

Parcel 3: LOT 34 TOGETHER WITH EAST HALF OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST AND ADJOINING SAID LOT 34, IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: Permanent Index Number:
426 North Whipple Street, Chicago, Illinois 16-12-111-012-0000

Parcel 4: LOT 33 TOGETHER WITH THE EAST HALF OF THE THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST AND ADJOINING SAID LOT 33, TOGETHER WITH THE WEST HALF OF THE VACATED NORTH WHIPPLE STREET LYING EAST OF AND ADJOINING THE EAST LINE OF LOT 33, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 424 North Whipple Street, Chicago, Illinois Permanent
Index Number: 16-12-111-013-0000

Parcel 5: LOT 32 TOGETHER WITH THE EAST HALF OF THE THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST AND ADJOINING SAID LOT 32, TOGETHER WITH THE WEST HALF OF THE VACATED NORTH WHIPPLE STREET LYING EAST AND ADJOINING THE EAST LINE OF LOT 32, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 420 North Whipple Street, Chicago, Illinois Permanent
Index Number: 16-12-111-014-0000

Parcel 6: LOT 31 TOGETHER WITH THE EAST HALF OF THE THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST AND ADJOINING SAID LOT 31, TOGETHER WITH THE WEST HALF OF THE VACATED NORTH WHIPPLE STREET LYING EAST AND ADJOINING THE EAST LINE OF LOT 31, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12,

TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 418 North Whipple Street, Chicago, Illinois Permanent
Index Number: 16-12-111-015-0000

Parcel 7: LOT 30 TOGETHER WITH THE EAST HALF OF THE THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST AND ADJOINING SAID LOT 30, TOGETHER WITH THE WEST HALF OF THE VACATED NORTH WHIPPLE STREET LYING EAST AND ADJOINING THE EAST LINE OF LOT 30, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE

NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 416 North Whipple Street, Chicago, Illinois Permanent
Index Number: 16-12-111-016-0000

EXHIBIT C

LEGAL DESCRIPTION OF SUB-PHASE II SITE

(subject to final title commitment and survey)

Parcel 1: LOTS 11 AND 12, TOGETHER WITH THE WEST HALF OF THAT CERTAIN NORTH/ SOUTH VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS 11 AND 12, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER-OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 405 North Albany Avenue Chicago, Illinois 60612
Permanent Index Number: 16-12-111 -008-0000

Parcel 2: LOT 35 TOGETHER WITH THE EAST HALF OF THAT CERTAIN NORTH/SOUTH VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT 35, IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 428 North Whipple Street, Chicago, Illinois 60612
Permanent Index Number: 16-12-111-011-0000

EXHIBIT D

LEGAL DESCRIPTION OF RKS PROPERTY

(subject to final title commitment and survey)

LOTS 1 THROUGH 10 INCLUSIVE IN BLOCK 1 OF MILLER AND RJGDON SUBDIVISION IN PART OF THE SOUTHEAST ¹/₄ OF THE SOUTHWEST ¹/₄ AND THE NORTHWEST ¹/₄ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. -

Commonly known as: 3005 W. Franklin Boulevard, Chicago, Illinois 60612

Permanent Index Number: 16-12-112-028-0000

EXHIBIT E

LEGAL DESCRIPTION OF EASEMENT PROPERTY

(subject to final title commitment and survey)

THAT PART OF LOTS 11 AND 12, TOGETHER WITH THE WEST HALF OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS 11 AND 12, AND THAT PART OF LOT 35, TOGETHER WITH THE EAST HALF OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT 35, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE NORTH 88 DEGREES 41 MINUTES 51 SECONDS EAST, 128.22 FEET ALONG THE NORTH LINE OF SAID LOT 11 AND ALONG SAID NORTH LINE EXTENDED EASTERLY TO THE CENTERLINE OF SAID NORTH-SOUTH VACATED ALLEY; THENCE SOUTH 1 DEGREE 43 MINUTES 45 SECONDS WEST, 25.02 FEET ALONG SAID CENTERLINE TO THE NORTH LINE OF SAID LOT 35 EXTENDED WESTERLY; THENCE NORTH 88 DEGREES 41 MINUTES 37 SECONDS EAST, 128.20 FEET ALONG SAID WESTERLY EXTENSION AND ALONG THE NORTH LINE OF SAID LOT 35 TO THE NORTHEAST CORNER OF SAID LOT 35; THENCE SOUTH 1 DEGREE 40 MINUTES 36 SECONDS EAST, 22.55 FEET ALONG THE EAST LINE OF LOT 35 TO THE EASTERLY EXTENSION OF A 6 FOOT HIGH METAL FENCE; THENCE SOUTH 88 DEGREES 59 MINUTES 18 SECONDS WEST, 137.30 FEET ALONG SAID EASTERLY EXTENSION AND ALONG SAID METAL FENCE TO AN ANGLE POINT IN SAID METAL FENCE, THENCE NORTH 64 DEGREES 49 MINUTES 15 SECONDS WEST, 22.08 FEET ALONG SAID METAL FENCE TO AN ANGLE POINT IN SAID METAL FENCE; THENCE NORTH 89 DEGREES 44 MINUTES 27 SECONDS WEST, 41.78 FEET ALONG SAID 6 FOOT HIGH METAL FENCE TO THE BEGINNING OF A 4 FOOT HIGH METAL FENCE; THENCE CONTINUING NORTH 89 DEGREES 44 MINUTES 27 SECONDS WEST, 57.69 FEET ALONG THE SAID 4 FOOT HIGH METAL FENCE AND THE WESTERLY EXTENSION OF SAID 4 FOOT HIGH METAL FENCE LINE TO THE WEST LINE OF SAID LOT 12; THENCE NORTH 1 DEGREE 45 MINUTES 06 SECONDS EAST, 34.30 FEET ALONG THE WEST LINE OF SAID LOTS 12 AND 11 TO THE POINT OF BEGINNING.

Said easement containing 0.176 acres (7,646 square feet), more or less.

Commonly Known As: 405 North Albany Avenue and
428 North Whipple Street, Chicago, Illinois 60612

Permanent Index Numbers: 16-12-111 -008-0000 (part of)
16-12-111-011-0000 (part of)

EXHIBIT F DEPICTION OF EASEMENT

(Attached)

EXHIBIT G FORM OF EASEMENT

(Attached)

ACCESS EASEMENT

This ACCESS EASEMENT (this "Easement") is made, granted and conveyed this _____, day of _____, 2015, by the CITY OF CHICAGO, an Illinois municipal corporation and home rule unit of local government (the "City"), for the benefit of RKS, L.L.C, an Illinois limited liability company, located at 3005 West Franklin Blvd., Chicago, Illinois 60612 ("RKS"), as described more fully in Articles 1 and 2 below.

RECITALS

A. The City owns the real property identified on Exhibit A attached hereto (the "Sub-Phase II Site"); and

B. Pursuant to an ordinance passed by the City Council of the City (the "City Council") on June 26, 2013, and published in the Journal of the Proceedings of the City Council for such date at pages 56409 through 56420, the City Council authorized the City's conveyance of the Sub-Phase II Site and certain adjoining property to NeighborSpace, an Illinois not-for-profit corporation, subject to an ingress/egress easement in, on, over and across the Sub-Phase II Site for the benefit of the business located to the east of the Sub-Phase II Site (i.e., RKS); and

C. Pursuant to an ordinance passed by the City Council of the City (the "City Council") on _____, 2015, and published in the Journal of the Proceedings of the City Council for such date at pages _____ through _____, the City Council authorized the City to grant RKS an access easement in, on, over and across the property legally described in Exhibit B attached hereto (the "Easement Property") and depicted in the Plat of Easement in Exhibit B-1 attached hereto;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the City agrees as follows:

ARTICLE 1. GRANT

Section 1.01 Grant of Easement. The City hereby grants and conveys to RKS, a perpetual non-exclusive easement for vehicular access, in, on, over and across the Easement Property for the purpose of ingress and egress to and from RKS's manufacturing facility that is located at the property commonly known as 3005 West-Franklin Boulevard, Chicago, Illinois 60612 and is legally described in Exhibit C attached hereto (the "RKS Property").

ARTICLE 2. PURPOSE AND SCOPE

Section 2.01 Purpose and Use. RKS may not use the Easement Property for any other purpose other than for ingress, egress and access without the prior written consent of the City.

Section 2.02 Term of Easement. This Easement shall be binding upon the City and all subsequent owners of the Sub-Phase II Site, and their respective successors and assigns; provided, however, this Easement and the right of access hereby granted to RKS shall terminate immediately if for any reason whatsoever (including, but not limited to, foreclosure or a deed in-lieu of foreclosure) RKS no longer is in title to all or any portion of the RKS Property or RKS assigns, leases or transfers all or any portion of the RKS Property.

ARTICLE GENERAL

3.

Section 3.01 Severability. If any provision of this Easement shall be invalid or unenforceable, to any extent, the remainder of this Easement, or the application of such term or provision to persons or circumstances shall not be affected thereby, and each term and provision of this Easement shall be valid and enforceable to the maximum extent permitted by law.

Section 3.02 Entire Agreement. This Easement and the exhibits attached shall not be modified in any manner except by a document executed by the City.

Section 3.03 Recitals. The recitals[^] are incorporated herein and made a part of this Easement.

Section 3.04 No Waiver. A waiver by the City of any breach of any provision of this Easement shall not be deemed a waiver of any breach of any other provision hereof or to limit or affect the right of the City with respect to any future breach of the same provision or any other provision or other breach and shall not be deemed to be a general waiver.

Section 3.05 Due Authorization. The City warrants that it has full power and authority to enter into and be bound by this Easement.

SIGNATURE PAGE FOLLOW

IN WITNESS WHEREOF, the City has executed this Access Easement as of the date first written

above.

CITY OF CHICAGO,
Acting by and through its
Department of Planning and Development

By: _____;
David L. Reifman Acting
Commissioner

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that David L. Reifman, personally known to me to be the Acting Commissioner of the Department of Planning and Development of the City of Chicago, an Illinois municipal corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and being first duly sworn by me acknowledged that as the Acting Commissioner, he signed and delivered the instrument pursuant to authority given by the City of Chicago, as his free and voluntary act and as the free and voluntary act and deed of the City, for the uses and purposes therein set forth.

GIVEN under my notarial seal this _____ day of _____, 2015.

Notary Public

This document was prepared by and after recording
return to:

Arthur S. Dolinsky Senior
Counsel
Real Estate and Land Use Division 121 North
LaSalle Street Room 600
Chicago, Illinois 60602 (312) 744-
0200

Exhibit A

Sub-Phase II Site

(subject to final title commitment and survey)

Parcel L LOTS 11 AND 12, TOGETHER WITH THE WEST HALF OF THAT CERTAIN NORTH/ SOUTH VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS 11 AND 12, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 405 North Albany Avenue Chicago, Illinois 60612
Permanent Index Number: 16-12-111 -008-0000

Parcel 2: LOT 35 TOGETHER WITH THE EAST HALF OF THAT CERTAIN NORTH/SOUTH VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT 35, IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly Known As: 428 North Whipple Street, Chicago, Illinois 60612
Permanent Index Number: 16-12-111-011 -0000

Exhibit B

Legal Description of Easement Property

(subject to final title commitment and survey)

THAT PART OF LOTS 11 AND 12, TOGETHER WITH THE WEST HALF OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS 11 AND 12, AND THAT PART OF LOT 35, TOGETHER WITH THE EAST HALF OF THAT CERTAIN NORTH-SOUTH VACATED ALLEY LYING WEST OF AND ADJOINING SAID LOT 35, ALL IN BLOCK 2 IN MILLER AND RIGDON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE NORTH 88 DEGREES 41 MINUTES 51 SECONDS EAST, 128.22 FEET ALONG THE NORTH LINE OF SAID LOT 11 AND ALONG SAID NORTH LINE EXTENDED EASTERLY TO THE CENTERLINE OF SAID NORTH-SOUTH VACATED ALLEY; THENCE SOUTH 1 DEGREE 43 MINUTES 45 SECONDS WEST, 25.02 FEET ALONG SAID CENTERLINE TO THE NORTH LINE OF SAID LOT 35 EXTENDED WESTERLY; THENCE NORTH 88 DEGREES 41 MINUTES 37 SECONDS EAST, 128.20 FEET ALONG SAID WESTERLY EXTENSION AND ALONG THE NORTH LINE OF SAID LOT 35 TO THE NORTHEAST CORNER OF SAID LOT 35; THENCE SOUTH 1 DEGREE 40 MINUTES 36 SECONDS EAST, 22.55 FEET ALONG THE EAST LINE OF LOT 35 TO THE EASTERLY EXTENSION OF A 6 FOOT HIGH METAL FENCE; THENCE SOUTH 88 DEGREES 59 MINUTES 18 SECONDS WEST, 137.30 FEET ALONG SAID EASTERLY EXTENSION AND ALONG SAID METAL FENCE TO AN ANGLE POINT IN SAID METAL FENCE, THENCE NORTH 64 DEGREES 49 MINUTES 15 SECONDS WEST, 22.08 FEET ALONG SAID

METAL FENCE TO AN ANGLE POINT IN SAID METAL FENCE; THENCE NORTH 89 DEGREES 44 MINUTES 27 SECONDS WEST, 41.78 FEET ALONG SAID 6 FOOT HIGH METAL FENCE TO THE BEGINNING OF A 4 FOOT HIGH METAL FENCE; THENCE CONTINUING NORTH 89 DEGREES 44 MINUTES 27 SECONDS WEST, 57.69 FEET ALONG THE SAID 4 FOOT HIGH METAL FENCE AND THE WESTERLY EXTENSION OF SAID 4 FOOT HIGH METAL FENCE LINE TO THE WEST LINE OF SAID LOT 12; THENCE NORTH 1 DEGREE 45 MINUTES 06 SECONDS EAST, 34.30 FEET ALONG THE WEST LINE OF SAID LOTS 12 AND 11 TO THE POINT OF BEGINNING.

Said easement containing 0.176 acres (7,646 square feet), more or less.

Commonly Known As: 405 North Albany Avenue and
428 North Whipple Street, Chicago, Illinois 60612

Permanent Index Numbers: 16-12-111 -008-0000 (part of)
16-12-111-011-0000 (part of)

Exhibit B-I Plat of Easement

[Attached]

Exhibit C

RKS Property

(subject to final title commitment and survey)

LOTS 1 THROUGH 10 INCLUSIVE IN BLOCK 1 OF MILLER AND RIGDON SUBDIVISION IN PART OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ AND THE NORTHWEST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 3005 W. Franklin Boulevard, Chicago, Illinois 60612

Permanent Index Number: 16-12-112-028-0000

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:

RK5J.LC _..

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. ☐ a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the

2. 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: 3005 W Franklin RnnpvarH :
Chicago. IL 60612

C. Telephone: 773-533-0033 Fax: 773-533-8400 Email: kenny(g)powdercoatchicago.com
<http://powdercoatchicago.com>

D. Name of contact person: Kenneth Spielman

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

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):

3005 W. Franklin Boulevard. Chicago. IL 60612

G. Which City agency or department is requesting this EDS? rrept nf Planning A npyplnmpnt

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

Specification # and Contract #

Page 1 of 13

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

☒ Limited liability company ☐ Limited liability partnership ☐ Joint venture ☐ Not-for-profit corporation

(Is the not-for-profit corporation also a 501(c)(3))⁷

1. Indicate the nature of the Disclosing Party:

☐ Person V

☐ Publicly registered business corporation [

☐ Privately held business corporation [

☐ Sole proprietorship [

☐ Yes ☐ No ☐ Other (please specify)

☐ General partnership (1

☐ Limited partnership

i] Trust

[

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

Illinois

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

VTN/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

. _Kenneth..Spi.elman

Managing Mernber

Marcy Roth

Member

Susan Stern

Member

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

Kearje.th..SpielmaD..

Maj.cy_Roth

Susan Stern

Business Address

3D.0.5..W.J£mnklin.BJy^_ _3f^V!!LF£mnldjrj _BM.._

3005 W. Franklin Blvd.

Percentage Interest in the Disclosing Party

_a6LfiZ%

16.66%

i

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?

f] Yes . k/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 to be retained)

Business Address

Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, paid or estimated.) NOTE:

lobbyist, etc j "hourly rate" or "t.b.d." is
not an acceptable response.
Stephen R. Miller Reed Smith. LLP
Attorney. \$.L.QaQXestirmtedX
10 S. Wacker Drive, Suite 4000
Chicago, IL 60606

(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

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 1 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:

are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;

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

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

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;

- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- e. 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 5/33 E-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:

none

P?.sc 6 of

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

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

none

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution

dale of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

.none

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1. ☐ is ☐ "tr^is not

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

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

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

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

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-1 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.

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

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comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

S 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 in jury or death of their slaves), and the Disclosing Party has found no such records.

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

SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

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

(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.

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

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant⁰

☐ Yes ☐ No If "Yes," answer the three questions below:

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

E The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article 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:

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

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

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

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

CERTIFICATION

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

RKS, LLC, ...
(Print or type name of Disclosing Party)

/ " / , [/
By: /
(Sign here)

j<erm_ejh^piej^rn_an
(Print or type name of person signing)

Managing Meiriber
(Print or type title of person signing)

•Sighed and sworn to before me on (date) /j. J(. / h
at ; , - ■■ , •• /- County, r ■■ / L{ \ ■■ /> . «• . /Wstate). r~

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

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

☐ Yes

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.

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

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?
2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?
☒ Yes ☐ No ☐ Not Applicable
3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.