



Office of the City Clerk

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

Legislation Text

File #: R2014-284, **Version:** 1

May 28, 2014

To the President and Members of the City Council:

Reporting for your Committee on Economic, Capital and Technology Development for which a meeting was held on May 21, 2014; having had under consideration a Class 6(b) tax incentive Resolution for property located at 10459 South Muskegon Avenue, which was introduced by Alderman John Pope at the April 30, 2014 City Council Meeting, begs leave to report and recommend that Your Honorable Body Pass the proposed appointment transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the Committee.

Respectfully

submitted, Chaifman^

**RESOLUTION CLASS 6(B) REAL ESTATE TAX INCENTIVE FOR THE
BENEFIT OF BHI PROPERTY, LLC, AND REAL ESTATE LOCATED
GENERALLY AT 10459 S. MUSKEGON AVENUE IN CHICAGO, ILLINOIS
PURSUANT TO COOK COUNTY, ILLINOIS REAL PROPERTY
ASSESSMENT CLASSIFICATION ORDINANCE**

WHEREAS, the Cook County Board of Commissioners has enacted the Cook County Real Property Assessment Classification Ordinance, as amended from time to time (the "Ordinance"), which provides for, among other things, real estate tax incentives to property owners who build, rehabilitate, enhance and occupy property which is located within Cook County and which is used primarily for industrial purposes; and

WHEREAS, the City of Chicago (the "City"), consistent with the Ordinance, wishes to induce industry to locate and expand in the City by supporting financial incentives in the form of property tax relief; and

WHEREAS, BHI Property, LLC, an Illinois limited liability company (the "Applicant"), which was formed by Arro Corp, an Illinois corporation ("Arro") as the real estate holding agent for Arro, is the owner of certain real estate located generally at 10459 S. Muskegon Avenue, Chicago, Illinois 60617 as further described on Exhibit A hereto (the "Subject Property") and has done some minor renovations to an approximately 230,000 square foot industrial facility which contains four (4) connected buildings and is located thereon; and

WHEREAS, Arro, which operates food processing and packaging manufacturing plants, leases the Subject Property from BHI and has expanded and consolidated its production capacity at the Subject Property; and

WHEREAS, on July 29, 2003 the City Council of the City enacted a resolution supporting and consenting to the Class 6(b) classification of the Subject Property by the Office of the Assessor of Cook County (the "Assessor"); and

WHEREAS, the Assessor granted the Class 6(b) tax incentive in connection with the Subject Property in 2003; and

WHEREAS, the Applicant has filed an application for renewal of the Class 6(b) classification with the Assessor pursuant to the Ordinance; and

WHEREAS, it is the responsibility of the Assessor to determine that an application for a Class 6(b) classification or renewal of a Class 6(b) classification is eligible pursuant to the Ordinance; and

EXHIBIT A

Legal Description of Subject Property:

PARCEL 7:

A TRACT OF LAND IN THAT PART OF THE SOUTH 'A OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE WEST LINE OF BLOCK "A" IN SOUTH CHICAGO DOCK COMPANY'S ADDITION TO SOUTH CHICAGO IN SAID SECTION 7, (SAID WEST LINE BEING THE EAST LINE OF SOUTH MUSKEGON AVENUE), AT A POINT WHICH IS 257.35 FEET NORTH OF THE SOUTHWEST CORNER OF SAID BLOCK "A", (BEING THE NORTHEAST CORNER OF EAST 106TH STREET AND SOUTH MUSKEGON AVENUE) AND RUNNING THENCE EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF EAST 106TH STREET, A DISTANCE OF 589.94 FEET; THENCE NORTHEASTWARDLY ALONG A STRAIGHT LINE, HAVING AS ITS EASTERLY TERMINUS, A POINT WHICH IS 367.46 FEET, (MEASURED PERPENDICULARLY) NORTH FROM THE NORTH LINE OF EAST 106TH STREET AND 150.00 FEET, (MEASURED PERPENDICULARLY) EAST FROM THE SOUTHWARD EXTENSION OF THE EAST LINE OF LOTS 2 AND 3 IN GENERAL MILLS, INC, OWNERS' DIVISION, BEING ALSO THE EAST LINE OF LOTS 6 AND 7 IN GENERAL MILLS, INC., OWNERS' THIRD DIVISION), A DISTANCE OF 663.36 FEET; THENCE NORTHEASTWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 47.42 FEET TO A POINT ON A LINE 150.00 FEET, (MEASURED PERPENDICULARLY) EAST FROM AND PARALLEL WITH THE

SOUTHWARD EXTENSION OF THE EAST LINE OF LOTS 2 AND 3 AFORESAID, WHICH POINT IS 407.46 FEET, (MEASURED PERPENDICULARLY) NORTH FROM THE NORTH LINE OF EAST 106TH STREET; THENCE NORTH ALONG SAID LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 451.08 FEET TO A POINT 60.00 FEET SOUTH OF THE SOUTH LINE OF SLIP NO. 4, AS NOW CONSTRUCTED, (BEING A LINE 718.00 FEET SOUTH OF AND PARALLEL TO SOUTH LINE OF SLIP NO. 3 AS CONSTRUCTED); THENCE NORTHWESTWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 138.29 FEET TO A POINT WHICH IS 15.0 FEET, (MEASURED PERPENDICULARLY) EAST FROM SAID EAST LINE OF LOT 2 IN GENERAL MILLS, INC, OWNERS' DIVISION, (BEING ALSO THE EAST LINE OF LOT 6 IN GENERAL MILLS, INC. OWNERS' THIRD DIVISION) AND 30.00 FEET SOUTH OF SAID SOUTH LINE OF SLIP NO. 4, AS NOW CONSTRUCTED; THENCE NORTH ALONG A STRAIGHT LINE PARALLEL WITH SAID EAST LINE OF LOT 2, A DISTANCE OF 30.00 FEET TO SAID SOUTH LINE OF SLIP NO. 4, AS NOW CONSTRUCTED; THENCE WEST ALONG SAID SOUTH LINE OF SLIP NO. 4, AS NOW CONSTRUCTED, A DISTANCE OF 15.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 IN GENERAL MILLS, INC, OWNERS' DIVISION, (BEING ALSO THE NORTHEAST CORNER OF LOT 6 IN GENERAL MILLS, INC, OWNERS' THIRD DIVISION); THENCE SOUTH ALONG THE EAST LINE OF LOTS 2 AND 3 OF SAID GENERAL MILLS, INC, OWNERS' DIVISION, A DISTANCE OF 233.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTHWESTWARDLY ALONG A STRAIGHT LINE, A DISTANCE OF 46.67 FEET TO A POINT ON A LINE 33 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 3, 33.00 FEET, (MEASURED ALONG SAID PARALLEL LINE) WEST OF THE EAST LINE, EXTENDED SOUTH OF SAID LOT 3, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 7 IN GENERAL MILLS, INC, OWNERS' THIRD DIVISION OF A PORTION OF SAID SOUTH CHICAGO DOCK COMPANY'S ADDITION; THENCE CONTINUING SOUTHWESTWARDLY ALONG A LINE DRAWN 45 DEGREES TO THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 254.56 FEET TO A POINT ON A LINE 180.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 7; THENCE WEST ALONG LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 572.72 FEET TO A POINT ON A LINE DRAWN 25.00 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF SAID BLOCK "A", SAID POINT BEING 467.32 FEET, (MEASURED PERPENDICULARLY) NORTH OF THE NORTH LINE OF EAST 106TH STREET; THENCE WEST ALONG A STRAIGHT LINE, WHICH IS 467.32 THE NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID EAST 106TH STREET, A DISTANCE OF 330.31 FEET TO THE WEST LINE OF SAID

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BLOCK "A", (BEING THE EAST LINE OF SOUTH MUSKEGON AVENUE); THENCE SOUTH ALONG SAID WEST LINE OF BLOCK "A", A DISTANCE OF 21.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 8A:

A TRACT OF LAND IN SOUTH CHICAGO DOCK COMPANY'S ADDITION TO SOUTH CHICAGO IN SECTION 7, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 9 IN GENERAL MILLS, INC., OWNERS' THIRD DIVISION OF A PORTION OF SAID SOUTH CHICAGO DOCK COMPANY'S ADDITION, SAID POINT BEING 626.00 FEET NORTH OF THE SOUTHWEST CORNER OF BLOCK "A" IN SAID SOUTH CHICAGO DOCK COMPANY'S ADDITION; THENCE EAST ALONG SOUTH LINE OF SAID LOT 9, BEING A LINE DRAWN 625.97 FEET NORTH AND PARALLEL TO THE SOUTH LINE OF SAID BLOCK "A", A DISTANCE OF 331.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9 OR THE SOUTHWEST CORNER OF LOT 8 IN SAID OWNERS' THIRD DIVISION; THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 8, A DISTANCE OF 73.28 FEET TO, THE SOUTHEAST CORNER OF SAID LOT 8 OR THE SOUTHWEST CORNER OF LOT 7 IN SAID OWNERS' THIRD DIVISION; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 681.81 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTHWESTERLY ALONG A LINE DRAWN AT 45 DEGREES TO THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 254.56 FEET TO A POINT ON A LINE 180.00 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 7; THENCE WEST ALONG LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 572.72 FEET TO A POINT ON A LINE DRAWN 25.00 FEET EAST AND PARALLEL TO THE SAID EAST LINE OF SAID BLOCK "A"; THENCE NORTH ALONG SAID PARALLEL LINE, A DISTANCE OF 108.66 FEET TO A POINT ON A LINE DRAWN 575.97 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID BLOCK "A" AND SAID LINE EXTENDED; THENCE WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 331.41 FEET TO THE WEST LINE OF BLOCK "A" OF THE EAST LINE OF SOUTH MUSKEGON AVENUE; THENCE NORTH ALONG SAID LINE, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, SITUATED IN COOK COUNTY, ILLINOIS.

PARCEL 8B:

A TRACT OF LAND IN BLOCK "A" OF SOUTH CHICAGO DOCK COMPANY'S ADDITION TO SOUTH CHICAGO AND A 25-FOOT STRIP OF LAND, LYING EAST OF SAID BLOCK "A", IN SECTION 7, TOWNSHIP 37 NORTH, RANGE 15. EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID BLOCK "A", (BEING THE EAST LINE OF MUSKEGON AVENUE), 576.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID BLOCK "A" IN SOUTH CHICAGO DOCK COMPANY'S ADDITION; THENCE EAST ALONG A LINE DRAWN 575.97 FT NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID BLOCK "A", A DISTANCE OF 331.41 FEET TO A POINT, WHICH IS 25.00 FEET EAST OF THE EAST LINE OF SAID BLOCK "A"; THENCE SOUTH ALONG A LINE PARALLEL TO THE EAST LINE OF SAID BLOCK "A", A DISTANCE OF 108.66 FEET TO A POINT ON A LINE DRAWN 467.32 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF BLOCK "A"; THENCE WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 330.31 FEET TO THE WEST LINE OF SAID BLOCK "A" OR THE EAST LINE OF SOUTH MUSKEGON AVENUE; THENCE NORTH ALONG SAID LINE, A DISTANCE OF 108.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 9:

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AN IRREGULAR PARCEL OF LAND IN SOUTH CHICAGO DOCK COMPANY'S ADDITION TO SOUTH CHICAGO, BEING AN ADDITION IN SECTION 7, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF BLOCK "A" IN SAID ADDITION, 658.97 FEET NORTH OF THE SOUTH LINE OF SAID BLOCK "A"; THENCE NORTH ALONG THE WEST LINE OF SAID BLOCK "A" AND THE EXTENSION NORTH THEREOF 132.53 FEET TO THE SOUTHEASTERLY LINE OF PRIVATE RAILROAD STREET, AS ESTABLISHED BY AGREEMENT DATED MARCH 15, 1940 BETWEEN THE CHICAGO AND WESTERN INDIANA RAILROAD COMPANY, THE BELT RAILWAY COMPANY OF CHICAGO, GENERAL MILLS, INCORPORATED AND THE INTERNATIONAL HARVESTER COMPANY RECORDED ON SEPTEMBER 4, 1940 AS DOCUMENT 12540470; THENCE NORTHEASTERLY ON A STRAIGHT LINE TO A POINT 135.00 FEET EAST OF THE WEST LINE, EXTENDED NORTH, OF SAID BLOCK "A", MEASURED ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID BLOCK "A" AND 867.00 FEET NORTH OF THE SOUTH LINE OF SAID BLOCK "A", MEASURED ALONG A LINE PARALLEL TO THE WEST LINE OF SAID BLOCK "A"; THENCE NORTHEASTERLY ON A STRAIGHT LINE 215.83 FEET, MORE OR LESS TO A POINT ON A LINE 25.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID BLOCK "A", WHICH IS 950.14 FEET NORTH OF EXTENSION EAST OF THE SOUTH LINE OF SAID BLOCK "A", AS MEASURED ALONG SAID PARALLEL LINE; THENCE SOUTH ON A LINE 25.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID BLOCK "A", A DISTANCE OF 291.17 FEET TO A POINT ON A LINE 658.97 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID BLOCK "A"; THENCE WEST ON A LINE 658.97 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID BLOCK "A" TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 10:

LOTS 4, 5, 6, 7, 8, AND 9 IN GENERAL MILLS, INC, OWNERS' THIRD DIVISION CONSISTING OF GENERAL MILLS, INC. OWNERS' DIVISION, GENERAL, INC., SECOND DIVISION, AND SUNDRY TRACTS OF LAND ALL IN SOUTH CHICAGO DOCK COMPANY'S ADDITION TO SOUTH CHICAGO IN SECTION 7, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED RECORDED SEPTEMBER 8, 1941 AS DOCUMENT 12752776, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Tax Index Numbers (PINS) for the Subject Property: 26-07-314-015; 26-07-314-010; 26-07-314-012; 26-07-314-008

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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:

A. BHI Property 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 holding a direct or indirect interest in the Applicant. State the legal name of the

2. Applicant in which the Disclosing Party holds an interest:

OR

3. ☐ a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 7440 Santa Fe Drive
Hodgkins, IL 60525

C. Telephone: (708) 352-8200 Fax: (708) 352-5293 Email: pgaughan@arro.com

[<mailto:pgaughan@arro.com>](mailto:pgaughan@arro.com)

D. Name of contact person: Patrick Gaughan

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

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

6B Incentive renewal at 10459 S. Muskegon Ave., Chicago, IL 60525

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

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 Party:

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

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

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

QYes QNo [3 n/A.

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an

EDS on its own behalf.

Name Title

Patrick Gaughan

Managing Member

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

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interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party
Patrick Gaughan	7440 Santa Fe Drive, Hodgkins, IL	100%

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

QYes [7]^{No}

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in

connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

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

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Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor,, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.).NOTE: "hourly rate" or "t.b.d." is <u>not an acceptable response.</u>
<u>Ave. Attorney</u>		Chicago, IL 60655	<u>John P. Fitzgerald 10452 S. Kedzie</u> <u>\$5,000 estimated</u>

(Add sheets if necessary)

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

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

Yes

L/ 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?

[jYes QNo

B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit-briber-y, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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

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

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

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors"

and Other Retained Parties");

- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
 - b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
 - c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
 - d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

None

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

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

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution 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 \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

. /V>^ . :

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1. | | is [/J is not

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

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

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

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

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☒ Yes ☐ No

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

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

Does the Matter involve a City Property Sale? ☐ Yes ☒ No

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

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

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to

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

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

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.)

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?

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

☐ Yes ☐ No

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

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

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

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

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

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

CERTIFICATION

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

BHI Property LLC

(Print or type name of Disclosing Party)

By:

Patrick Gaughan

(Print or type name of person signing)

Managing Member

(Print or type title of person signing)

Signed and sworn to before me on (date) Q,-/si_n/ k^S. at i-n-r*^
County, --Ll\ v~,g_t (state).

AFFIDAVIT
APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

0No

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.

(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.

; submitted in connection with

:r penalty of perjury, the person signing below: (1) Warrants tha

This recertification is being!

[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.

P>UZ f^V^jZ LLC

Date: Z^V

(Print or type legal name of Disclosing Party) '

(sign here) Print or type name of signatory: Pa4r»_I< rvntjq^/)^ Title of signatory:

Signed and sworn to before me on [date] A--t=>>>-;i u *-y,<4 ■ by
~Fg> ,u- _< _-._. at r~*,,- ir- , County, -__iC,,^-^;^_ [state].

. Notary Public.

Commission expires:

OFFICIAL SEAL SALLY J LAOWIG Notary Public • State of Illinois My Commission Expires Sep 28,2017

WHEREAS, the Ordinance requires that, in connection with the filing of a Class 6(b) renewal application with the Assessor, an applicant must obtain from the municipality in which such real estate is located a resolution expressly stating that the municipality has determined that the industrial use of the property is necessary and beneficial to the local economy and that the municipality supports and consents to the renewal of the Class 6(b) classification; now therefore,

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

SECTION 1: That the City determines that the industrial use of the Subject Property is necessary and beneficial to the local economy in which the Subject Property is located.

SECTION 2: That the City supports and consents to the renewal of the Class 6(b) classification with respect to the Subject Property.

SECTION 3: That the Clerk of the City of Chicago is authorized to and shall send a certified copy of this resolution to the Office of the Cook County Assessor, Room 312, County Building, Chicago, Illinois 60602 and a certified copy of this resolution may be included with the Class 6(b)

renewal application filed with the Assessor by the Applicant, as applicant, in accordance with the Ordinance.

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SECTION 4: That this resolution shall be effective immediately upon its passage and approval.

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