



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
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Legislation Details (With Text)

File #: O2020-6017
Type: Ordinance
Status: Passed
File created: 12/16/2020
In control: City Council
Final action: 2/26/2021
Title: Dedication, opening and vacation of public way(s) in area bounded by E 116th St, S Avenue O, E 122nd St and South Chicago & Southern Railroad
Sponsors: Sadlowski Garza, Susan
Indexes: Dedications, Openings, Vacations
Attachments: 1. O2020-6017.pdf

Date	Ver.	Action By	Action	Result
2/26/2021	1	City Council	Passed	Pass
2/18/2021	1	Committee on Transportation and Public Way	Recommended to Pass	
12/16/2020	1	City Council	Referred	

DEDICATION / OPENING / VACATION ORDINANCE

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

WHEREAS, the City can enhance public access, support industrial development, strengthen established industrial areas and expand the city's jobs base by encouraging the growth and modernization of existing industrial facilities through opening new rights of way, accepting the dedication of new rights of way, and vacating existing rights of way for reduced compensation; and

WHEREAS, many industrial firms adjoin streets and alleys that are no longer required for public use and might more productively be used for plant expansion and modernization, employee parking, improved security, truck loading areas or other industrial uses; and

WHEREAS, the properties at 11601-11659 S. Burley Avenue, 11705-11759 S. Burley Avenue, and 11801-12159 S. Burley Avenue, are owned by NP Avenue 0, LLC, a Missouri limited liability company (the "Developer"); and

WHEREAS, the Developer proposes to use the small portion of the alley to be vacated herein for inclusion in the overall Avenue O Industrial Park development; and

WHEREAS, improved conductivity of the remaining public street grid, and an extended and widened S. Burley Avenue, through the dedication and opening of new right of way, can also serve said industrial park development; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of public use and the public interest to be subserved is such as to warrant the acceptance of a private dedication of new public way, the opening of a portion of City owned lots as new public way and the vacation of a portion of a public alley, all as described in this ordinance; now, therefore,

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

SECTION 1. The Commissioner of the Chicago Department of Transportation (the "Commissioner"), or any of her designees, is each hereby authorized and directed to approve a dedication of certain property owned by the Developer, for use as public way between approximately E. 122nd Street (public) and E. 116^h Street (private), as shaded and identified by the words "HEREBY DEDICATED" on the plat hereto attached as Exhibit A, which plat for greater certainty is hereby made a part of this ordinance, and legally described below, as the same is intended for public use and the public interest will be subserved by such dedication:

S. BURLEY AVENUE DEDICATION-SOUTH OF 118TH STREET

THAT PART OF THE SOUTH EAST QUARTER OF SECTION 19, TOWNSHIP 37NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

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COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 1,353.18 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WESTERN LINE OF THE 80 FOOTWIDE FORMERLY VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT TO THE CITY OF CHICAGO, THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO AND ILLINOIS BELL TELEPHONE COMPANY RECORDED MAY 2, 1968, AS DOCUMENT NUMBER 20477960 IN THE OFFICE OF THE COOK COUNTY RECORDER; THENCE SOUTH 01 DEGREES 26 MINUTES 12 SECONDS EAST ALONG THE NORTHERLY EXTENSION OF SAID WESTERN LINE 33.01 FEET TO THE NORTHWEST CORNER OF SAID VACATED S. BURLEY AVENUE AND SAID RESERVATION OF EASEMENT AND BEING THE POINT OF BEGINNING, SAID POINT LYING 33 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE CONTINUING SOUTH 01 DEGREES 26 MINUTES 12 SECONDS EAST ALONG SAID WESTERN LINE OF VACATED S. BURLEY AVENUE AND

RESERVATION OF EASEMENT 2,231.63 FEET TO THE NORTHWESTERN CORNER OF NORTHPOINT'S AVENUE O INDUSTRIAL PARK -SUBDIVISION NO. 1 PER CDOT#19-10-19-3887 PROJECT LEGISLATED AND AWAITING RECORDING AT THE COOK COUNTY RECORDER OF DEEDS; THENCE NORTH 88 DEGREES 33 MINUTES 48 SECONDS EASTALONG THE NORTHERN LINE OF SAID NORTHPOINT'S AVENUE O INDUSTRIAL PARK - SUBDIVISION NO. 1, A DISTANCE OF 80.00 FEET TO A CORNER OF SAID NORTHPOINT'S AVENUE O INDUSTRIAL PARK SUBDIVISION NO. 1, SAID POINT ON THE EAST LINE OF SAID VACATED S. BURLEY AVENUE AND SAID RESERVATION OF EASEMENT; THENCE

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NORTH 01 DEGREES 26 MINUTES 12 SECONDS WEST ALONG THE EAST LINE OF SAID VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT, A DISTANCE OF 2,159.92 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 28 SECONDS EAST 97.93 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. 118th STREET, SAID POINT LYING 33 FEET SOUTH AND PARALLEL TO SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG SAID PARALLEL LINE A DISTANCE OF 150.02 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 180,912 SQUARE FEET OR 4.153 ACRES, MORE OR LESS.

S. BURLEY AVENUE DEDICATION -NORTH OF 11 8th STREET

TOGETHER WITH: THAT PART OF LOTS 25 THROUGH 33, INCLUSIVE, IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERN CORNER OF SAID LOT 25, SAID POINT BEING THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINES OF SAID LOTS 25 THROUGH 33 IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 222.00 FEET TO THE SOUTHWESTERN CORNER OF AN EAST-WEST 16 FOOT WIDE PUBLIC ALLEY DEDICATED SEPTEMBER 8, 1933, AS DOCUMENT NUMBER 11279600, SAID POINT ALSO BEING THE NORTHWESTERN CORNER OF SAID LOT 33; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG THE SOUTHERN LINE OF SAID ALLEY AND ALONG THE NORTHERN LINE OF SAID LOT 33, A DISTANCE OF 42.60 FEET; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST PARALLEL WITH THE WESTERN LINES OF SAID LOTS 25 THROUGH 33 IN BLOCK 11, A DISTANCE OF 152.00 FEET; THENCE SOUTH 45 DEGREES 38 MINUTES 08 SECONDS EAST 99.72 FEET TO A POINT ON THE SOUTHERN LINE OF SAID LOT 25, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE SOUTHERN LINE OF SAID LOT 25, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET, A DISTANCE OF 112.60 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 11,907 SQUARE FEET OR 0.273 ACRES, MORE OR LESS.

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S. BURLEY AVENUE DEDICATION - SOUTH OF 11 7th STREET

TOGETHER WITH: THAT PART OF LOTS 34 THROUGH 47, INCLUSIVE, IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERN CORNER OF LOT 48 IN BLOCK 11 OF SAID INDIAN RIDGE SUBDIVISION, SAID POINT IS AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF E. 117th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINES OF SAID LOT 48 AND THAT PART OF LOT 47 IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 34.50 FEET TO THE NORTHWESTERN CORNER OF THE SOUTH HALF OF SAID LOT 47, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG THE WESTERN LINES OF SAID LOTS 47 THROUGH 34 IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 321.50 FEET TO THE NORTHWESTERN CORNER OF AN EAST-WEST 16 FOOT WIDE PUBLIC ALLEY DEDICATED SEPTEMBER 8, 1933, AS DOCUMENT NUMBER 11279600; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG THE NORTHERN LINE OF SAID ALLEY 42.60 FEET; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST PARALLEL WITH THE WESTERN LINES OF SAID LOTS 34 THROUGH 47 IN BLOCK 11, A DISTANCE OF 321.50 FEET TO A POINT ON THE NORTHERN LINE OF THE SOUTHERN HALF OF SAID LOT 47; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE NORTHERN LINE OF THE SOUTHERN HALF OF SAID LOT 47 A DISTANCE OF 42.60 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 13,696 SQUARE FEET OR 0.314 ACRES, MORE OR LESS.

S. BURLEY AVENUE DEDICATION - NORTH OF 117th STREET

TOGETHER WITH: THAT PART OF LOTS 13 THROUGH 24, INCLUSIVE, IN BLOCK 2 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, AND THAT PART OF LOTS 6 AND 7 IN THE DIVISION OF THE NORTH 102 ACRES OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN,

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ACCORDING TO THE PLAT THEREOF RECORDED JUNE 26, 1872, AS DOCUMENT NUMBER 39470, ALL

IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERN CORNER OF SAID LOT 13 IN BLOCK 2, SAID POINT LOCATED AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF E. 117TH STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINES OF SAID LOTS 13 THROUGH 24 IN SAID BLOCK 2, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 294.00 FEET TO THE NORTHWESTERN CORNER OF SAID LOT 24; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE NORTHERN LINE OF SAID INDIAN RIDGE SUBDIVISION 37.42 FEET TO A POINT ON THE SOUTHERLY PROJECTION OF THE EASTERLY BOUNDARY LINE OF PROPERTY CONVEYED AS PARCEL "A" BY REPUBLIC STEEL CORPORATION TO DEFENSE PLANT CORPORATION BY DEED DATED FEBRUARY 17, 1943 AND RECORDED AS DOCUMENT NUMBER 13047028 IN THE OFFICE OF THE COOK COUNTY RECORDER, SAID EASTERLY BOUNDARY LINE PROJECTED SOUTHERLY BEING COMMON WITH THE EASTERLY BOUNDARY LINE OF A PARCEL OF LAND CONVEYED BY DEFENSE PLANT CORPORATION TO SOUTH CHICAGO AND SOUTHERN RAILROAD COMPANY BY DEED DATED JUNE 2, 1945 AND RECORDED AS DOCUMENT 13540700 IN THE OFFICE OF THE COOK COUNTY RECORDER; THENCE NORTH 00 DEGREES 40 MINUTES 46 SECONDS WEST ALONG SAID SOUTHERLY PROJECTION LINE 378.41 FEET TO A POINT ON THE SOUTHERN LINE OF A 66 FOOT WIDE INGRESS EGRESS EASEMENT RECORDED DECEMBER 1, 1989, AS DOCUMENT 89572950 IN THE OFFICE OF THE COOK COUNTY RECORDER, SAID LINE LYING 1,283.00 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE NORTH EAST QUARTER OF SAID SECTION 19; THENCE NORTH 89 DEGREES 39 MINUTES 50 SECONDS EAST ALONG SAID SOUTHERN LINE OF INGRESS EGRESS EASEMENT A DISTANCE OF 80.00 FEET; THENCE SOUTH 00 DEGREES 40 MINUTES 46 SECONDS EAST PARALLEL WITH AND 80 FEET EASTERLY OF SAID SOUTHERLY PROJECTION LINE CONVEYED AS PARCEL "A", A DISTANCE OF 374.61 FEET TO THE INTERSECTION WITH A LINE LYING 42.60 FEET EASTERLY OF AND PARALLEL WITH THE AFORESAID WESTERN LINES OF LOTS 13 THROUGH 24 IN SAID BLOCK 2; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG SAID EASTERLY AND PARALLEL LINE A DISTANCE OF 297.98 FEET TO A POINT ON THE SOUTHERN LINE OF SAID LOT 13, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 117TH STREET; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE SOUTHERN LINE OF SAID LOT 13 A DISTANCE OF 42.60 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 42.804 SQUARE FEET OR 0.983 ACRES, MORE OR LESS. TOTAL AREA DESCRIBED ON PLAT OF DEDICATION CONTAINING 249,319 SQUARE FEET OR 5.724 ACRES, MORE OR LESS.

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SECTION 2. That certain property owned by the City of Chicago, and administered by its Department of Planning and Development, at approximately the southeast corner of E. 117th Street and S. Burley Avenue, as shaded and identified by the words "HEREBY OPENED" on the plat hereto attached as EXHIBIT B and made a part of this ordinance, and legally described below, is hereby opened for public traffic, as the same is intended for public use and the public interest will be subserved by such opening:

THAT PART OF LOT 48 AND THAT PART OF THE NORTH HALF OF LOT 47 IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS,

BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN CORNER OF LOT 48 IN SAID INDIAN RIDGE SUBDIVISION, SAID POINT LOCATED AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF E. 117th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE NORTHERN LINE OF SAID LOT 48, SAID LINE ALSO BEING THE SOUTHERN RIGHT OF WAY LINE OF E. 117th STREET, A DISTANCE OF 42.60 FEET; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST PARALLEL WITH THE WESTERN LINE OF SAID LOT 48, A DISTANCE OF 34.50 FEET TO A POINT ON THE SOUTHERN LINE OF THE NORTH HALF OF SAID LOT 47; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE SOUTHERN LINE OF THE NORTH HALF OF SAID LOT 47, A DISTANCE OF 42.60 FEET TO THE WEST LINE OF SAID LOT 47, SAID POINT BEING THE SOUTHWESTERN CORNER OF THE NORTH HALF OF SAID LOT 47, SAID POINT LYING ON THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST ALONG THE WEST LINES OF SAID LOTS 47 AND 48, A DISTANCE OF 34.50 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, CONTAINING 1,470 SQUARE FEET OR 0.034 ACRES, MORE OR LESS.

SECTION 3. That certain alley portion, as shaded and identified by the words "HEREBY VACATED" on the plat hereto attached as EXHIBIT C and made a part of this ordinance, and legally described below, is hereby vacated and closed, as the same is no longer required for public use and the public interest will be subserved by such vacation:

THAT PART OF THE NORTH-SOUTH 14 FOOT WIDE PUBLIC ALLEY WITHIN BLOCK 11 AS DEDICATED WITHIN INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED

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SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF LOT 25 IN BLOCK 11 IN SAID INDIAN RIDGE SUBDIVISION, ALSO BEING ON THE NORTH RIGHT OF WAY OF E. 118th STREET; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE EASTERN LINES OF LOTS 25 THROUGH 28 INCLUSIVE IN SAID BLOCK 11, A DISTANCE OF 97.00 FEET TO THE NORTHEASTERN CORNER OF SAID LOT 28, ALSO BEING AND ABUTTING THE SOUTHERN TERMINUS OF VACATED ALLEY PER CDOT#19-10-20-3937 PROJECT LEGISLATED AND Awaiting Recording at the Cook County Recorder of Deeds; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG SAID SOUTHERN TERMINUS LINE 14.00 FEET TO A POINT ON THE WESTERN LINE OF LOT 5 OF THE RESUBDIVISION OF LOTS 20 TO 24 AND THE SOUTH 8 FEET OF LOT 19 IN BLOCK 11 IN INDIAN RIDGE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1918, AS DOCUMENT NUMBER 6328680; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG THE WESTERN LINE OF SAID LOT 5, A DISTANCE OF 97.00 FEET TO THE SOUTHWESTERN CORNER OF SAID LOT 5, ALSO ON SAID NORTH RIGHT OF WAY OF E. 118th STREET; THENCE SOUTH 89

DEGREES 47 MINUTES 07 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY 14.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 1,358 SQUARE FEET OR 0.031 ACRES, MORE OR LESS.

SECTION 4. The Commissioner is hereby authorized to accept and approve a restrictive covenant or similar instrument restricting the use and improvement of the public way vacated in Section 3 of this ordinance to industrial uses and for such uses and improvements that are accessory as that term is defined in the Chicago Zoning Ordinance. The restriction on use and improvement in the restrictive covenant or similar instrument shall be for a term of 40 years and upon breach of such restriction the public way herein vacated shall revert to the City and be subject to the terms and conditions of the dedication by which it has been heretofore held by the City.

SECTION 5. The dedication herein provided for is accepted upon the express conditions that the Developer is responsible for the installation of any newly required water mains in S. Burley Avenue, that such work is completed at the Developer's sole expense, that such work must be done in compliance with Chicago Department of Water Management - Water Section engineering standards, and that such work is subject to the express written approval of the Chicago Department of Water Management - Water Section prior to the initiation of work, as detailed further in the attached correspondence dated October 20, 2020, hereby attached and made a part of this ordinance as EXHIBIT E.

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SECTION 6. The Developer acknowledges that any private sewers, appurtenances and connections within the area herein dedicated shall be sealed, removed or relocated to private property at the Developer's sole expense, in accordance with the standard procedures of the Department of Water Management - Sewer Section, or established as public pursuant to an ordinance passed by the City Council. In the event that any sewer is abandoned, the abandonment plans must be reviewed, approved and permitted by the Department of Water Management- Sewer Design Section prior to the initiation of work. The Developer also acknowledges its responsibility to provide proper drainage and lay new sewer main and associated structures, at its sole expense in the street herein dedicated, in accordance with plans reviewed, approved and permitted by the Department of Water Management - Sewer Design Section, prior to the initiation of work. Acceptance of new public sewers is contingent upon submittal of as-built drawings, and physical and videotape inspections provided by the Developer to the Department of Water Management, within 30 days of completion. All sewer work in both the public way and on private property must be performed by a Licensed Drainlayer, with the applicable permit, as secured through the Department of Buildings-Sewer Permit Section, all as detailed further in EXHIBIT E.

SECTION 7. The dedication, opening and vacation herein provided for are made under the express condition that the Developer, and its successors and assigns, shall hold harmless, indemnify and defend the City of Chicago from all claims related to said dedication, vacation and opening, as depicted in EXHIBITS A, B AND C.

SECTION 8. The dedication of public way, opening for public way, and vacation of public way, each as set forth in this ordinance, are approved subject to the express condition that the Developer shall within 180 days after the passage of this ordinance, and prior to recording: 1) deposit in the City Treasury of the City of Chicago, a quoted sum as a security deposit to defray the cost of work for public paving, curbs, and related appurtenances associated with its project, in the event that it defaults on its obligation to

construct the directed improvements in accordance with the most current version of the Chicago Department of Transportation's Regulations for Opening, Repair and Construction in the Public Way and its appendices, and in accordance with the executed Duty to Build Agreement attached herein and made a part of this ordinance as Exhibit D; and 2) submit for field inspection and approval of its construction of said improvements, to the CDOT Division of Infrastructure Management, Construction Compliance Unit, Room 905, City Hall, prior to the return of the monies deposited there (minus service fee).

SECTION 9. The actions herein provided for are made with the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developer shall file, or cause to be filed for recordation with the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the attached Plat of Dedication, Plat of Opening and Plat of Vacation, each as approved by the Department of Transportation's Superintendent of Maps and Plats, and the fully-executed restrictive covenant or similar instrument referred to in Section 3 as approved by the Department of Law as to form and legality.

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SECTION 10. This ordinance shall take effect and be in force from and after its passage and approval. The dedication, opening and vacation shall take effect and be in force from and after the recording of the ordinance, the three (3) plats and the fully-executed restrictive covenant (or similar instrument).

AFFECTED **MOLDED LOT ***
PJJU
26-19-200-032 PT OF LOT 6 -"A"
26-19-200-041 PT OF LOT 6 -"A" * PT OF
 LOT 7 -"A"
26-19-202-024 LOTS 13-24 BL 2 -"J"
28-19-206-049 PT OF LOT 47 BL 11 -V *
 LOTS 42-46 BL 11 -"B"
26-19-206-042 LOTS 39-41 BL 11 -"B"
26-19-206-043 PT OF LOT 34 BL 11 -"B" *
 LOTS 35-38 BL 11 -"B"
26-19-206-048 LOTS 29-33 BL 11 -"B"
26-19-208-018 LOT 28 BL 11 -"B"
26-19-206-019 LOT 27 BL 11 -"B"
26-19-206-020 LOT 20 BL 11 -"B"
26-19-208-021 LOT 25 BL 11 -"B"
26-19-400-013
26-19-400-014

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PLAT OF DEDICATION

OF
PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37
NORTH, RANGE 15 EAST. OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS

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PLAT OF DEDICATION

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PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37
NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS

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CDOT#19-10-20-3945

PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS

PLAT OF DEDICATION

OF
PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS

LEGAL DESCRIPTION

S, BURLEY AVENUE DEDICATION - SOUTH OF 118th STREET (AS DEPICTED ON SHEET 9)

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 13 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 1,353.18 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WESTERN LINE OF THE 80 FOOT WOE FORMERLY VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT TO THE CITY OF CHICAGO, THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO AND ILLINOIS BELL TELEPHONE COMPANY RECORDED MAY 2 1968, AS DOCUMENT NUMBER 20477960 IN THE OFFICE OF THE COOK COUNTY RECORDER; THENCE SOUTH 01 DEGREES 26 MINUTES 12 SECONDS EAST ALONG THE NORTHERLY EXTENSION OF SAID WESTERN LINE 33.01 FEET TO THE NORTHWEST CORNER OF SAID VACATED & BURLEY AVENUE AND SAID RESERVATION OF EASEMENT AND BEING THE POINT OF BEGINNING SAID POINT LYING 33 FEET SOUTHERLY OF (MEASURED PERPENDICULAR TO) THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE CONTINUING SOUTH 01 DEGREES 26 MINUTES 12 SECONDS EAST ALONG SAID WESTERN LINE OF VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT 2,231.63 FEET TO THE NORTHWESTERN CORNER OF NORTHPOINT'S AVENUE 0 INDUSTRIAL PARK - SUBDIVISION NO. 1 PER CDOT/19-10-19-JB87 PROJECT LEGISLATED AND AWAITING RECORDING AT THE COOK COUNTY RECORDER OF DEEDS; THENCE NORTH 88 DEGREES 33 MINUTES 48 SECONDS EAST ALONG THE NORTHERN LINE OF SAID NORTHPOINT'S AVENUE 0 INDUSTRIAL PARK - SUBDIVISION NO. 1, A DISTANCE OF 80.00 FEET TO A CORNER OF SAID NORTHPOINT'S AVENUE 0 INDUSTRIAL PARK SUBDIVISION NO. 1, SAID POINT ON THE EAST LINE OF SAID VACATED S. BURLEY AVENUE AND SAID RESERVATION OF EASEMENT; THENCE NORTH 01 DEGREES 26 MINUTES 12 SECONDS WEST ALONG THE EAST LINE OF SAID VACATED S. BURLEY AVENUE AND RESERVATION OF EASEMENT, A DISTANCE OF 2,159.92 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 28 SECONDS EAST 97.93 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF E. 118th STREET, SAID POINT LYING 33 FEET SOUTH AND PARALLEL TO SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG SAID PARALLEL LINE A DISTANCE OF 150.02 FEET TO THE POINT OF BEGINNING ABOVE DESCRIBED PARCEL CONTAINING 180,912 SQUARE FEET OR 4.153 ACRES, MORE OR LESS

TO BE KNOWN AS S. BURLEY AVENUE DEDICATION - NORTH OF 118th STREET (AS DEPICTED ON SHEET 3) ...

TOGETHER WITH: THAT PART OF LOTS 25 THROUGH 33, INCLUSIVE, IN BLOCK 11 OF, INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN; ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERN CORNER OF SAID LOT 25, SAID POINT BEING THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINES OF SAID LOTS 25 THROUGH 33 IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 222.00 FEET TO THE SOUTHWESTERN CORNER OF AN EAST-WEST 16 FOOT WIDE PUBLIC ALLEY DEDICATED SEPTEMBER 8, 1933, AS DOCUMENT NUMBER 11279600, SAID POINT ALSO BEING THE NORTHWESTERN CORNER OF SAID LOT 33; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG THE SOUTHERN LINE OF SAID ALLEY AND ALONG THE NORTHERN LINE OF SAID LOT 33, A DISTANCE OF 42.60 FEET; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST PARALLEL WITH THE WESTERN LINES OF SAID LOTS 25 THROUGH 33 IN BLOCK 11, A DISTANCE OF 15200 FEET; THENCE SOUTH 45 DEGREES 38 MINUTES 08 SECONDS EAST 99.72 FEET TO A POINT ON THE SOUTHERN LINE OF SAID LOT 25, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE SOUTHERN LINE OF SAID LOT 25, SAID LINE ALSO BEING THE NORTHERN RIGHT OF WAY LINE OF E. 118th STREET, A DISTANCE OF 112.60 FEET TO THE POINT OF BEGINNING ABOVE DESCRIBED PARCEL CONTAINING 11,907 SQUARE FEET OR 0.273 ACRES, MORE OR LESS.

TO BE KNOWN AS S. BURLEY AVENUE DEDICATION - SOUTH OF 117th STREET (AS DEPICTED ON SHEET 3V)

TOGETHER WITH: THAT PART OF LOTS 34 THROUGH 47, INCLUSIVE, IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN CORNER OF LOT 48 IN BLOCK 11 OF SAID INDIAN RIDGE SUBDIVISION, SAID POINT IS AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY LINE OF E. 117th STREET AND THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE WESTERN LINES OF SAID LOT 48 AND THAT PART OF LOT 47 IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 34.50 FEET TO THE NORTHWESTERN CORNER OF THE SOUTH HALF OF SAID LOT 47, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG THE WESTERN LINES OF SAID LOTS 47 THROUGH 34 IN BLOCK 11, SAID LINE ALSO BEING THE EASTERN RIGHT OF WAY LINE OF S. BURLEY AVENUE, A DISTANCE OF 321.50 FEET TO THE NORTHWESTERN CORNER OF AN EAST-WEST 16 FOOT WIDE PUBLIC ALLEY DEDICATED SEPTEMBER 8, 1933, AS DOCUMENT NUMBER 11279800; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONDS EAST ALONG THE NORTHERN LINE OF SAID ALLEY 4260 FEET; THENCE NORTH 01 DEGREES 03 MINUTES 23 SECONDS WEST PARALLEL WITH THE WESTERN LINES OF SAID LOTS 34 THROUGH 47 IN BLOCK 11, A DISTANCE OF 321.50 FEET TO A POINT ON THE NORTHERN LINE OF THE SOUTHERN HALF OF SAID LOT 47; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE NORTHERN LINE OF THE SOUTHERN HALF OF SAID LOT 47 A DISTANCE OF 4260 FEET TO THE POINT OF BEGINNING ABOVE DESCRIBED PARCEL CONTAINING 13,696 SQUARE FEET OR 0.314 ACRES, MORE OR LESS.

S. BURLEY AVENUE DEDICATION - NORTH OF 117th STREET (AS DEPICTED ON SHEET 41)

TOGETHER WITH: THAT PART OF LOTS 13 THROUGH 24, INCLUSIVE, IN BLOCK 2 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, AND THAT PART OF

LOTS 6 AND 7 IN THE DIVISION OF THE NORTH 102 ACRES OF THE NORTHEAST QUARTER OF SEC110H 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THRO PRINOPAL MERIDIAN, ACCORDING TO THE PUT THEREOF RECORDED JUNE 26, 1872, AS DOCUMENT NUMBER 39470, ALL IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:
ABOVE DESCRIBED PARCEL CONTAINING 42804 SQUARE FEET OR 0.983 ACRES, MORE OR M9 SQUARE FLLI OR 5.724 ACRES, MORE OR LESS.
OF SAIO LOT 13 A DISTANCE OF 4260 FEET TO THE POMT OF LESS TOTAL AREA OESCRIBED ON PLAT OF DEDICATION CONTAINING
JACOB & HEFNER

Pur or juiPCin>T

CDOT019-10-20-3945

SHEET 5 OF 6

nmnm AT THE SOUTHWESTERN CORNER OF SAD LOT 13 IN block 2 SAIO POINT located at THE INTERSECTION of the NORTHERN RIGHT OF way UNE of e. 117th STREET AND THE EASTERN RIGHT OF WAY UNE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 UNUTES 23 SECONDS WEST (BASIS OF BEARWCS -ILUNOIS STATE PLANE COORDINATES EAST ZONE (NA083)) ALONG THE WESTERN LINES OF SAD LOTS 13 THROUGH 24 M SAD BLOCK 2 SAD UNE ALSO BQNC THE EASTERN RIGHT OF WAY UNE OF S. BURLEY AVENUE. A DISTANCE OF 294.00 FEET TO THE NORTHWESTERN CORNER OF SAID LOT 24; THENCE SOUTH 80 OCCAEES 47 MINUTES 07 SECONOS WEST ALONG THE NORTHERN UNE OF SAID INDIAN FMIJGE SUBOMSKM 37.42 FEET TO A PONT ON THE SOUTHERLY PROJECTION OF THE EASTERLY BOUNDARY UNE OF PROPERTY CONVEYED AS PARCEL "A" BY REPUBUC STEEL CORPORATION TO DEFENSE PLANT CORPORATION BY DEED DATED FEBRUARY 17 1943 AND RECORDED AS DOCUMENT NUMBER 13047028 IN THE OFFICE OF THE COOK COUNTY RECORDER, SAID EASTERLY BOUNDARY UNE PROJECTED SOUTHERLY BFJNG COMMON WITH THE EASTERLY BOUNDARY UNE OF A PARCEL OF LAND CONVEYED BY DEFENSE PLANT CORPORATION TO SOUTH CHICAGO ANO SOUTHERN RAILROAD COMPANY BY DEED DATED JUNE 2, 1945 ANO RECORDED AS DOCUMENT 13540700 M IK OFFICE OF THE COOK COUNTY RECORDER; THENCE NORTH 00 DEGREES 40 MINUTES 46 SECONDS WEST ALONG SAIO SOUTHERLY PROJECTION UNE 378.41 FEET TO A POINT OH THE SOUTHERN UNE OF A 68 FOOT WIDE INGRESS EGRESS EASEMENT RECORDED DECEMBER 1, 1989, AS DOCUMENT 89572950 IN THE OFFICE OF THE COOK COUNTY RECORDER, SAID UNE LYING 1,283.00 FEET SOUTHERLY CF (MEASURED PERPENDICULAR TO) THE NORTH UNE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 89 DEGREES 39 UNUTES 50 SECONDS EAST ALONG SAID SOUTHERN UNE OF WGRESS EGRESS EASEMENT A DISTANCE OF 80.00 FEET; THENCE SOUTH 00 DECREES 40 UNUTES 46 SECONDS EAST PARALLEL WITH ANO 80 FEET EASTERLY OF SAIO SOUTHERLY PROJECTION UNE CONKED AS PARCEL "A- A DISTANCE OF 374.61 FEET TO THE INTERSECTION WITH A UNE LYING 42 60 FEET EASTERLY CF AND PARALLEL WITH THE AFORESAID WESTERN UNES OF LOTS 13 THROUGH 24 IN SAID BLOCK 2 THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG SAID EASTERLY AND PARALLEL UNE A DISTANCE OF 297.98 FEET TO A POINT ON THE SOUTHERN UNE OF SAIO LOT 13. SAID UNE ALSO BEING THE NORTHERN RIGHT OF WAY UNE OF E 117th STREET; THENCE SOUTH 89 DECREES 47 MINUTES 07 SECONOS WEST ALONG THE SOUTHERN UNE

EXHIBIT "A"

PLAT OF DEDICATION

OF
PART OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 19 TOWNSHIP 37 NORTH, RANGE 15 EAST, OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS

OWNER'S CERTIFICATE

STATE or)
COUNTY OF) SS

NP AVENUE 0, ac, A MISSOURI UIITEO UABIUTY COMPANY, HEREBY CERTIFIES THAT THEY ARE THE OWNER OF THE AREAS SHOWN HEREON AS AREAS HEREBY DEDICATED TOR PUBLIC RIGHT OF WAY, AS DESCRIBED AND DEPICTED ON THE ATTACHED PLAT, AND THAT THEY HAVE CAUSED THE SURVEYOR TO SURVEY AND MAP THE AREAS AS PRESENTED ON THIS PLAT. IN WITNESS THEREOF SAID OWNER HAS SIGNED, OR CAUSED TO BE SIGNED ON ITS BEHALF BY ITS DULY AUTHORIZED AGENT, THIS CERTIFICATE ON

THIS DAY OF , 202 . I

NP AVENUE 0, RC, A MISSOURI UNITED UABIUTY COMPANY c/o NORTHPOINT 4B25 NW 41st STREET SUITE 500
RIVERSCE, MO 64150

BY: OWNER PRINTED:

NOTARY PUBLIC

STATE OF)
COUNTY OF) SS

I, , A NOTARY PUBIC IN ANO FOR THE COUNTY OF

AND THE STATE OF 00 HEREBY

CERTIFY THAT \, PERSONALLY KNOWN TO ME, TO
BE THE SAME PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE FORECOMG INSTRUMENT, APPEARED BEFORE ME IHS DAY M PERSON AND DEUWRED SATO MSTRUWENT AM) (SEVERALLY) ACKNOWLEDGED THAT HE (THEY) SIGNED, SEALED AS US (TVER) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES KEREN SET FORTH.

OVEN UNDER MY HAND AND NOTARIAL SEAL

THIS DAY OF * A.D. 202

NOTARY PUBLIC COMMISSION EXFWES

CHICAGO DEPARTMENT OF FINANCE

- 1) BASS OF BEARINGS IS UJNOIS STATE PLANE COORDINATES EAST ZONE (NADB3) BROUGHT UP TO GROUND COORDINATES
- 2) DATE OF COMPLETION CF FIELD WORK: MARCH 25, 2020.
- 3) NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
- 4) THE HEREON DESCKBED LAND AND AJOJNGG LANDS ARE SITUATED WITHIN THE CORPORATE UUIITS OF THE CITY OF CHICAGO, ILLINOIS, AND IS ZONED "PLANNED MAMUFACTUF3NC~ PER THE QTY OF O4CAQ0 ZOMNC AND LAND USE MAP AS OF NOVEUBFJt 20, 2020.

5) WITH THE EXCEPTION OF THE 1 STORY METAL WATER PUMPHOUSE BUILDING ON PIN. 26-19-400-013 (SEE SHEET 2). LAND USE ON THE SUBJECT PROPERTY (AIL OF THE PARCELS DENTFCD WTHH A P.L.N. HEREON) R
ADJOINING LAND AT THE TIME OF THE SURVEY WAS Aa VACANT LAND WITH NO BUILDINGS

SURVEYOR'S CERTIFICATE

STATE OF ILUNOIS)
) ss
COUNTY OF DUPAGE)

I HEREBY CERTIFY THAT. AT THE REQUEST OF THE OWIERS. I HAVE PREPARED THIS PLAT FOR THE PURPOSE Cf DEDICATING RIGHT Cf WAY FOR PUBLIC STREETS DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A
FOOT.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

I HEREBY AUTHORIZE THE OWNER OR THEIR AGENT TO FILE THIS PLAT Of DEDICATION WTH THE COOK COUNTY RECORDER'S OFFICE

GIVEN UNDER MY HAND AND SEAL THIS 23rd DAY Of NOVEMBER. AD. 2020.

1^ . PR

TIMOTHY C. WOLFE I JACOB * HEFNER ASSOCIATES. INC. ILLINOIS PROFESSIONAL LAND SURVEYOR NO. JS-00J5J5 MY UCENSE EXPIRES NOVEMBER 30. 2022
JS-003M5 PROTESSIONAL. .n's LAND SURVEYOR ' i - STATE Of IUJNOIS f

SEND TO: OLA PIPER, LLP

444 WEST LAKE STREET. SUITE 900 CHICAGO. IL 60606-0089

CD0T#19-10-20-3945 sheet e of

EXHIBIT "B"

PLAT OF OPENING

FOR PUBLIC RIGHT OF WAY OF THAT PART OF LOTS 47 AND 48 IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE-NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST. OF THE THIRD
PRINCIPAL MERIDIAN. ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869. AS DOCUMENT NUMBER 26596. IN COOK COUNTY, ILLINOIS

f ^FHf

Soalm 1' = 30'

BASIS OF 5EARINGS LUNOIS STATE PLANE EAST ZONE (NAD83) BROUGHT UP TO GROUND COORDINATES

I

-14' PUBUC ALLEY

LOT 12 - BLOCK 2 . (120')

S. BUFFALO AVENUE

(66 FOOT R.O.W.)

BLOCK 1 LOT 12

E. 117th STREET

-(66 FOOT RO.W.)-

HERETOF

POINT OF BEGINNING

NW CORNER LOT 48

N89'47"orE 42.60"

(120') LOT 1

(120-) LOT 2 ('2°)

LOT 3

(120')

(120')

LOT 5 (120')

JACOB & HEFNER

ASSOCIATES

ii' ■■f

EXHIBIT "B"

PLAT OF OPENING

FOR PUBLIC RIGHT OF WAY OF THAT PART OF LOTS 47 AND 48 IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION
19, TOWNSHIP 37 NORTH, RANGE 15 EAST. OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869. AS
DOCUMENT NUMBER 26596. IN COOK COUNTY, ILLINOIS

DEPARTMENT OF MANNING AND DEVELOPMENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

, COMMISSIONER OF

THE DEPARTMENT OF PLANNING AND DEVELOPMENT FOR THE CITY OF CHICAGO, DO HEREBY CERTIFY THAT I AM THE AUTHORIZED AGENT FOR THE TITLE HELD BY THE CITY OF CHICAGO, A MUNICIPAL CORPORATION, OF THE PROPERTY DESCRIBED HEREON AND THAT I HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED AND OPENED FOR PUBLIC WAY AS SHOWN HEREON. THAT PART OF LOT 48 AND THAT PART OF THE NORTH HALF OF LOT 47 IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26596, IN COOK COUNTY, ILLINOIS, BEING BOUND AND DESCRIBED AS FOLLOWS:

BEQHNNG AT THE NORTHWESTERN CORNER OF LOT 46 IN SAID INDIAN RIDGE SUBDIVISION, SAID POINT LOCATED AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY UNE OF E 117TH STREET AND THE EASTERN RIGHT OF WAY UNE OF S. BURLEY AVENUE; THENCE NORTH 69 DEGREES 47 MINUTES 07 SECONDS EAST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83)) ALONG THE NORTHERN UNE OF SAID LOT 46, SAID UNE ALSO BEING THE SOUTHERN RIGHT OF WAY UNE OF E. 117TH STREET, A DISTANCE OF 42.60 FEET; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST PARALLEL WITH THE WESTERN UNE OF SAID LOT 48, A DISTANCE OF 34.50 FEET TO A POINT ON THE SOUTHERN UNE OF THE NORTH HALF OF SAID LOT 47; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS WEST ALONG THE SOUTHERN UNE OF THE NORTH HALF OF SAID LOT 47, A DISTANCE OF 42.60 FEET TO THE WEST UNE OF SAID LOT 47, SAID POINT BEING THE SOUTHWESTERN CORNER OF THE NORTH HALF OF SAID LOT 47, SAID POINT LYING ON THE EASTERN RIGHT OF WAY UNE OF S. BURLEY AVENUE; THENCE NORTH 01 DEGREES 03 MINUTES 21 SECONDS WEST ALONG THE WEST UNES OF SAID LOTS 47 AND 48, A DISTANCE OF 34.50 FEET TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL CONTAINING 1,470 SQUARE FEET OR 0.034 ACRES, MORE OR LESS.

COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

CDOT# 9-10-20-3945

EXHIBIT "B"

PLAT OF OPENING

FOR PUBLIC RIGHT OF WAY OF THAT PART OF LOTS 47 AND 46 IN BLOCK 11 OF INDIAN RIDGE SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 13 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1869, AS DOCUMENT NUMBER 26398, IN COOK COUNTY, ILLINOIS

LEGEND

aOUOr MEASURED DIMENSION (XXX.XX') RECORDED DIMENSION TRAFFIC

TT^mc
TRAFFIC FLOW DIRECTION

SECTION/QUARTER SECTION UNE

BOUNDARY UNE

EASEMENT UNE

TAX PARCEL (PIN) UNE

CHCAOO DEPARTMENT OF TRANSPORTATION

SURVEYOR'S CERTIFICATE

COOK COUNTY

PREPARED FOR
NORTHPOINT DEVELOPMENT
3010 HIGHLAND PARKWAY, SUITE 440
DOWNERS GROVE, IL 60515

CHCAOO DEPARTMENT OF FINANCE

SEND-TO:
OLA PIPER, LLP

444 WEST LAKE STREET, SUITE 900 CHICAGO, IL 60606-0089

SHEET 3 OF 3

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I HEREBY CERTIFY THAT, AT THE REQUEST OF THE OWNER, I HAVE PREPARED THIS PLAT FOR THE PURPOSE OF OPENING LAND FOR A PUBLIC STREET. DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

I HEREBY AUTHORIZE THE OWNER OR THEIR AGENT TO FILE THIS PLAT OF OPENING FOR PUBLIC STREET WITH THE COOK COUNTY RECORDER'S OFFICE-GIVEN UNDER MY HAND AND SEAL THIS 20TH DAY OF NOVEMBER, A.D. 2020
TIMOTHY C. JACOB I HEFNER ASSOCIATES, INC. ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3S-003535 MY LICENSE EXPIRES NOVEMBER 30, 2022

EXHIBIT "C"

AFFECTED P.L.N.'S AND CORRESPONDING LOT &

26-19-205- ALL . OF LOTS 1 THRU 5
046 OF "E"
26-19-206- LOT 28 IN BLOCK 11 OF
016 "C" :A
26-19-206- LOT 27 IN BLOCK 11 OF
019 "C* V
26-19-206- LOT 26 IN BLOCK 11 OF -
020 C"
26-19-206- LOT 25 IN BLOCK 11 OF
021 "C"



(66') "C" -FOUND RAJIT?OAD SPIKE
8 23
24
C - INDIAN RIDGE SUBDIVISION OF PART OF THE NE 1/4' OF SEC. 19-37-15 REC. 09/23/1869 DOC. 26596
"E" - RESUB. OF LOTS 20 TO 24 AND THE
"S. 8 FT. OF LOT 19 IN BLK. 11 IN INDIAN . RIDGE SUB REC. 05/23/1918 DOC. 6328680
"A" VACATED ALLEY PER CDOT019-1C-20-3937 | PROJECT LEGISLATED AND AWAITING RECORDING AT THE COOK COUNTY RECORDER OF DEEDS
I.P.F. 3/4"

EXHIBIT "C"
PLAT OF VACATION

COOK COUNTY

•LEGEND.

XXX.XX" MEASURED DIMENSION 1 P.F. - IRON PIPE FOUND (XXX XX") RECORD DIMENSION

SECTION/QUARTER SECTION LINE

BOUNDARY LINE

TAX PARCEL (PIN) LINE

THAT PART OF THE NORTH-SOUTH U FOOT WOE PUBUC ALLEY IBTHH BLOCK 11 AS DEDICATED MTH1N INDIAN . RIDGE SUBDIVISION CI PART OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 37 NORTH, BINGE IS EAST OF. THE THIRO PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, IIS9, AS DOCUMENT NUMBER 26596. IN COOK COUNTY, ILUNOIS, BEING BOUND ANO DESCRBEO ■ AS FOLLOWS: .BCONN1NC AT THE SOUTHEASTERN CORNER OF LOT 25 IN BLOCK II IN SAIO INDIAN R3XX SUBOVISIN. ALSO BUNC ON THE NORTH RIGHT OF WAT OF E. HSH STREET; THENCE NORIH 01 DEGREES 03 MINUTES 23 SECONOS WEST (BASS OF BEARINGS - UJNOS STATE PLANE COORDINATES EAST ZONE (NAD63)) ALONG THE EASTERN LINES OF LOTS 25 THROUGH 2S INCLUSIVE IN SAIO BLOCK 11, A DISTANCE OF 97.00 FEET TO THE NORTHEASTERN CORNER OF SAID LOT 28. ALSO BONG AND ABUTTING THE SOUTHERN TERMINUS OF VACATED ALLEY PER COOT#U-IO-20-M37 PROJECT LEGISLATED AND AWAITWC RECCROWG AT THE COOK COUNTY RECORDER OF DEEDS; THENCE NORTH 89 DEGREES 47 MINUTES 07 SECONOS CAST ALONG SAID SOUTHERN TERMINUS LINE 14.00 FEET TO A POUT ON IHE WESTERN LINE CI LOT 5 OF THE RE-SUBDIVISON CI LOTS 20 TO 24 AND THE SOUTH 6 FEET OF LOT 19 IN BLOCK II IN INDIAN RIDGE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1916. AS OCCUJENT NUMBER 6328480; THENCE SOUTH 01 DEGREES 03 MINUTES 23 SECONDS EAST ALONG THE WESTERN LINE OF SAID LOT 3. A DISTANCE OF 97.00 FEET TO THE SOUTHWESTERN CORNER OF SAID LOT 5, ALSO ON SAID NORTH RIGHT OF WAY OF E. 118th STREET; THENCE SOUTH 89 DEGREES 47 MINUTES 07 SECONDS VEST ALONG SAID NORTH RIGHT OF WAY 14 00 FEET TO THE PONT OF BEGINNING, ALL IN COOK COUNTY, ILUNOIS; SAID ABOVE DESCRIBED PARCEL CONTAINING 1,358 SQUARE. FEET OR 0 031 ACRES. MORE OR LESS.

- SURVEYOR'S NOTFS:
- 1) BASIS OF BEARINGS IS ILLINOIS STATE PLANE COORDMATES EAST ZONE (NA063)
 - 2) OATI OF COMPLETION OF FIELD *WORK: MARCH 25, 202a
 - 3) NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENT I UPON THE PLAT.
 - 4) ACCORDING TO INFORMATION FOUND ON THE QTY CI CHICAGO ZOWKC AND LAND USE HAP. RETRIEVED VIA THOR WEBSITE ON JULY 2, 2020. ALL OF IHE PARCELS IOENTTFTEO OH THIS PLAT CI VACATION (SHOWN AND LABELED WITH A P.J.N. HEREON) FALL WITHIN ZONING CLASSIFICATION PMDI (PLANNED MANUFACTURING DISTRICT 6)
 - 3) LAND USE ON THE SUBJECT PROPERTY (ALL OF THE PARCELS IDENHFIED WITH A PIN. HEREON) AT IHE TIME OF THE FIELD WORK WRE ALL VACANT LAND WITH NO BUILDINGS.

1 'I HEPEF3Y VACATED

V/////A PENDING DEDICATION

SEND TO:
OLA PIPER, LLP
444 WEST L/KE STREET, SUITE 900 CHICAGO, ILJ 40606-0069
SHEET 2

JSS
) .

STATE OF ILUNOS

COUNTY OF OUPAOZ

I, TIMOTHY C. WOFE, AN ILUNQS PROFESSIONAL LAW SURVETTJR, 00 HEREBY CERTFY THAT I HAVE RgPARED IHS PLAT OF VACATION DESCRSED HEREON FOR THE PURPOSE CF VACATHC THE SAW AND THAT H PLAT HEREON DRAWN IS A CORRECT REPRESENTA110N THEREOF AND IHS PROFESSIONAL SERVICE COROSUS ID THE CURRENT UJNOIS HMMUM STANDARDS FOR A BOUNDARY SURVEY. OAIED IHS 2W DAY CF IROVOQER, 2020.

TNOTHY c ware
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NP AVENUE O, LLC 4825
NVV 41st Street, Suite 500

Riverside, MO 64150

DUTY TO BUILD AGREEMENT FOR CREATION OF A NEW STREET

The signatory, an authorized agent of NP Avenue O LLC ("Developer") agrees to construct the section of S. Burley Avenue between approximately E. 116th Street (private) and E. 122nd Street; S. Burley Avenue being widened by dedication from the Developer in a pending application to the Department of Transportation. The Developer agrees to the below terms of the dedication:

HP Avenue O,

By : NPD

By:

I am aware that I am responsible for the construction of all new public and private rights of way (streets, alleys, etc) described on the Plat of Subdivision/Dedication.

I further understand that all rights of way (both public and private) must be built to City specifications as detailed in CDOT's Regulation for Openings, Construction and Repair in the Public Way.

Lastly, I understand that construction deposits will be required to assure that the work is done correctly. An inspection will be conducted by the City upon completion of the work. The City of Chicago reserves the right to require demolition and reinstallation of any facilities that are judged to be sub par or that do not adhere to the City's standards. LLC

orn. Manager SP Avenue O. LLC

4825 N VY 41 st Street Suite 500. Ffr/erstcte. UC Zip. 331-251-31". 1
nt,UC, its manager

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64150

Su (his

end sworn to before me day of July 2020.

CITY OF CHICAGO
\$

DEPARTMENT OF WATER MANAGEMENT

October 20, 2020 City of Chicago Department of
Transportation Division of Infrastructure
Management Office of Underground Coordination
30 North LaSalle Street, 3rd Floor Chicago,
Illinois 60602

Attn: Mr. Jai Kalayil
Coordinator of Street Permits

Re: Proposed Vacation Ordinance 10th Ward
For: NorthPoint Development

Dedication and Opening of S. Burley Avenue from E. 116th Street to E. 122nd Street Vacation of
alley east of S. Burley Avenue and north of E. 118th Street

OUCFUE No. VD-105120 M&P Project No. 19-
10-20-3945 Water Adas Page 707 & 719 Sewer
Atlas Page 37-2-11 & 37-2-12

Dear Mr. Kalayil:

This letter is in response to your inquiry dated July 31, 2020 regarding the proposed dedication,
opening and vacation. After reviewing our records, we have determined the following:

D) The Department of Water Management - Water Section

The following water mains and appurtenances are located within or adjacent to the proposed
dedication and opening:

1. S. Burley Avenue ROW from E. 117th Street to approximately E. 130th Street
An 8-inch cast iron water main installed in 1923.
2. S. Burley Avenue ROW from E. 117th Street to E. 118th Street
A 12-inch water main installed in 1899 and a 24 inch metal water main installed in 1957
3. S. Burley Avenue vacated ROW from E. 118th Street to E. 1237th Street
A 12-inch water main installed in 1899 and a 24-inch water main installed in 1957

These water mains and appurtenances must be retained. The Water Section appraiser's report on the
proposed dedication, opening and vacation. subject to the following conditions:

- a. The proposed paving plans currently submitted for review must be revised and approved in the
proposed paving plans must be revised and approved in the proposed paving plans

OO:irSirUF-EHTJ.

cc: aa, rwm rest. va-iwi^w OcCster 20,
2020

- b. All water service* no tasgff ts o&e ri»il be pennaasesrily temtsessed m pan of tfe proposed deveiopcaeig by pemoX per DWM Standard*.

Fra (|m^km ccgar&ag w^er fadntics, please contact Andrew Mcf^risad af

The n^rtm^ni of Watgf Vlajweregril ♦ Sewer Sect&n

1. DedkalfcD^strfpa 2ad teie^^

E 13ftfi S3 and E 122nd §4: Tfeere are 24-tttcb to 27-*ncb Oty «e»m ca S Basrky Ave from E 116th St to appnyxJ^fcet of soatii fee of E 116tb St s&d wTSbssa the proposed area to be deceased. Ttee Sewer Section baa ©o cbjecSkrai to t&e popes^d rff4fk"atpf^, pnnw^jed the following are .part of ihe itodhraatkin orrfrgance"

- a. Private ssnectmes are out aUoe*ed sa the pabfac right of way wtihosi a osvSnace estabbs&ed by tlae City OmsaL EsiMing fmvme egroctures e»st be fefocssesd Hfk> prrvzae property, abandoned or oteMwfard through a City Coasted owftia-re.
- b. *If and when tfee existing private drainage stractoffeft acd a#aoriaied draara are abandoned, the afeajMScmmeni piaas most meet the Departmeia of Waser Mmm§&mcBL Sewer Design Section's rcqancmef&i.*
- c. it is the deveksp**!e<!*s respowibjlity to provide proper drainage is ttee asess to be dedicated- New sewer and drainage CacOitks will be ccsmraced m tie development's espeaaaa. When die final plana a*e availabJe. the devdcpHaeni'3 cspaari^ staff mast dascem tteosc plans with Sewer Design Section.

<L Tbe Bsss^enance of the public sewers and sewer ttntcsssyas wifl he saxegaad by t&e B spgrflggat of Water Management only after physical and vk2cs»pe Mpectsan spps&ved by the Department of Water MzaageaijeiaL

e, pqMtfga sac jaaynred to be obiaiBcd by a 1 termed Drainlayer fsxsm fee [>cg>«a>eaa of Bslkfef>B - Sewer Permit Sectkm for all mdergrces&d sewer »rot ® hush fee pobtoc ©ray Mi oa private property. As-boall piam of the public sewer md KXimbmx&d patriae ibem sewers iadkaftag the &xt& location of the racaa sewesfs) ni appmsesances RM^iffit be f'fafpRfil to the)TV ^mff'EK***" of VVsser J^taftagesnest for Record r****y»f* withm 30 *t^>y* of coQAp&etion.

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OVC FUE Ho. VTM05I20
October 20,2020 Pae*3of3

If there are any questions regarding the sewer facilities, contact Sid Osakada at Sid.Osakada@CityofChicago.org <mailto:Sid.Osakada@CityofChicago.org> or Anupam Verma al Anupam-Verma@CityofCrucagoxj?g.

Very truly yours.

Randy
Commissioner

Conner

#1 NP AVENUE O, LLC

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: NP Avenue O, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☒ the Applicant

OR

2. ☐ a legal entity currently holding, or anticipated to hold within six months after City action on

2. the contract, transaction or other undertaking to which this EDS pertains (referred to below as the

2. "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal

2. name:

OR

3. ☐ a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(I)) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 4825 NW 41 st Street, Suite 500

Riverside, MO 64150

C. Telephone: (630) 258-5299

Fax:

Email: tgeorge@northpointkc.com

[<mailto:tgeorge@northpointkc.com>](mailto:tgeorge@northpointkc.com)

D. Name of contact person: Tom George

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

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

Dedication of right of way for the extension of South Burley Avenue between East 116th Street and East 122nd Street.

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

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

Specification ff and Contract #

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SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing

- ☐ 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: Missouri

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

☒ Yes☐ No☐ Organized in Illinois**B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:**

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

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

Name Title

NPD Management, LLC Manager

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within '6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

Page 2 of 15

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
NH35-FDC Chicago. LLC	6600 France Avenue S., Ste. 550. Minneapolis. MN 55435	81.7979% (Directs)
NP Partners 2018. LLC	4825 NW 41st Street. Suite 550. Minneapolis. MN 55435	12.1730% (Direct)
	6600 France Avenue S., Ste. 550.	
	Richard M. Schulze Revocable Trust u/a dated June 14, 2001 Minneapolis	
MN 55435		70.67% (Indirect)
Richard M. Schulze (an Individual)	6600 France Avenue S., Ste. 550, Minneapolis, MN 55435	70.67% (Indirect)

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

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

Does the Disclosing Party reasonably expect to provide any income or compensation to any City

elected official during the 12-month period following the date of this EDS? ☐ Yes ☒ No

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

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

☐ Yes ☒ No

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

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

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Name (indicate whether retained or anticipated to be retained)

DLA Piper LLP - retained

Jacob & Hefner Associates, Inc.
(retained)

Business	Relationship to Disclosing Party	Address	(subcontractor, attorney, lobbyist, etc.)
Attorney			

		<u>444 West Lake Street, Suite 900. Chicago. IL 60606</u>	
	<u>Civil Engineer</u>		
		1333 Butterfield Rd. Suite 300,	
		Downers Grove, IL 60515	

Fees (indicate whether paid or estimated.! NOTE: "hourly rate" or "t.b.d." is not an acceptable response.

\$20,000.00 - estimated

\$20,000.00 - estimated

(Add sheets if necessary)

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

SECTION V » CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

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

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3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(B)(1) of this EDS:

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

b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or

performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;

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

e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

5. Certifications (5), (6) and (7) concern:

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

Page 5 of 15

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

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

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

c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or

d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).

6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.

8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

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contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

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

None

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

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

None

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)
[] is [X] is not

a "financial institution" as defined in MCC Section 2-32-455(b).

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

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

Page 7 of IS

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

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

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

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

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes

☒ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

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

Does the Matter involve a City Property Sale?

☐ Yes

☐ No

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

Name	Business Address	Nature of Financial Interest
------	------------------	------------------------------

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

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E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure

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

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

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

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, 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, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify

any federally funded contract, grant, loan, or cooperative agreement.

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

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes ☐ No

If "Yes," answer the three questions below:

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

☐ Yes ☐ No

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

☐ Yes ☐ No ☐ Reports not required

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

☐ Yes ☐ No

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

SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics <<http://www.cityofchicago.org/Ethics>>. and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute

this EDS, and all applicable Appendices, on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS, and all applicable Appendices, are true, accurate and complete as of the date furnished to the City.

NP Avenue O, LLC

By: NPD Management, LLC, its Manager

(Print or type exact legal name of Disclosing Party)

(Sign here) Of

ot au

(Print or type name of person signing)

(Print or type title of person signing)

Signed and sworn to before me on (date) *hat i£, Z(fl°* .

at County, fctate)

HEATHER R. PFENOER Notary Public • Notary Seal Clay County - State of Missouri Commission Number 15633521 My Commission Expires Feb 24, 2023

Notary Public Commission expires:

APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

☐ JYes ☒ JNo

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.

**AND AFFIDAVIT
APPENDIX B**

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

☐ Yes ☒ No

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

☐ Yes ☐ No ☒ The Applicant is not publicly traded on any exchange.

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

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

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

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

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

☐ Yes

☐ No

☒ N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385. This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1). If you checked "no" to the above, please explain.

(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

a dedication of right of way for the extension of South Burley This
recertification is being submitted in connection with Avenue between East 116th Street and East 122nd Street

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

NP Avenue O, LLC

Date: 11-7-20

(Print or type legal name of Disclosing Party)

By: W⁰ \y\ar^{jTM}_t llC, ; -h maoac; ^

(sign here) Print or type name of signatory:

Title of signatory:

.by . County, /litWi
Signed i ItfaJiWi.-.,

Notary Public.

Signed and swcpi^^ej^re me on [datej^ ^ \ f 3 j2- Q

Commission expires:

Ver. 11-01-05

#2 NP PARTNERS 2018, LLC ;

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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: NP Partners 2018, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

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

name: NP Avenue O, LLC

OR

3. ☐ a legal entity with a direct or indirect right of control of the Applicant (see Section 11(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: 4825 NW 41st Street, Suite 500

Riverside, MO 64150

C. Telephone: (630) 258-5299

Fax:

Email: tgeorge@northpointkc.com

<mailto:tgeorge@northpointkc.com>

D. Name of contact person: Tom George

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

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

Dedication of right of way for the extension of South Burley Avenue between East 116th Street and East 122nd Street.

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

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

Specification #

and Contract #

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SECTION II -

- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing

- ☐ 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: Missouri

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

☐ Yes ☒ No ☐ Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name Title

NPD Management, LLC

Manager of the Applicant

2. Please provide the following information concerning each person or legal entity having a direct or indirect,

current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

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limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
NH35-FDC Chicago, LLC	6600 France Avenue S., Ste. 550, Minneapolis, MN 55435	81.7979% (Direct)
<u>NP Partners 2018, LLC</u>	<u>4825 NW 41st Street, Suite 550, Minneapolis, MN 55435</u>	<u>12.1730% (Direct)</u>
<u>Richard M. Schulze Revocable Trust u/a dated June 14, 2001</u>		<u>70.67% (Indirect)</u>
Richard M. Schulze (an Individual)	6600 France Avenue S., Ste. 550, Minneapolis, MN 55435	70.67% (Indirect)

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

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

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

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

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party? ☐ Yes ☒ No

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

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship,

and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

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Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
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(Add sheets if necessary)

[X] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities. SECTION V - CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or

continue with a contract in progress).

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

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3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(B)(1) of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

5. Certifications (5), (6) and (7) concern:

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

ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;

- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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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 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
 - b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
 - c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
 - d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above, and will not, without the prior written consent of the City, use any such

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contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

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

None

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

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

None

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

☐ is ☒ is not

a "financial institution" as defined in MCC Section 2-32-455(b).

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

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

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

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

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

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

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes ☒ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

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

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

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

Name	Business Address	Nature of Financial Interest
------	------------------	------------------------------

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

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E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of

1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes

☐ No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)
☐ Yes ☐ No
2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?
☐ Yes ☐ No ☐ Reports not required
3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
☐ Yes ☐ No

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

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SECTION VII - - FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at [www.cityofchicago.org](http://www.cityofchicago.org/g/Ethics) <<http://www.cityofchicago.org>> g/Ethics <<http://g/Ethics>>. and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the

Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

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CERTIFICATION

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

NP Partners 2018, LLC

By: NPD Management, LLC, its Manager

(Print or type exact legal name of Disclosing Party)

(date) \unL2l2tylQ

at ftp County,

Notary Public

Commission expires:

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

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

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

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

[] Yes [x] No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which

such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

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

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No ☒ The Applicant is not publicly traded on any exchange.

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

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

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

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

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

☐ Yes

☐ No

☒ N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385. This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1). If you checked "no" to the above, please explain.

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(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

a dedication of right of way for the extension of South Burley This
recertification is being submitted in connection with Avenue between East 116th Street and East 122nd Street

NP Partners 2018, LLC

By: NPD Management, LLC, its manager

By:

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

Nathaniel Hagedorn, Manager

Date: 1/3/23

Signed and sworn to before me on [date] at [time], by
JULIA W. FENDER, at [location], [county], [state]

Notary Public.

Commission expires:

HEATHER R. PFENDER Notary Public - Notary Seal Clay County - State of Missouri Commission Number 15633521 My Commission Expires Feb 24, 2023

IMPD MANAGEMENT, LLC

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: NPD Management, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. ☐ a legal entity currently holding, or anticipated to hold within six months after City action on

2. the contract, transaction or other undertaking to which this EDS pertains (referred to below as the

2. "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal

2. name:

OR

3. ☒ a legal entity with a direct or indirect right of control of the Applicant (see Section TT(B)(1)) State the legal name of the entity in which the Disclosing Party holds a right of control:

NP Avenue Q. LLC

B. Business address of the Disclosing Party: 4825 NW 41st Street, Suite 500
Riverside, MO 64150

C. Telephone: (630) 258-5299

Fax:

Email: tgeorge@northpointkc.com

<mailto:tgeorge@northpointkc.com>

D. Name of contact person: Tom George

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

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

Dedication of right of way for the extension of South Burley Avenue between East 116th Street and East 122nd Street.

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

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

Specification //

and Contract tt

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party: ■

- | | |
|---|---|
| <input type="checkbox"/> Person | <input checked="" type="checkbox"/> Limited liability company |
| <input type="checkbox"/> Publicly registered business corporation | <input type="checkbox"/> Limited liability partnership |
| <input type="checkbox"/> Privately held business corporation | <input type="checkbox"/> Joint venture |
| <input type="checkbox"/> Sole proprietorship | <input type="checkbox"/> Not-for-profit corporation |
| <input type="checkbox"/> General partnership | (Is the not-for-profit corporation also a 501 (c)(3))? |
| <input type="checkbox"/> Limited partnership | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Other (please specify) |

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

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?

☐ JYes ☒ No ☐ Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name Title Nathaniel Hagedorn Manager

Chad Meyer Manager

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
<u>NH35-FDC Chicago, LLC</u>	<u>6600 France Avenue S., Ste. 550, Minneapolis, MN 55435</u>	<u>81.7979% (Direct)</u>
<u>NP Partners 2018, LLC</u>	<u>4825 NW41st Street, Suite 550, Minneapolis, MN 55435</u>	<u>12.1730% (Direct)</u>
<u>Richard M. Schulze Revocable Trust u/a dated June 14, 2001</u>		<u>70.67% (Indirect)</u>
Richard M. Schulze (an Individual)	6600 France Avenue S., Ste. 550, Minneapolis, MN 55435	70.67% (Indirect)

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

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

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

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

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

[J]Yes [x] No

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is

uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
---	-------------------------	---	--

(Add sheets if necessary)

[x] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities. SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

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

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

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

b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;

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

e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

5. Certifications (5), (6) and (7) concern:

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

a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;

- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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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 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
 - b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
 - c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
 - d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article 1 for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

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contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

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

None

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

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

None

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

☐ is ☒ is not

a "financial institution" as defined in MCC Section 2-32-455(b).

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

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

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

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

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

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

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes ☒ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

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

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

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

Name	Business Address	Nature of Financial Interest
------	------------------	------------------------------

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

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E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of

1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes

☐ No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)
☐ Yes ☐ No
2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?
☐ Yes ☐ No ☐ Reports not required
3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
☒ Yes ☐ No

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

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- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics <<http://www.cityofchicago.org/Ethics>>. and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this

EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

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CERTIFICATION

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

NPD Management, LLC

(Print or type exact legal name of Disclosing Party)

By:

(Sign here)

(Print of type name of person signing)

mona^r

(Print or type title of person signing)

Signed and sworn to before me on (date) (VI 2£, 20W,

at County, _ mo _ (state).

Notary Public

W

l' ■ „ HEATH£R pfender

* Notary Public -Notary Seal

X

1 Commission Number 1563352"
% b\ Z^> " Commission Expires Feb 24, 2023

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

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

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited

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

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

☐ Yes ☒ No

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

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

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

☐ Yes ☒ No

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

☐ Yes ☐ No ☒ The Applicant is not publicly traded on any exchange.

3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a

building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.

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

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

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

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

[JYes

☐ No

☒ N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385. This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1). If you checked "no" to the above, please explain.

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(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

a dedication of right of way for the extension of South Burley This
recertification is being submitted in Connection With Avenue between East 116th Street and East 122nd Street
[identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

NPD Management, LLC

Date: 11

Nathaniel Hagedorn, Manager

HEATHER R. PFENDER Notary Public - Notary Seal Clay County-State of Missouri . commission Number 15633521 | My Commission Expires Feb 24 2023

NH35-FDC CHICAGO, LLC

**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:

NH35-FDC Chicago, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. ☒ a legal entity currently holding, or anticipated to hold within six months after City action on

2. the contract, transaction or other undertaking to which this EDS pertains (referred to below as the

2. "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal

2. name: NP Avenue O, LLC

OR

3. ☐ a legal entity with a direct or indirect right of control of the Applicant (see Section 11(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: 6600 France Avenue S.. Ste. 550.

Minneapolis, MN 55435

C. Telephone: 952-324-8905

Fax: 952-324-8999

Email: kevinb@olvmpusventures.com

<mailto:kevinb@olvmpusventures.com>

D. Name of contact person: Kevin S. Bergman

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

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

Dedication of right of way for the extension of South Burley Avenue between East 116th Street and East 122nd Street.

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

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

complete the following:

Specification //

and Contract #

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SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. 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

☐ Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name Title

NPD Management. LLC

Manager of the Applicant

Richard M. Schulze

President of the Disclosing party

Kevin S Bergman

Vice President and Secretary of the Disclosing Party

Joseph S. Langel

Vice President and Treasurer of the Disclosing Party

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including

ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

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limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
<u>NH35-FDC Chicago, LLC</u>	<u>6600 France Avenue S., Ste. 550, Minneapolis, MN 55435</u>	<u>81.7979% (Direct)</u>
<u>NP Partners 2018, LLC</u>	<u>4825 NW41st Street, Suite 550 Minneapolis, MN 55435</u>	<u>12.1730% (Direct)</u>
<u>Richard M. Schulze Revocable Trust u/a dated June 14, 2001</u>	<u>6600 France Avenue S., Ste. 550, Minneapolis, MN 55435</u>	<u>70.67% (Indirect)</u>
Richard M. Schulze (an Individual)	6600 France Avenue S., Ste. 550, Minneapolis, MN 55435	70.67% (Indirect)

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

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

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

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

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party? ☐ Yes ☒ No

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

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City

whether disclosure is required or make the disclosure.

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<u>Name (indicate whether retained or anticipated to be retained)</u>	<u>Business Address</u>	<u>Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)</u>	<u>Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.</u>
	^		

(Add sheets if necessary)

[x] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities. SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

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

the payment of any tax administered by the Illinois Department of Revenue.

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3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(B)(1) of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

5. Certifications (5), (6) and (7) concern:

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

Affiliated Entity (collectively "Agents").

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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 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
 - b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
 - c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
 - d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and

(9) above and will not, without the prior written consent of the City, use any such

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contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

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

None

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

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

None

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

☐ is ☒ is not

a "financial institution" as defined in MCC Section 2-32-455(b).

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

"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We

understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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

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

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

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

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes ☒ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

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

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

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

Name	Business Address	Nature of Financial Interest
------	------------------	------------------------------

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

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E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

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

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes

☐ No

If "Yes," answer the three questions below:

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

☐ Yes

☐ No

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

☐ Yes

☐ No

☐ Reports not required

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

☐ Yes

☐ No

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

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SECTION VII - FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics <<http://www.cityofchicago.org/Ethics>>. and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

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CERTIFICATION

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

NH35-FDC Chicago, LLC
(Print or type exact legal name of Disclosing Party)

(Print or type name of person signing)

(Print or type title of person signing)

Signed and sworn to before me on (date)

County,

Notary Public

Commission expires:

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

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

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

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

☐ Yes ☒ No

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

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

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

[JYes [x]No

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

[] Yes [] No [x] The Applicant is not publicly traded on any exchange.

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

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

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

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

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

☐ Yes

☐ No

☒ N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385. This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1). If you checked "no" to the above, please explain.

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CERTIFICATION

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

NH35-FDC Chicago. LLC

(Print or type exact legal name of Disclosing Party)

(Print or type title of person signing)

Signed and sworn to before me on (date) U/3/2020

County,

Notary Public

Commission expires:

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RICHARD M. SCHULZE REVOCABLE TRUST U/A DATED JUNE 14, 2001, AS AMENDED

**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:
Richard M. Schulze Revocable Trust u/a dated June 14, 2001, as amended

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

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

OR

3. ☒ a legal entity with a direct or indirect right of control of the Applicant (see Section 11(B)(1)) State
the legal name of the entity in which the Disclosing Party holds a right of control:

NP Avenue O. LLC

B. Business address of the Disclosing Party: 6600 France Avenue S., Ste. 550,
Minneapolis, MN 55435

C. Telephone: 952-324-8900 Fax: 952-324-8999 Email: kevinb@olympusventures.com
<<mailto:kevinb@olympusventures.com>>

D. Name of contact person: Richard M. Schulze

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

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

Dedication of right of way for the extension of South Burley Avenue between East 116th Street and East 122nd street.

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

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

Specification #

and Contract #

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SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. 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: Florida

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

☐ Yes ☒ No ☐ Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

NOTE2: Each legal entity listed below must submit an EDS on its own behalf.

Name Title

NPD Management. LLC

Manager of the Applicant

Richard M. Schulze

Trustee of the Disclosing Party

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
<u>NH35-FDC Chicago. LLC</u>	<u>6600 France Avenue S., Ste. 550. Minneapolis. MN 55435</u>	<u>81.7979% (Direct)</u>
NP Partners 2018. LLC	4825 NW 41st Street. Suite 550, Minneapolis, MN 55435	12.1730% (Direct)
<u>Richard M. Schulze Revocable Trust u/a dated June 14. 2001</u>		<u>70.67% (Indirect)</u>
Richard M. Schulze (an Individual)	6600 France Avenue S., Ste. 550, Minneapolis, MN 55435	70.67% (Indirect)

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

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

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

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

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party? ☐ Yes ☒ No

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
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(Add sheets if necessary)

[x] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities. SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

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

3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(B)(1) of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and .
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

5. Certifications (5), (6) and (7) concern:

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

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).

6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.

8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

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

None

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

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

None

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

☐ is ☒ is not

a "financial institution" as defined in MCC Section 2-32-455(b).

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

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

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

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

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

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

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes ☒ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

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

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

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

Name	Business Address	Nature of Financial Interest
------	------------------	------------------------------

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, 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, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any

person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee
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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes ☐ No

If "Yes," answer the three questions below:

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

☐ Yes ☐ No

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

☐ Yes ☐ No ☐ Reports not required

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

☐ Yes ☐ No

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

SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based. .
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics <<http://www.cityofchicago.org/Ethics>>. and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

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CERTIFICATION

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

(Print or type name of person signing)

Richard M. Schulze Revocable Trust u/a dated June 14, 2001, as amended (Print or type exact legal name of Disclosing Party)

Trustee

(Print or type title of person signing)

Signed and sworn to before me on (date) 11 /3/2020

County,

Notary Public

Commission expires:

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

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

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

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

☐ Yes ☒ No

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

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

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

☐ Yes ☒ No

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

☐ Yes ☐ No ☒ The Applicant is not publicly traded on any exchange.

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

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

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

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

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

☐ JYes

☐ No

☒ N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385. This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1). If you checked "no" to the above, please explain.