

Legislation Text

File #: 02016-4882, Version: 1

COMMERCIAL ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of local government pursuant to Article VI I, 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 properties at 1236-1248 W. Fulton Street are owned by ELA Associates, L.L.C, an Illinois Limited Liability Company; 1224-1234 W. Fulton Street is owned by 1230 West, LLC; 1219-1226 W. Carroll Avenue is owned by Fulton/Racine Property LLC, an Illinois LLC; and 1227-1249 W. Carroll Avenue is owned by Chicago Title Land Trust as successor to North Star Trust Company as trustee under Trust Number 25948 (together the "Developers"); and

WHEREAS, the Developers propose to use the portion of the alley to be vacated herein as a limited access driveway, for which a permit will be secured; and

WHEREAS, the City Council of the City of Chicago, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be subserved is such as to warrant the vacation of the remainder of the public alley, described in the following ordinance; now therefore,

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

SECTION 1. THAT PART OF THE EAST-WEST 18-FOOT WIDE PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 5 THROUGH 16; LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOTS 17 THROUGH 28; LYING EAST OF AND ADJOINING THE EAST RIGHT OF WAY LINE OF N. ELIZABETH ST.; AND LYING WEST OF AND ADJOINING THE WEST LINE OF THAT PORTION OF THE EAST-WEST 18-FOOT WIDE PUBLIC ALLEY VACATED BY ORDINANCE DATED JANUARY 16, 2016 AND RECORDED ON FEBRUARY 26, 2016 AS DOCUMENT NUMBER 1605718052, ALL INCLUSIVE, IN BLOCK 3 IN MAG IE AND HIGH'S ADDITION TO CHICAGO IN THE SOUTHWEST 'A OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 24, 1855 (ANTE-FIRE), IN COOK COUNTY, ILLINOIS, SAID ABOVE DESCRIBED PARCEL CONTAINING 5,524 SQUARE FEET, OR 0.127 ACRE, MORE OR LESS as shaded and legally described by the words "HEREBY VACATED" on the plat hereto attached as Exhibit A, which drawing for greater clarity, is hereby made a part of this ordinance, be and the same is hereby vacated and closed, inasmuch as the same is no longer required for public use and the public interest will be subserved by such vacation.

SECTION 2. The City of Chicago hereby reserves for the benefit of

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Commonwealth Edison and AT&T/SBC, their successors or assigns, a non-exclusive utility easement to operate, maintain, construct, replace and renew overhead wires, poles, and associated equipment and underground conduit, cables, and associated equipment for the transmission and distribution of electrical energy, telephonic and associated services under, over and along the alley herein vacated, with the right of ingress and egress. The grade of the vacated public way shall not be altered in a manner so as to interfere with the operation and maintenance of Commonwealth Edison or AT&T/SBC facilities. No construction, buildings, permanent structures or obstructions shall occur or be placed over the area herein vacated without express written release of easement by the involved utilities. Any future relocation of utility facilities lying within the area being vacated will be accomplished by the involved utility, and be done at the Developers' expense.

SECTION 3. SECTION 3. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the APPLICANT shall deposit in the City Treasury of the City of Chicago, a sum sufficient to defray the costs of removing paving and curb returns, and constructing sidewalk 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,

SECTION 4. The vacation herein provided for is made upon the express condition that within 180 days after the passage of this ordinance, the Developers shall pay or cause to be paid to the City of Chicago as compensation for the benefits which will accrue to the owners of the property abutting said part of public alley hereby vacated the sum

dollars (\$),

which sum in the judgment of this body will be equal to such benefits.

SECTION 5. The vacation herein provided for is made upon the express condition that within one hundred eighty (180) days after the passage of this ordinance, the Developers shall file or cause to be filed for record in the Office of the Recorder of Deeds of Cook County, Illinois a certified copy of this ordinance, together with the associated full sized plat as approved by the Superintendent of Maps and Plats.

SECTION 6. This ordinance shall take effect and be in force from and after its passage. The vacation shall take effect and be in force from and after its recording.

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Vacation Approved:

Rebekah-Siheinfeld Commissioner of Transportation

Approved as to Form and Legality **Richard Wendy Deputy Corporation Counsel**

Honorable Burnett Alderman, 27th Ward

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PLAT OF VACATION

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ACOSTA BTOCI, LLC UDOW.qiim Au*. MM SURVEYING CO., INC. MI2 W. BAXUNB AVENUE rmZAJXX JLUSXSM 006X CDOT #08-27-16-3747

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: Chicago Title

Land Trust Company Trust No. 25948

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. jx~j the Applicant
 - OR
- 2. Q] 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 aright of control (sec Section ILB.l.) Stale the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 325 N. ELIZABETH STREET

CHICAGO, IL 60607

C. <u>Telephone: (312) 327-3350</u> Fax: (312)327-3315 <u>Email. mich381@3costaezgur.com</u>

<mailto:mich38l@3costaezgur.com>

D. Name of contact person: MICHAEL EZGUR

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):

Vacation of alley bounded by North Elizabeth Street; West Carroll Avenue; North Racine Avenue; and West Fulton Street.

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

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

Specification #

and Contract #

Office of the City Clerk

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SECTION II - DISCLOSURE OK OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

Indicate the nature of the Disclosing | j Person
Publicly registered business corporation | 1 Privately held business corporation j [Sole proprietorship | | General partnership | 1 Limited partnership [x] Trust

| [Limited liability company [1 Limited liability partnership r~J Joint venture | [Not-for-profit corporation

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

□ Yes QNo [| Other (please specify)

2. For legal entities, the stale (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 (xj 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 entily. NOTE: For not-forprofit 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.

TnJstee

Name Title

Chicago Title Land Trust Company	
as trustee under trust agreement	
dated 12/09/94 unrlpr t-msfr no.	25948

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.

Na7	ne Business Address	Percentage Interest in the
		Disclosing Party
	Donald Chaimovitz Declaration of Trust, dated July 25. 199	4 325 N. Elizabeth Street. Chicago IL 60607. 100%
	Drinalrl nhaimnvit7	snip hpnefiriary wHh 100% nwnpr<-,hip intprp<-T

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

□ Yes gj 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 ar.y person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must

either ask the City whether disclosure is required or make the disclosure.

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Name (indicate whether	Business	Relationship to Disclosing Parly	Fees (indicate whether
retained or anticipated	Address	(subcontractor, attorney,	paid or estimated.) NOTE:
to be retained)		lobbyist, etc.)	"hourly rate" or "t.b.d." is
			not an acceptable response.
			Michael Ezgur 1030 W. Chicago
Ave., 3rd FL. Chicago IL 606	642 Atty		\$2,500 (est.)

(Add sheets if necessary)

f~~j 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 2-92-41 5, substantial owners of business entities lhat 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 [3 No 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 \Box No

B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges lhat 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 ILB.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 cr 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 3 (Further Certifications), the Disclosing Party must explain below:

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

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. NONE.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. \Box is (3 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 predator}' lender may result in the loss of the privilege of doing business with the City."

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

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 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 fx} No

NOTE: If you checked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to Item D.L, 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 23 No

3. If you checked "Yes" to Item D.l., 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 cither 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.

LU 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.

I 12. 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.l. above for his or her lobbying activities or lo 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.l. 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.l. 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 submil 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.)

• Yes rjNo

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

• Yes 🗆 No

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

• Yes 🗆 No

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

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

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics <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 lo 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 tlie 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 Cily's Department of Procurement Services, lhc 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:

Page 11 of 13

F.l. Tlie Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor arc 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.l. 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.

Chicago Title Land Trust Company Trust No. 25948 AS TRUSTEE AND NOT PERSONALLY

(Print or type name of Disclosing Party)

(Print or type name of person signi Nancy A. Carlin

Trust- Qffir-pr

(Print or type title of person signing)

This instrument is executed by the undersigned land Trustee, not personally but solely as Trustee in the exercise of the power-and authority conferred upon and vested in it as such Trustee-It is expressly understood end agreed that all the warranties, indemnities, representations, covenants, undertakings sod-agreements herein made on the part of Ihe Trustee arg undertaken by it solely in its capacity as Trustee and not personaliy. rSio personal liability or . personal rssponsreiilty is assumed by or shall at any time be asserted or enforceable against the Trustee on account ot any warrartVj indemnity, representation, covenant, undertaking or agreement of tjJe Trustee in this instrument " ' " -

Signed and sworn to before me on (date)

<u>at £ook ∧</u> <u>County, Illinois</u> <

June 16, 2016 (state).

____Notary Public. "~ contains fn this certification has been furnished to tf>q land by bonsficiarfes of mat m.M&gJTJ£ £ certifiCMibn is mads solsly -m re W tors™ In Its Individual opacity, for Ze trK accuracy or thc facts GroreIn statad.

t "OFFICIAL SEAL" ♦ % HARRIET DENISEWICZ * Psctp I?*nf hJbtary Public. Stale of Illinois rage ^o^gomnjission _{Ex}p_{ire5} 04/26/19

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of tire 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.1 .a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or anyperson 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?

\Box 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.

Page 13 of 13

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDLX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

 $[Z]^{N0}$

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

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

QYes fx] 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 10 Section 2-92^116 of the Municipal Code?

QYes

[x~| Not Applicable

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

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

Page 14 of 14

Chicago Title Land Trust Company

10 S LaSalle Sued, Suite 2750 . Chicago, IL 60603 . (312) 223-U10 . Fa\ (312) 223-4136 January 21, 2016

Donald Chaimovitz 325 N. Elizabeth Street Chicago, IL 60607

Re: Land Trust No. 2594 S Customer No. BP 25948

Dear Mr Brennock:

Pursuant to your request, enclosed please find a certified copy of the aforesaid land trust agreement for your records. The trust account will be billed \$30.00.1 have also emailed a copy to Michael Ezgw at michaeKajacoslacznur.com.

If 1 can be of any further assistance, please do not hesitate to contact me. I can be reached at (312) 223-4109.

Very truly yours, Chicago Title Land Trust Company

Trust Officer

Enclosure

Chicago Title Land Trusl Company

Land Trust Review

' Trust number to be used on documents: 25948 Owners of trust (Beneficiaries): Donald Chaimovitz as trustee of the Donald Chaimovitz Declaration of Trust dated July 25,1994 (100%)

Original signatures needed on direction for the trustee to sign mortgage or deed (Power of Direction): Donald Chaimovitz, as trustee

Lender's signature required on direction to sign documents (Collateral Assignee / Right to Approve): Belmont Bank & Trust Company

*Delinquent Land Trust fees due: \$

Other requirements:

*Please note that additional fees will be billed to your account for the signing of mortgage documents or the issuance of a deed. For a quote of these fees, please contact land trust once you know specifically what documents your transaction requires.

Initials: nc

Date: January 21. 2016

Internal account number: BP 25948 COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST

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Donald Chelmuvlu:

Chicago Htt*i Land Trust Company, bi Successor Iru&loc to North Star Trust Company, ae Successor Trustee lo Banco Popular Norih America, »t Succe«or Trustee to Pioneer Banfc 4\ Trust Company, as TruHco undci Trust Agreement dated December 9, 19SU nnd known at Truil Number 25940 1820 Clove;dtlt Ava Highland Peik, LC 0015

Grantor.' Doneld Chalmuvltr, as Trustee under the Donald Chnlrnovitx Declaration of Trust under Trust Agreement dated Jury 2S, 1094

ip«ny Lender: fieimor.t Bank A Trust Company 8250 WEolmont Avo Chkaflo.O. 60634

TnisiNo.^

Wc do hereby certify lhal lhe wiihln. ccroisi.-si ol _. /o(pace: rcprcsenls a liu; and cotteel copy ol the original aaoiding lo ms lilts.

CHICAGO TITLE LAND TRUIT COMPANY

JAN 2 I 2016

THIS COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST dated August 14, 2015. is made and executed between Donald Chaimovitz., as Trustee under Ihc Donald Chaimovitz Declaration of Trust under Trust Agreement duted July 25, 1994 ("Grantor") and Belmont Bank & Trust Company ("Lender").

GRANT OP SECURITY INTEREST. For valuable consideration, Grmnfor Jointly and severally gnnb a security Interest In and assigns to Lender all of Grantor** right, title and beneficial Interest In and to Ihe Trust described ha low to accure payment of (ha Indebtedness and agraes -{hat Lender shall hvrr tile rights stated in this Assignment with respect to the beneficial Interest In the Trust and the Proporty hold In Hie Trust. In addition to all ciber rights which Lender may have ty law. Grantor hereby waives and releases to Lender all rights and benefits, accruing under and by vitue of eny and et! statutes of the Sidte of th

CROSS-COL LATERALIZATION. In odollon to the Ncte, this Assignment cocures at obligations, debts and ll&blLhl-ns, plus Interest thereon, of either Grantor or Bom-wor to Lorrfer, or ony one oi more of ihem. es v/oll os all claims by Lender eoalnst Borrower and Grantor of any one or mom ot them, whether now existing or hereafter arising, withhor related to Iho purpose of the Nole, whether voluntary or otherwise. whether duo or not due. direct or indirect, determined absolute or contingent, liquidated or unllquidd'ed. whether Borrower n(Grantor may bo liable Indrvtouafly or Jointly with othcia, whether oW-galed os guarantor, surely, accommodation party or otherwise, ond whether recovory upon such amounts may be or hereafter may becomo barred by any statute of limitations, and witathar the obligation io ropay such amounts moy be or hereafter may becomo o(l-iorwk« unonforceoble

PROPERTY' DESCRIPTION. The word 'Collateral- nc ucod In ihfc Assignment msanc all of Grantor's right, titto and bonaficJal Interest In and to Iho Tarsi and the following proporty. whetlwr now owned or rxweafier acquired und whether now existing or hereafter arising

[A) AH oddtilons to ond ell replacements of end substitutions tor ony property dosenbed ebove

(B) All products and produce of any of tho property described tn this CollolerBt section.

fCJ AM accounts, contract rights, general Intangibles, instruments, monies, payments, and ell other rights, arising out of a sfile. lease, or olher deposition ot any of the proporty described In It us Collalorc! section.

D) AJI proceeds pndudmg Insurance proceeds) from the sale or other disposition of any ol the proporty described in this Cofialorot section

E) All records relating to any of the property described In this Collateral ceclion, whether in the form of a writing, microfilm, microfiche, or electronic media

~Tf7oT^7c7^7op»7lj"-^oTns BlTpmpcrty. Df7ino-{^7cto, !^ld"|^r"by Che Trust. Indu3^tKdul"Bmfi11dn Btt"mferasls7~in"!fieT?eaTProperty7 wliotha.' now existing or herrafier Included in fiic Trust.

The words "Real Property" mean ttw following duscribed real properly, logelhor with al exiling or subsequently erected or affixed buildings

Improvaments and fixtures; all caienvils, rights of wny, and appurtences; all weier water rights, weie/courses and often rights (including stock m ullilles with ditch or tiriaahon rights); and aD other rights, royaJtles, and profits relating to the reel property, including without limitation all minerals, oil, gas. geothermal and simitar matters, located in CooV County, Stela of Illinois:

THE WEST 12 INCHES OF LOT 7 AND ALL OF LOTS ft THROUGH 1S IU 0LOCK 3 IN MAGJE AND HIGH'S ADDITION TO CHICAGO IN THE EAST 1/2 OF THC SOUTHWEST MA OF SECTION B, TOWNSHIP 39 NORTH, RANGE 1-4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN CCOK COUNTY, ILLINOIS

The Rent Property or its address is commorfy known as 325 H Elizabeth StreoL Chicago. IL 60607. The Real property lax Identification number 17-05-314-030-0000.

GRANTOR'S WAIVERS. Granior waives oil requirements of presentment, protest, demand, and notice of dishonor or non-payment to Borrower or Grantor, or any othor party to the indebtedness or lhc Collateral. Lender may do any of the tollowino with reaped to ony obligation of any Borrower, without first obtaining the consent of Grantor (A) gien'. ony extension of time for eny payment (B) grant ony renewal. (C) permit any motiffication of payment terms or other terms, or (O) exchange or rcloosc any Collateiol or other security. No such ad or tallure to oct shall affect Lender's rights agartst Grantor or the Cotlaioral.

RIGIT OF SETOFF. To the extent permitted by epplicoble low. Lender reserves e nght of setoff In all Grantor's accounts with Landor (whothar checking, saving*., cr iCTyj othor account) The? foldudes a» accents Grentor holds Jointly with someone olso ond all accounts Grantin may open to the futuro. How over, this does not Indudo arrj- IRA or Keogh occounts, or any truct accounts for which colon" would be prohibited by law. Giantor authorizes Undor, to Inn extent permitted by applicable Jnw, io charge or seloff al aums owing on the Indebtedness against eny and all such accounts, and. at Lander's option. to odministratively freoze al such accounts to allow Lendor io protect Lender's charge and setoff rights provided in (his paragraph

COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST Loan No: 8300003418 (Continued)

POWER OF DIRECTION. The sole nower of rivrirtion u-der »K- Tn_{.is}t sV:< b* k-i-* h

RI-FRESENTATIONS AND WARRANTIES CONCERNING COLLATERAL Granitor represents, wan-ants and covenants to Lender at all Hmos while this Assignmont k In e fled as follo-vs:

Perfection of Kocurify Intorost Grm'or ogroes to execute and deliver to Londor such assignments rjnJ Cher documents and to take whatever olhar affont ar* requested ty Lender to perfect end continue Lender's assignment ond security Ir.t=rcst in the Collateral. Grjnlor shnft rieTiwnr to Undnr alt original documents croating tho Trust, untoc such documonis nro hold by tho Trustaa and are not nvailablo for del-very to Londer. Upon request of Lender, Grantor will deliver to Lender any end all cf lhe documents evidencing, or constiluiinn the Collateral. "

Transactions Involving Collateral. Grantor makes the following representations and wnrmnV.M with rasped to the Proporty. Additional Lions, Grantor shall not transfor, pledge, mortgage, oncumfcer or otherwise permit the Proporty to bo interest encoded in the second state of the convergence of the second state within the rest encoded state of the second state of thin Assignment eorce* to be bound by the provisions of thte Assignment and to recognize and honor the power of direction as being solely vested In Lander, except as otherwise may be specified herein

POSSESSION ANO MAINTENANCE OF THE PROPERTY. Borrower and Granlor ogreo that Borrower's and Grentor's possession and use of lhe Property sliat be governed-by tho following provisions

Possession and Use. Until the occunence of on EvenI of Default. Grantor may (1) remain In possession and control of the Property, (2) use. operate or mnnarje the Property; ond (3) collect tha Rents from the Property.

Compliance With Environmental Laws. Grantor represents and warrants to Lender Litat (1) During (he period of Grantor's ownership of the Property, thoriji has been no use, generation, manufacture, storage, treatment, disposal, release or Compliance With Environmental Laws. Grantor represents end warrants to Lender Lhat (1) During (he period of Grantor's ownership of the Property, thorin has been no use, generation, manufacture, storage, treatment, disposal, release of any Hazardous Substance by any porson on, under, about or from tho Proporty; (2) Grantor ha no itnowtodgo of. or reason to believe that thore has been, except as previously disclosed to und acknowledged by Lender In writing, (n) nny brooch or violation of ony Environmental Lows, (b) ony use. gannraiion, manufacture, storage, treatment, disposal, release or threatened tolcaso of any Hazardous Substance on. under, about or from tho Property by any prior owners or occupants of tho Proporty, c) any actual or throaloned lingation or claims of any kind by any person relating to such motios. and (3) Except as previously disclosed to and acknowledged by Lonflar In writing, (a) neither Grantor nor any tencnl, contractor, agent or other authorized user of tho Property and use generate, manufacture, atom, treat, dispose of or relents eny Hazardous Substance on. under, Bbout or from Inc Property; end (a) any such activity shall bo conductod in complications of diodoral, state, and local laws, regulations and ordinance^{*}. Including without limitation all Environmental Laws. Grantor euthortzes Lendor and Us agenTa to enter upon Ino Property with Ihis section of the Assignment Any inspections or lests made by Lender In ender the property with the section of the Assignment Any inspections or lests made by Lender to any cander the property in contractor and complexed and complexe on the property is likely the property of the property with the section of the Assignment Any inspections or lests made by Lender In ender to property low the property with the section of the Assignment Any inspections or lests made by Lender In the property in the property in a propertion entitient and the property due to proper or the property in the property of the property of the property of the property of the prope enter high find Property for hazd autor hispections on datas, or Grantor's expanse, es centre high deel hi

Nuisance, Waste. Granlor shall not cause, conduct or permil any nultanco nor commit, pormiL or suffer any stripping of or waste on or to tho Properly or any portion of the Proporty. Wilhoul limiting lhe generality of the foregoing. Grantor will not remove, or granl lo any olhor party the right lo remove, any limbor. minerals (including oil and gas), coal. day. scoria. r>oD, gravel or rccx products without Lander's prior written consent

Removal of improvements. Granlor shall not demolish or remove any Improvements from the Ron! Properly without Lander's prior wntton .consent____Ai_fl.coridTtipn Jo. the I\$SWW)^AAQyi™prQvp.£tViQt*iX*n\$& rnay.«gujra.Qraptorj.o™to ropInce auch Improvements with Improvements of at loasj equal value

Lender's Right to Enter. Lender ond Lender's agents and represents uvea may enter upon lhe Real Property at ell reasonable times to attend to Lender's Interests and to Inspect the Real Property for purposes of Grantor's compliance with the lorms end conditions of this AcsIgnmon

Compliance With Laws. Grantor warrants that the Property nnd Grantor's use of the Proporty complies with ell existing nppEcablo lowa, ordinances, ond regulations of governmental outhonttes.

Duty to Protect Granlor agrees neither to abandon or leave unattended the Proporty. Granlor shall do all other ects. in addition to those acts set forth nbove in lhis section, which from the character ond uso of the Proporty orri reasonably necessary to proled ond preserve the Property

TAXES AND LIENS The following provisions relating to the taxes ond lions on the Property era part of this Assignment:

Payment. Grantor shell pay when duo (end In all evanis prior to delinquency) all toxes, payroll taxes, special taxes, assessments, water charges end :.awcr service charges levied against or on account of the Property, and shall pay whon due all claims for worx done on dt for scrVccs rendered or material furnished to tho Property. Grantor shall maintain the Property tree of any lens having prionty over or equal to tho Interest of Lendor under this Assignment, except for thoso liens specifically agreed to In writing by Lendor, ond except lor tho lien of 13xes and assessments not due as further spedflod In the Right to Conlost paragraph

Right To ContesL Grantor or Buyer nay withhold payment of Bny tax, assessment, or claim In connection with a good forth dispute over the obligation lo pay, so long ea Lender's Intorost m the Property la not Jcoperdized. If a tion orises or is filed ca - result of nonpayment, Grantor or Buyer shall within fifteen (15) days after tho lien is niced, writhin fifteen (15) days after Grantor or Buyer has notice of tho filing, server the discharge of the lion, or if requested by Lender, dayclift with kindor cash or a sufficient osurety bond or other security satisfactory to Londor in an amount suffident to discharge on the Hen plus and utomeys' fees or other charges that ou'd accrue as a result of e foredosuro or sule under the lien In any contest, Grantor or Buyer shall delend liaell and Lender and shall satisfy any idwuo judgment bo for* enforcement egalm! the Property. Grantor or Buy or aho'! name Lender as an additional COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST Loan N'o: 0300003418 (Continued)

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Evidence of Piymonil Gran'o*" shall upon drmand fumigh io L*jn**>" latis'pctory pvfrJi.npe pi payment of <>? teres c assess ==+=ep." zr.i zr-.z" authortio lhc "Pfvopnotc rovcrpminlc' cfflc'e< !c dchvsr 1c Lends* el my tlrr.c a written ciolencni e' «he l2eec cr'd D=;essr*c;.;s against iho Pioport/

Notitt of Construction Grantor shall noitfy lender a' least fifteen (15) days before eny work is corn me need, any services are furnkhod. or tny mziorals aro supplied to the Property, if any mechanic's lien, materialmen's lion, or other lien ccuW be escorted on account of the v.-oiW, service&, oi materials Q.'ontor will upon raqunsl of Lender furnish lo Londer advance assuror.ccs salls'sclory to Lender that Grentor can and will pyy the cost of such improvements

PROPERTY DAMAGE INSURANCE. The following provisions rclollivi to Insuring the Re ol Property a<o o part of the Assignment.

Maintenance of Intunnci. Grentor shal prucuto and maintain policies of firo Insurance with stendord extended coverage endorsements on a lair value bails; lor the 1uD Insurable value coverk>g oil Improvements on the Rent Property in on amount sulficier.t to avoid application of nny cotniurunco c-aueo, and with o standard mortgagoa clause m favor of Lender. Policies thol bo writilon by cuch Incurnnca componios end in such form es may bo reasonably acceptable lo Lender Grantor shell deliver to Lender certificates of coverage from each Insurer centain j o stipulation inal covercge will not be cancelled or diminished without a minimum of Ihirty (30) deys prior written not co to Lender.

Application of Pioceeda. Grentor ehell promptly notify Lender Df any loss or domega to the Property Lander mny meka proof of loss If Grantor talis to do co within fifteen (15) deys of the casualty. Whether or not Lenders security h impaired. Lender may, nt Lender's election, receive and retain the proceeds of any Insurance and apply the proceeds 10 the reduction of the Indebtedness, payment of ony Hon affecting the Property, or the restoration and repoir of the Property. It Lender letexts to apply the proceeds lor the resonable cost of repoir or restoration and repoir of repoir or restoration is not in dofault under this Assignment. Any proceeds which have not boon disbursed within 100 deys after thoir receipt end which Londer has not committed to lho repoir or restoration of the low papiled to the y ony emount owing the Londer under this Assignment. Any proceeds which have not boon disbursed within 100 deys after thoir receipt principal belance of line Indebtedness if Lender holds any proceeds after paynant m full of tho indebtedness, cuch proceeds shell bo paid to Grentor as Grantor's Interests may appear.

Unexpired Insurance it Sale. Any unaxpired Insurance shall triure to the benefit of. and pose to, the purchaser of the Property covered by this Assignment at env trustee's sale or other sale held undo the provisions of this Acsignment, or a any foreclosure sole of such Pi o party.

Grantor's Raport on Insuionca. Upon re cue it of Lender, however not more than once a year, Grantor shall lumish to Londor a report on each existing policy of Insurance showing- (1) lhe name of Iho Insurer: (7) the risks Insured. (3) tha emoun I of the policy.* (*J) the property Insured, the then amoni replacement valuo of such property, and lhe manner of determining Ihal value: end (5) lhe expiration dblr> cf (he policy. Grentor shall, upon request of Lender, have an Independent epprobor oet/clec' ory to Lender determine the cash volue teolcccmont cost of lhe Property.

WARRANTY, DLFENSE OP TITLE. The following previsions relaining to ownership of the Collateral and Property arc a part of this Assignment Title. Gmnloi warrants and covenants that Grantor Is the solo owner oi the beneficial Intcrost In Lhe Trust, froo and dear of sK Hens, liccuiUy interests, end enomibrancoa, except for those disclosed lo. and accepted by, lender In writing. Grentor also Warrants and covenants lhat it has the right to grant to Lender a security Interest In the Collateral and will defend Lender against any end ell claims and demands of ony person to the CoHalerr-1 end the Properly.

commerced that questions Grantor's title or the Intor-cit of Londer under this Astignmont. Grantor shall defend the action al Grantor's expense. Grantor mey be the nominal party in such prDceodinQ, but Lender shall be entitled to participate the proceeding and to be represented in the proceeding by councel of Londer' own choice, end Grantor will deSver. or causa lo be dsDvored, to Lender such Instruments os Lender mey request horn time to time to permit fuctor hard Under under the proceeding by councel of Londer' own choice, end Grantor will deSver. or causa lo be dsDvored, to Lender such Instruments os Lender mey request horn time to time to permit fuctor hard/double.

Compliance with Governmental Requirements. Grantor shall promptly-comply with all lews, ordinancoo, end regulations, now or heroalter In cfleci. of ail governmoniel ouihortOes applicable to the use or occupancy of the Property, Including without limitation, the Americans With Disabilities Act. Grantor may contain In good fath any cuch law, ordinance, or regulation end withheld compliance during any proceeding. Including appropriate appeals, so long as Gi unlet has notified lendorjn writing prior to doing so and so long as, in Lender's soJo'opTnyin. TJS'opTi*resIsninh"e~HToporty aff*6Tjeol>ordued~Ccnd& hwy'require Grantor Ib "posl odequelo se'cuufy'or a BurdyTaono. " roDsonobry satisfactory lo'Londcr, to protect Lender's Interest. CONDEMNATION Tile following provisions relating to condemnation proceedings ere e peri of this Assignment.

Application of Ncl Pioceeda. If all or any port of the Property es condemned by eminent dcmaln proceedings or by any proceeding or purchsso In lieu of condemnation. Lender may at Kb election require that all or sr.y portion of lhe ncl proceeds of lhe eward ta applied to the Indebtedness or the repair or restoration of the Property. Tho net proceeds of lhe award shall mean lhe award after payment ol all roaconoble costs, expensos; end attorneys' foot Incurred by Lendor In connection with the condemnation.

Proceeding. If any proceeding In condemnation is filed. Grantor shell promptly notify Londor ti writing, end Grantor shall promptly take such steps es -ray be necessary ic defend the octisn and obtain the eword. Grantor mey bo tho nomine¹ perty In such proceeding, but Lender thaP bo entitled to participate In the proceeding and to bo represented In tho proceeding by counsol of Its own choice, end Grantor will deliver or cause to be delivered to Lendor such Instrument* ond documentation as mey be rec.uowlnd by Lendor from time to time 10 permit such prruapation.

DEFAULT. E;ich ol ihe following, at Lender's option, shall constitute on Evonl ol Default under this Assignment. Payment Default. Borrower fails to make any payment wtwn due under Ihe Indebtedness.

Other Default*. Borrower or Grantor falls to comply with or lo perform Bny other term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or lo comply with or lo porlom any term, obligation, covenant or condition coniBined In this Assignment or tn eny of the Relolod Documents or comply with or lo porlom any term, obligation, covenant or condition coniBined In the Relovant or condition contained In the Relovant

Dofoull In Favor of Third Parties. Borrower, any guarantor or Granlor defeulis undor any loan, extension of credit, security agreement, purchase or aolec agreement, or ony other ogreamont. In favor nf ony othor croditor or porson iho I mny materially affect ony ol GorioNvora. nny guarantor's or Grentor's property or ebility to perform their respective obligations under ihis Assicnment or any of the Rotated Documonis COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST Loan No: 8300003418 (Continued)

Grantors bc'nalf under (his Assignment or the Kelalco Documents is false or misleading In ony material respect, either now or ai Vno lime matfo or furnished or becomes falso or misleading ol eny lime rharenfier.

Do'ocirc Cafijitcriit'utlor. Tins Assignmonl or any of the Related Oocuments ceases to be In full force and effect (indu-Jing failure at ony chinterni ducument in create a valid and perfected security Interesi or lien) at ony tJrre and for any reesan.

Poaih or Inttil.'cncy. Trie dea:h of Borrower or Grantor, tho insolvency of Borrower or Grantor, lhe appointment of c receiver for any port of Bcn-owerY, or Grantor's prcparty. any assignmont for the benofit of crerJl'iOTS, any type.of creditor \vcrV:oui, or ihe commencement of nny proceeding under ony bunxnipicy or Insolvency laws by or egelrot Borrower or Grantor.

Creditor or Forfeiture Proc*«dlngs. Commencement of loreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, rcptis: cssicn or any other method, by ony creditor of Borrower ar Granlor or by any governmontol agency against any proporty tocunng tha Indebtedness. This includes a garnishment of any of Borrower's or Grentor's occounta, Including dopesit occountin, with Lender. However, this Evonl of Default shall not apply If (here Is a good faith dispute by Borrower or Grantor gives Londer written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a suroty bond for the ct editor or forfeiture proceeding. In an omount determined by Lender, In Iis -olo discellan. as baling an adaqualo roiorve or bond for the dispute.

Event¹: Affecting Guarantor Any of the preceding ovents occurs with respect to any Guarantor of any of the Indebtedness or Guarantor die; or becomes Incompetent or rcvoVos or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

Adverse Chinge. A materiel adverse change occurs In Borrower's or Grantor's financial condition, or Londor bcl-oves the pros pact of pr>)Trv>nl or performance of (ho Indebtedness » Impaired.

Inst-ciinry. Lcndei in good failh believes itself insecure.

Cure Previsions, I(arry default/clher than a default In payment Is curable and If Grantor has not been given a notice of a breach ot the m.t.u provision of this Assignment within the preceding twcVe (12) months, It may be cured If Grentor, after Lander sends written notice to Borrower demanding cure of such dolault.(1) cures the default within titioen (15) days; or (2) If tho cure requires more than fifteen (15) flays, immediately initiates steps which Londor dooms in Lender's solo discretion to bo sufficient fo cure the default and thereafter continues and conjected on decessary steps curricleni to produce compliance ax coon as reasonably practical,

RIGHTS OF 1.CNDER. Upon tix; occurrence of en Event of Dofouil, Lendor, ot its option, msy exerdso a.ny one or more of the following rights and rc mod ies in addition to any other rights or remedies that may be available of law, In equity, or otherwise:

Accelerate Indebtedness. Londer may declare lhe entire Indebtedness. Including ony prepayment penalty which Borrower v/ould bo required to pay, immrdlalery due and peysbie.

Assemble Property. Londor may require Grantor to deliver to Lendor ell or ony portion of tho Property and any and ell documents relating to Ihe Proporty. Lender may require Grantor to assomblo tho Proporty and make it available to Lander at a ptaca to bo designated by Lender which Is reasonably convenient to both pertias. Lender also shall have MI power to enter upon the Property to take possession of and manago tho Property.

Sell (he Collateral. Lender'shot have full power to soil, loasa, trantifef. or othorv/se doal with the Collateral or proceeds thereof in its own name or that of Gentor. Lender may coll the Collateral at public auction. Unless LSe Collateral threatens to decline opeoalry in value or is of a type customarily sold on a recognized market, Lender will give Gmntor reasonable notice of the time effer which any private sele or any other Intended disposition of the Collateral is to be made. The requtomonis of reasonable! notice shall be met H such notice is given at least len (1U) days before the time of the collateral interest, including reosorub's attorneys' foes, trustee's tees, advertising coats, masior foes, cost of documentary evidence and experts. clenographora' charges, publication costs, appraisal fees (including costa or abstracts of title, (Hie coorchos and examinations, guaranty polities, title Insurance policies and similor Items and assurances respecting tills of the collateral and the retaking, holding, preparing for sole, and selling the Collateral shall become a part of the lindebtedness secured by tills Agreement, and shall be payobte on demand, with biterest at the Nole rate from date of expenditure until repaid.

Mortgagee In Po-ses»ion. Lendor shall have tho right to bo placed es mortgagee in possession or to havo o recetvor appointed to rake possession of ol or any part of the Property, with tho power to protect and preservo tho Property, lo operats the "Popsity preceding !!. !??.", "2"," or sale, and to concol the Ron's from the Property and apply the_proceeds, over and above ihe_cost or the receivership, ogninst th("TildebtschessV The mortgagee" ho sTeil; bn"or"receiver may serve without"benrij If permitted bylaw; Londor/Vrtght lotrie'ap'polntrieril of a tecelvor shall exist whether or not the apparent value of the Proporty oxceeds the Indebtedness by e substantial amount. Employment by Lander shall not disqualify a person from serving as a receiver.

ColUct Revenues. Lender mey revoke Grantor's right to manage the Property and to colloct tho renin. Issues and profilo horn tho Collateral, and may, without notice or demand, take possession ol tho Property, OUe to which fs held by the Trusiee. end etlhor tuolfor Ihiough a mce'ver. collect lhe ronts, Issues and profils therefrom. To facilitate collection, Londor may notify Grantor's occoun: debtors Including any tenants on Ihc Property lo moke payments directly to Londor.

Obtain Deficiency. Londer may obtoin a Judgment for any deficiency remaining on the indebtedness duo (o Lender ofior oppilcalton of all amounts received from the exercise of the nghts provided h this Assignment

Content to Proceedings. Grantor expressly consents end agrees to the Institution of any proceedings, by Londor to enforce ints Agroemom end ILitlen agaInii the Ccllateral to eneel a sale thereof, or tu enforce peymont of the Nole end Indebtedness, without previous sale or reduction to policesion of any other property pledged to secure the Nolo or Indebtedness, wilhoul regard to the terms or provisions of the Note or written instrumeni portforhing to the sale or reduction to poetsection of any use of any other property.

Other Rights and Remedies. Lender shall have end may eicerclso ony or bR of thc rights and remedies of a secured creditor under the provisions of the Uniform Commercial Code, at law. In equity, or othorwlso

Election of Remedies Except as may be prohibited by applicable law. ell of Lenders rights and remedies, whether avidonced by this Asstgnmcnl or by any other wniing. shall be cumulativo and may be exercised singularly or concurrently. Election by Lender to pursue eny remedy shail not exclude pursuit of any other remedy, and an election to moke expendituras or to lake action to perform an obngntfon of Granlor un: for lhis Assignment. Oner Grontor'a failure to porform. short not affect Lender's right to declare a default and exorcise its r-codies

INDEfiniti--CAT10N Or LENDER. Grantor ugieos to Indomnrfy, lo dofend and to save and hold Lender harmless from any and all claims, sulls. obligntions, dnmegos. losses, eor.ls and oxpunsos (Induding. without limitation, Landofs attomoys' f'e»), o>m«nrJ*. Habiloes. pennitms, finos

Page 5

end lor'eliures oi j>ny nc'ife w*i2irosver^{7, 1}st "ny tc asserted ecsL-sl c: in-curred by Lendi.', I:s officers CI-cCcs crupicyocs arte; over* crsir.g nut o(, rclaimy to, or m any manner occasioned by Ihl« Acsignmont and lhe oxortico ot Iho rightr and lomedics granted Lender under this The lorogeing Indemnity provisions sJIaC survive the cancollation of this Assignment es to all matters andng or accruing pner tr> arth cance/Da⁻on and uV toleccing Indemnity thoil survive tine cancollation of this Assignment es to all matters andng or accruing pner tr> arth cance/Da⁻on and uV toleccing Indemnity thoil survive in the event thol Lender elects to exercise env of the remedies es provided under this "rinnmrm following default hereunder.

LENDER'S EXPENDITURES, f, any acilon or p-occoding is cominenced that would materially affect Londor's Interest In ti>e Property or If Gnsnior fails In cn-npfy with any ptovtion of this Assignment or any Rnlaled Documents. Including hut nol limited to Grantor's Elluie to discharge or pay wher due arry amounts Giantor Is required to discharge or pay under this Assignment or ony Releted Documents. Lender on Grantor's behal' maj (but shell nol bo obl-jalod lo) take any ochon Iho I LGndai dooms appropriate, including but not limited to discharging or poying all loses, liens, security inforcers, encumbrances end othor claims, at any lime lovicd or placed on the Property on paying all costs for insuring, maintain?!;; and prescving Uie Property AH such expenditures Incurred or peld by lender for such purposes will then boar Interest et Ihe role do-ged under the Nolo from the da'. Incurred or paid by Londer to the date of lepaymont by Grantor AI such expenses will become a par. of the Indcb'.cdncss nnd, al Lenders option, will (A) bo payable on demand; (B) be added to Ihe balance of the Note end be apportioned among ond be plyable with any installment payments to become due during cither (1) tile lerm of any applicable insurance policy, or (2) the removing cirm of the Nole, or (C) be trioled as e bodoon payment which will be duo end payable ot Iho Note's moluilty. The Assignment else will sccu-c payment of these amounts. Such nghi shell be In addition to el other nghio ond ramodios to which Lendor moy be entitled upon Default.

MISCELLANEOUS PROVISIONS. The following rnlsccnaneous previsions ere a perl ot Ilila Assignment¹

Ammrfmenls. This Assignment toge: I'cr with any Rclotod Documents. consUtutcs Hie entire undcrsUnding end agreement of the parties a: lo :hc matters set forth In Ihls Assignmenl. No alteration of or umondmcnt lo Ihls Assignment shall be effective unless given In witting and r.i^ncd by the party 01 parties sought lo be charged or bound by trie alteration or amendment

Attomcys' Fro-:, Expenses. If Lender institutes any aull or action to enforce any of the lerms of (his Assignment. Lender shall be entilled to recover such sum as lhe court may adjudge reesonable as attorneys' fees el trial or, d upon any appeal Whether or not any court action is hvcr-ed, end to the cvtent not prohibited by lew, oil resonable expenses. Lender Incuts thai in Lender's opinion ere necessary ot ony time for the protection of ils Interest or the cnio.'ccment of Ils nights shall become e pan of the Indebtedness poyobo on domond on shall bee in Interest et tile Note met from the da'o of tho expenditure until repeld. Cxpences covered by this paragraph Include, wimou'i limitation, however subject tu any limbs under applicable law. Lender's attorneys' fees end Lenders legal expenses, whether or net there » a lowaill, including dMximcyi' fees and expenses for bonkruptcy proceedings (including efforts to mcdrfy or vacate ony automatic siey or injunction), cppe-4. ond any onticled cover legal expenses, the cost of searching records, obtaining tide reports (including foreclosure reports), surveyors' reports, and appraisal locs end utlo Insurance, to the extent permitted by applicable law. Granlor also win pay ony court coils. In addition to oD other sums provided by Inw

Caption Headings. Caption headings m this Assignment are for convenience purposes only and are net lo be used to Interpret or define the prc i'-ons of this Assignment.

ficvr-ilnj Law. Thic Assignment will be govern ad by fadnral law applicable te Lender and, to tha extent net preempted by federal t;w, lhe laws of lhe 5-talc of UDnolc without regard lo lts conflicts of law provisions. This Axiignment has been accepted by Lender In lhe Stale ol Rilnois.

Chf.ir..- of Venue If fhero ic a tawsuil. Grantor agrees upon Lender's request to submit to lhe jurisdiction of lhe courts of Cook; County. Stale of IHInclr.

Mcr-jcr. Thoro shall bo no merger of the Interest or estate created by this Assignment with any olher Interest or eafnto In the Property ol any Vntc held by or for the benefit ot Lendor in any copocify. willhout the written consent of Londer.

NotiLf-s. Any notice required to be given undar Jhls Assignment shall be given In writing, and shcD bo offactrva when ocfuolly delivered, when actually received by telefacsimile (unless otherwise required by low), when deposited with a nationally recognized overnight counter, or, il -willed, when deposited in tha Untied States man. as first class, certified or registered may postage prepaid, directed to tha addresses finc'n near Uie beginning of this Assignment. Any party moy change its address for notices under this Assignment by giving formal writ I'n notice to the other parties, specifying that the purpose of the notce is to change the party's address. For notice purposes. Grantor agm^ to keep Lender informed al ell Umes of Grantor' current address Unless otherwise provided or to police give by law. If there is more than enc Grantor, env notice given by Lender to any Grantor is docrmed to bo nolice giving not tos. Seve jitility_ if a court of competent jurisdiction finds any provision of this Assignment to biflogol. Involid. or unenturceeblo as to any ~circM-^*ta"rKe,^VnTTindirio shuirTioVrnako'Lhe 'dfTShairiCf provision"Dictfai: Invfilla;

arTfflCTroTTxa^*slo"Bnry-oi/

the ...*renting provision that be considered modified ao Lhal It baoomee logol, valid end enforceable, tf tho otfonding provtelon cannot be co mry.Vd. H shall he considered deleted from this Alignment Unless otherwise lequired by low, the (legality, Invalidity, or unenforce ability of any provision of this Assignment shall not affect the legality, validity or enforceability of ony other piovision of lhs Assignment]

Silf. sort and Assign*. Subject to any limitations statod In this Assignment on transfer of Grantors tntoncsl, this Assignment shall be bird - ^ upon and lnure lo the benefit of the parties, their successors ond aseigna. If ownership of lhe Property becomes vesied In a. person ottn:i ihan Grantor, Lender, withou: nolice lo Grantor, may doal wilh Grantor's successors with reference to this Assignment and lhe \n-i+i* <file:///n-i*> '-inrss by way of forbearance or extension without releasing Grantor from Ihe obligations of this Assignment or liability under the Indr*-'-Jress.

Survival of Representations and Warranties. All representations, werrantles. end egreements made by Grantor in this Assignment shall survfr. Ihc execuion and delivery ol ;hls Assignment, shall be continuing hn nature, end shot! remain In full force and effoci until such lime as Bri'TOwers Indehlednes-i shaD be paid in full

TImr J< of Ity: Essence. Time Is of the essence In the performance of thk Artslanment

Wit*? Jury All p irtie* to Ihls Assignment hereby welvc tho right to nny Jury (rial In any action, proceeding, or counterclaim hrought by sny parly *rj3lns1 any other party.

VJsivz' o(Homestead LxcmpHon. Granioi hereby raleasos and waives 08 rights ond benefits of the hemcstcod exemption laws of the Stole of Illinois 9t io all Ipdoblodnosc secured by this Assignment-No Wnvcr by Lender. Lender sholl not be deemed IO have worved nny rights under this Acsignmont unless such wah/«r is given tn writing ond .v.:ncd by Lendor. No Oelay or omission un the part of Lender In exercising ony right shell operate as a waiver of such right or Eny olhnr r., hL A waiver by Lendor of 0 provision of this Assignment shall not prejudice or constitute a waiver of Lenders nghi otherwise to donui- J shict compliance wilh Uiat provision or any othor provision of lhls Assgnment. No prior werver by Lender, nor ony course of dealing b^nmen Lender and Grantor, shall constitute n wnlvor ol any of Lendero righLs or of any of Grantor's obtigetions Qs 10 any future

COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST Loan No: B30D00341B (Continued)

transections. Whenever the consont of LenUei Is requised under this Assignment, Iho granting of cuch consent by Lender In any instance shall not consiliulo continuing consent In ^uhtnnupr.t Insbinr.i>* u-h«r ^uch consent Is required and in all cases such consont mny be gi.intnd or withheld in the scle discretion of Lender.

DEF1N.TIONS The following eapUa"ized words and leirns shall havo IA:e following meanings when used th this Assignment Unless specifically stated to Ihc contrary, all references to dollar amounts shall moan amounts in lawful money of tho United Slates of America. Words and terms used in ho unguis sh.»!! include the plural, and tio plural shall include tho singular, as the context may require. Words and terms not otherwise defined ki this Assignment shell havo the meanings attributed lo such terms rn the Uniform Commercial Code.

Assignment Th*! word 'Assignment' means Ihis Collateral Assignment of Beneficial Inlorest, as this Collateral Assignment of Beneficial Interest may be amended or modified from time to time, logolher with all exhibits and schedules attached to Ihls Collateral Assignment of Dencfciol Interest from lime lo time

Borrower. The word "Borrower" means Donald Charmovitz; and Chicago Title Land Trusl Company. OS Successor Trustee to North Star Trust Company, :>> Successor Trustee to Banco Pepulor North Amsnea, es Successor Trustee to Plonoer Bonk 4 Trust Company, as Tru-tee undrr Trust Agroemont daled December 9, 1994 end known os Trusl Number 25948 and Includes all co-stgnonj ond co-makers r H;ning the Noto ond all thoir successors end assigns.

Collateral, Tho word "Coltolerol" moans all of Grantor's nam, title and Interest in and lo al the Collateral os described in the Property Description section of this Assianment.

Default. Tho word "Default" moans lite Dofault set forth In this Assignment In the section tilled "Default*.

C-ixtmmmcnili Laws The words "Environmental Lows" mean onv and al state. Inderal and local alatulos, regulations and ordinances relating to the protection of human hca'lh or the environment. Including without limitation the Comprehensive Environmental Rosponse, Compensation, and babialy Act of 1980, as amended. 42 U.S.C Section GS01, el seq. (CERCLA'). He Superfund Amendments and Renuthoniaion Act of 1S65. Pub. L. No 90-489 ("SARA"), the Hazardous Materials Transportation Act. -49 U.S.C. Section 1801. ol aoq., tho Resource Conservation and Recovery Act, 42 USC. Sectivn 6901. et seq., or other applicable stats or foaoral lowa, rules, or regulations adopted pursuant thereto

Evmt ol OelaulL The words 'Eveni of Default' mean any of tho evonts of dafiiut; set forth In this Assignment In the default section of this Assignment

Gmntor. Tio word "Grantor" moans Donald Chaimovitz, as Trustee under tho Donald Chaimovitz Declaration of Trust under Trust Agreement doted July 25,1994.

Gu-irantor. The word "Guarantor" meons ony guarantor, riurety, or occommodallon party of ony or all of the Indobledness

Guaranty. The word 'Guaranty' moons the guaranty from Guarantor to Lander, including without limitation a guaranty of aO or port of the Note

Hnr.irdous Substances Tho words "Hazardous Substances" mean malanals thai, bocauso of their quonilty, concentration or physical, chemical or infectious characteristics, may cause or pose i presort or pctenLal hazard to human hcalih or the environment when Improperly used, treated, stored, disposed of. generated, manufactured, transported or othorwisa handled. Tho words "Hazardous Substances" arc used in their very broadest sense and includo without limitation any and oil hnzordous or loxle aubstances, maloriors or wo*in as defined by or listed undor tha Environmental Lows Tho term "Hazardous Substances" olso Includes, without limitation, petroleum and petroleum by-product or ony fraction thereof and asbestos

Improvement. The word 'Improvement3' meons el' existing and future improvements., fixture*, buildings, etructurea. mobile homoc a".ved on thc Real Property. faculties, additions, replacements and oiher construction on the Roal Property. Indebtedness. The word "Indebtedness" moans efl principal, intereat. and olher omounts. ccsla and oxpenses payable under the Nole or Rclatod Documents, together with all renewals of, extonsbni of, modAcaSons of, consoUdations of

end substitutions for tho Noto or Rcinicd Dor'.imonts and any amounts expended or advanced by Lendiir to discharge Grantor's obligations or expensos incurred by Lendor to enforce Grantor's obligatione under this Assignment, togotiwr with bitemst on such amounts os provided in this Assignment. Londor. The word "Lender" means Behnont Bank & Trust Company, its successors and assigns.

Note. Thc word "Note" moans lhe promissory nolo daled August 14. 201S, In tha original principal amount ol \$3,200,000.00 from ?.o*rcwrv to Lender, togothar with el renewals of. extensions of, modifications of. refinoncings of, consolldallons of, and substitutions for

.lhe promissory, nnta pr.agreernenL

Proparty. The word "Property" means all of Grantor's right, twe and Interest In and to on the Property os described in tha "Property Dcr-viption" section of this Assignment.

Real Proppny "Pie words "Real Property* mean the feel property. Interests and rights, as further described r.» this AssignmonL Rf:ii:id Documents. The v.-crds "Related Dea."*"en!s" mean oi promissory notos. credit agreements, loan agreements, environmental ogrccmcnir.. guaranties, secunly egroements, mortgegos. doedt of trust, socurity deeds, collateral mortgages, and all olher instruments, agreement, and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rent* The word "Rcnta* means oil present ond future rente, revenuee. income, latuos. royalties, profits, and other benefits danvad from Ihr» Property

Trust. The word "Trust" meons that certain land trust creoted by o Trust Agreement doted December 9, 1004, Trust Number 25946, and kn i-vn Chicago TiUe Land Trust Company, os Successor Trustee to North Star Trust Company, as Successor Trustee to Banco Popular Moilh Am-i.ca. as Successor Trusleo Io Picnoor Bank & Trust Company, as Trustee, undor Trust Agreement deled December 9, 1994 and knn.-..i a: Trust Number 2594A. Trtrsirc Thc word "Trustee" mcena Chicago Tillo Land Trust Company, whoso address Is 10 S LaSalle Streot, Sto 2750, Chicago. IL C0/7OJ. and any substitute or successor trustees.

V

COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST (Continued)

GRANTOR ACKNOWLEDGES MAV'AG P.CAP ALL THE I'COVISIONS OT TH'S COLLMID.M ASS'GSMCIJT OF BE NEFICIAL 1NTEREST AM GRANTOR ACRCCS TE) ITS TIFLVS. TICS CCLLA7ERAL ASSIGNMENT OF aEKHriCIAJ. IN'TCRCST IS DATCO AUGUST 14, 2C15

Don*ld CXi-a^tmb. as Ttuilcc undet Cliaimovi*7 D*clai3(Ion of Trust under Arifctmcn dated July 25, 159-4

This CoUatcr.il Assignment of Beneficial Interest prepared by: Robert SxIremer Uc'-nont Bank A Truct Company 1T2S0 W Delmonl Av. Ch.,--TM, IL G0G34

ACCEPTANCE BY LENDER

In consideroiion of the foregoing Collateral Assignment of Beneficial Intorest for security purposes from Grantor to Lendor end the muluol boncfii.i aix' /---Vantages flowing between the parires and othor valuable consBeiolion. Londor hamby accepts the foregoing Assignment. subject to all mo icr.ns and provisions of the Trust Agroemont nurnnorcd 2504S. dated Oecamboi 9, 1994. and known as Chicago Tine Land Trust Company. o' Toccessar Trusloa to Nofih Star Trust Company, as Successor Truslee to Banco Popular North America, os Successor Trustee to Ptoneor B.ini, Trust Company, as Trusloa to Nofih Star Trust Company, as Successor Truslee to Banco Popular North America, os Successor Trustee to Ptoneor B.ini, Trust Company, as Trusloa under Trust Agreemoni daled Decembor 9, 1994 end known es Trust Number 2534S. but Lender herehy cxprussiy disclaims sny snd aft of the liabilities Imposed by the Trust Att^{or}morihupor) lie;i]>enelicJary or beneficiaries thereof, unlit Such time as Lendij rtsll exercise-the rights aid prvileges conferred on h" by (hoy/or«jomg > ligm I / LenUo/JWfHvSnI DMA t>uJf/Compuny

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$bv /TO.^{v}$

ACCEPTANCE BY TRUSTEE

Chicago Tijir I and Trust Company, not individually, but as Trustee, hereby acknowledges the receipt of the Cotloteral Assignment of Beneficial onty neW5P.s in<: aomo In accordance with Iho lormc and</p> Interest to i.-"vor. es sei lorth above. on v^ftx^kaJ' provisions u' le 1 rust Agreemoni numbored 2S940, "joeted Dooember 9, 1994, ond known es Chicago Titc Land Trus Company, as Successor TrJstoo Io N.iiili Star Trusi Company, as Successor Trusteo 1o Banco Popular North Amenca, as Successor Trustee to Plonoar Bank & Trust

Company, us Trustee under Trusl Agreement daled December 0. 1994 and known os Trust Number 25948 Until the Assignment is released by Lender. Chirac Title Lend Trutl Company agrees nol to petmli or allow Gn&cr to deolⁿ/ta^hTrust In any manner Inconsistent With Ihe foregoing A*lynnent unless such act b approved In writing by Lender. // Trustee/ Chicago TidlLahdInrsl OotrAny

/ Tmal Officer

RELEASE-(AFTER PAYMENT)

The foregoing Collateral Assignment of Beneficial interect from Donald Chaimovitz. oo Tructoo under tho Donald Chaimovitz Declaration of Trust under IrueiAijiecmoni dated Juty2G. 1904 to Bolmoni Bank & Trust Company Is hereby cancoltod srtd ratiosed

Lender: Belmont Bank & Trust Company

Authorized Officer NOTIFICATION OF ASSIGNMENT

Chicago Title Land Trust Company 10 S LaSalle Street, Sto 2750 Chicago, IL 60003

D«ar Sir or Madam:

This Notirtchilon is to advise you ot a proposed collator?' assignment of the beneficial interest In the I and trust described bclow(rcf erred to below as Ihc Truj;!") to secure the Note. This Notification Is executed and delivered by Donald Chaimovitz, as Irusice under the Donald Chaimovifr Declaration of Trust under Trust Agreement daled July 25, 1994 [individually and collectively referred to below as 'Beneficiary''} to and lor Ihc bench! of Belmont Bank & Trust Company (referred to bolow at "Lendor").

TRUST DOCUMENT S. Relative lo lha proposed AO I, you aro directed to furnish to Lender, or Lender's designated agent, a certified copy of the Trusl agreement, any amendments thereto, the legal description of all real estate subject to lhe Trust and all assignments, and to permit Lender, or Lender's designated agent lo examine lhe Trust file. The above certified copies aro requested for uso In econnecilor. with a conte-r.plaicd assignment of lhe beneficial interest under the Trust

NO OTHER ASSIGNMENT. You ore therefore hereby directed nol 1c accept or 2ct upon any essignment of the beneficial interest under Iho Trusl or lo act upon ony direction lo deal with Irtle to the Trust property until there has been lodged with you an assignment of the beneficial interest in (avor of Lender In the event that the proposed transactor is nol consummated, you will be so advised in writing by Lender, but If you have nol roccoved auch odvico within Initry (30) days from title dote of this Notification, you may conclusively presume thai tho contemplated assignment transaction will not be consummated and that the restorem to longer applicable. CERTIFICATIONS TO LKKDEK. You arc a'so directed to certify in writing to Lendor that you have on roccoved auch odvice against title to ihe Trusl property or the beneficial interest, (B) threatened or pending litigation regarding the Trust, the Trust property, or any beneficial Interest m the Truti, (CJ any olher assignment or the beneficial interest in the Trusl. or (0) anything adversely affecting title la the Trusl property DEFINITIONS The following capitalized words and terms shall havo the following meanings when used m this Notification. Unless apceifically slated io ino contrary, all references to dollar amounts shall moan amounts in lawful money of the meanings attributed to such lerms in the Uniform Commercial Code

ABI. Tile word "ABI" means tile Collateral Assignment of Beneficial Interest doted August 14, 2015 from lhe owners thereof to Londer as socurily for the Loan

Bo-ioficiary. The word "Beneficiary" means Donald Chalmovru, as Trusiee under the Donald Chnimcvitz Declaration of Trust under Trust Agreement dated July 25. 1994. including all Benefidanes signing this Notification

Pon-owcr. Tho word "Borrower' means Donald Choimovitz: and Chicago Title Land Trust Company, as Successor Trustee to North Star-Trust Company, as Successor Trustee Io Banco Popular North America, as Successor Trustee Io Pioneer Bank & Trust Company, as Trustee under Trusl Agreement dated December 9. 1994 and known as Trust Number 25948 and includes all co-signere and co-makers signing ihe Note and all their successors and assigns. Lendur The word "Lender" moans Eelmoft Bank 6. Tris'. Company, its successors and assigns

Nole. The word "Note" moans ihe Note doted August 14, 2015 ond executed by Bonuwor In the principal amount of 53.200.000 00. together with all renewals of, extensions of, modifications of, refinancings of. consolidations of, and substitutions for the note or credit agreement

Trust The word "Trust" means that certain land trust created by a Trust Agreement doled Dacambor 9. 1994. Trusl Number 25940, ond known as Chicago Title Land Trust Company, as Successor Trustee to North Stnr Tnj3l Compony, as Successor Trustee lo Banco Popular North Amenrj. as Successor Trustee lo Pioneer Bank A Trust Company, as Trustee under Trust Agreement dated Oocember 9. 1994 and known as Trust Number 2591B.

Trustee. Trie word "Trustee" meons Chicago Title Land Trusl Company, whose oddross is 10 S LaSaOo Street. Sto 2750. Chicago. IL 60GO3. and any substitute or successor tru5tCC3

NOTIFICATION OF ASSIGNMENT Loan No: 8300003410 (Conlinucd)

CUSTOMERNUMUER- BP 2594S

WHEREAS, the Chicago Title Land Trust Company, as Trustee under the terms of a certain agreement dated December 9, 199-1 and known .is Trust Number 25948 is presently holding the legal and equitable tide to certain real estate;

AND WHEREAS the undersigned party(ics) of the first part hold(s) the beneficial interest in the proceeds and avail; of such property in accordance with the terms and provisions of said agreement,

AND WHEREAS said Trust, in accordance with the provisions thereof, terminates twenty years from the date of said agreement or, should said trust have been previously extended, twenty years from the date from which it was last extended;

AND WHEREAS, it is the desire of the parties hereto to extend the terms of the trust for an additional twenty years.

NOW THEREFORE for and in consideration of the sum of One Dollar and olher good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the parties hereto do hereby agree that llic said trust shall continue under tlie same terms and conditions for an additional twenty years from December 9.2014 except however, that the compensation of the Trustee for signing deeds and otlici instruments shall be its current schedule of charges for such services and S29S.00 per year for continuing to hold title to the real estate, or as adjusted by Lhc Trustee from time to lime.

$UJ \wedge W$

IN WITNESS WHEREOF the party(ies) of the first part has (have) set their hand(s) and seal and the Trustee has caused these presents to be executed by ils Authoiized Administrator. Signature-

Donald Chflimovit7, as trustee of the Donftld Chaimovitz Declaration of Trust dated July 25, 1994 PrintedName: <u>Telephone Number</u> <u>Address, City, Slate, Zip</u> <u>~ '</u> Printed Name:

Address, City, Stale, Zip

Printed Name:

Address, City, State, Zip

Printed Name*

Address, City, Slate, Zig

Printed Name

Address, City, State, Zip

Printed Name.

Address. City, Stale, Zip

acknowledged by trustee this Chicago Title Land Trust Company

<u>By.- -Mm* & &ZAlot</u><^ AutfiAnzed Administrator

Rev. 10/04

<u>3u*U£ft San</u>	cement	<u>9</u> <u>dated DCCeVilber S, 19</u> <u>anji I,,own js</u>	<u>Trusl Niiinuci</u>	<u>2 5.94 8</u>	
IT IS AGREED.					
PIONEER EAj:^ i TKu57 COmF'AKY	, a corporation of lUinois	s. as trustee hereunder, b about to take legal and	equitable (ulc io lhe following		
described ical estate)n	mOfv	Count*. !!Jir.c:s:			
through Sixt in Lhe East H Township Thir	een (16) alf (E 1/ ty-nine Nor	(W 12") of Lot Ser in Block Three (3) 2) of the Southwest th (39 N), Range Fou: Cook County, Illinois) in Nacjle a Quarter (SW 1 rteen (14), Ea	and High's Addition t l/4) of Section Eigh	t (8),
otherwise	known	as	325	North	Elizabeth
Street, Chicago	•				
Any other property conveyed to the up	stce without written acce	epted in wnunc title lo any other properly conv ptance by the truster <h*u 10="" be="" not="" subject="" this<br="">ssors in interest shall be entailed lo the earnings</h*u>	agreement.		
		ntoreot in DONALD CHA: AIMOVITZ DECLARATION (

trust, of the DONALD CHAIMOVITZ DECLARATION of TRUST ONDER AN AGREEMENT dated July 25, 1994, with full power to sell, assign or transfer, all or any part of the beneficial interest thereof.

The power of direction icferred lo on the leverse side hereof shall be in DONALD CHAIMOVITZ, as Trustee, or his ouccesuors in trust.

THIS AGREEMENT IS SUBJECT TO ADDITIONAL PROVISIONS SET FORTH ON THE REVERSE SIDE HEREOF AND WHICH ARE HEREBY INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

n .\Jt\~!-r-K)	(SEAL)
SONALD CJJASMPVITZ,	Trustee SSN: 320-46-1891
Chicago, Illinois 60607	(SEAL)

Address, c./.o.. 3.25 .Npxth.Elizabeth. Chicago, IL 60607 Beneficiaiy Address.

Beneficiary	(SEAL)
Beneficiary	.(SEAL)
Denefii.i4jy	.(SEAL)

/^>t^-~'~":\ PIONEF.B

Assistant ^c^ctajy^^^ftlJRA/A. IitXallES

Signature and nldrcv. of tht person hjvmg a pouci of direction if other lhan a be ncfiu.ny

(SKAU

Ihc interest of every bcneliuary and ol" :iny person who may become cn tl I led to any interest under litis trust

shall consist only ol (I) the power lo dticci the trustee: to deal with ink to lhe property, (2) lite power lo manage,

possess, use and control ihe properly, and (3) Ihc right to receive the cuttings, jvuils anil proceeds from leases jnd

other ur.es <http://ur.es> -and Irom morteases, sales and other dispositions ol' the properly. Such rights and powers shall be person;!

property iti.i m.iy be assignee as such. On the dejtIt of any beneficiary his mtercs!. execpras otherwise specifically

provided, shall pass to his ctccuior or administrator and not to his heirs at law No beneficiary ;i(any tunc shall hive

any nghi, title or interest tn or to any portion ol' the legal or equitable- title lo the properly Tlie death ol any bene-

ficiary shall not terminate the trust of affect the rights or powers of the trustee or of the benclicialics except is provided by law.

No assignment of any beneficial interest shall be binding, on the trustee until the original or executed duplicate of ihe assignment is delivered to llic trustee and accepted by it th writing. Every assignment of any benelicial interest, the original or duplicate of winch shall nol have been so delivered to jnd accepted by the trustee, shall be ineffective as to all subsequent assignees or purchasers without notice.

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I he trustee shall have no obligation to file any income, profit or other tax reports or returns or pay such or any other taxes. Tin: beneliciaries will nuke all such returns and reports. and pay general real estate and all other tixes or cliatE.cs http://cliatE.cs payable with respeet to the piopeny and to the earnings, avails and proceeds of the piopeny or based on their interests under this agreement.

If he Irustee shall nuke any advances or incur any expenses on account of liis Irust or the properly or shall incur any expenses by reason of being made a pany io any litigation in connection with lbis Irust or (he property or if the irustee shall be compelled to pay money on account of this trust or the properly, whether for breach of contract, injury lo person or property, fines or penalties under, any law, or otherwise, the beneficiaties jointly and severally on demand shall pay to lhe trustee, with interest at the highest rale per annum permitted by law [he amount uf all such expenses, advances or payments nude by the trustee, plus all its expenses, including attorney's fees. The trusiee sliall not be obliged to convey, transfer or otherwise deal with the property or any pan of tl until all of the payments, advance, and expenses made or incurred by H shall have been paid, with interest

The irusice"shall not be obligated to pay any muney for this (rust or lite property or to prosccuie'or defend any legal proceeding involving this trust or [lie property unless il shall eleel 10 do so and'be furntshcd-willi sufficient funds or be indemnified to its satisfaction. Il' the trusiee is served Willi process or notice of legal proceedings or of any othei mailer concerning lhe trust or thc property, lhe sole duly ol' lhc trusiee shall be to forward lhe process or notice to the person named herein as lhe person l'o whom inquiries or notices shall be sent, or. in (lie absence bf such designa* lion, lo lhe beneliciaries. The latest address appearing in the records, ol lhe tiustee shall be used for all mailings.

It shall not be (he duty of the purchaser of" lic property or ol jny pari of it to see the application of the purchase money, nor shall anyone who nay deal with the irustee be required or privileged to inquire into the necessity or expediency of any act of the trustee, or into the provisions of this agreement.

In this agreement the plural includes the singular, and vice vetsa. and the masculine gender includes the feminine.

The trustee may all any tune resign by sending by registered or certified mail a nolice of such intention to each of the then beneficiaries .at his latest address appealing in the records of the trustee. Such resignation shall become effective twenty days after such mailing. On such resignation a successor may be appointed in writing by the persons ihen cnlittlecl lo direct the trustee in the disposition of lhe properly, and lhe trustee slull thereupon convey or transfer the properly to such successor. If no successor is named as above provided willnn lwenly days after the mailing of such notices by the Irustee. The trustee may convey or transfer lhe irust property lo the beneficiaries in accordance with their interests hereunder, and lhe conveyance may be recorded or registered, as ihe case may be, by lhe trustee and such recording oi registration shall constitute delivery of die conveyance or transfer io the beneficiaries. The trustee, nt Ms option, may file a complaint for appropriate relief in any court of completent jurisdiction.

Every successor trustee shall become fully vested with all lhe title, csiale, rights, powers, trusts, and shall be subject to the duties-arid obligations, of its predecessor.

It is agreed by the parties and by any person who may hereafter acquire any interest in this trusuhal the trustee will deal with the trust property including cash or other assets of any kind which may have become subject to the Irust only when authorised lu do so in writing

On the written direction of the party or parties designated on lhe reverse side hereof as having the power of direction the trusiee will make deeds for, or mortgages or trust deeds (which may include a waiver of the right of redemption from the sale under an order or decree of foreclosure) or execute leases or otherwise deal with the title to ihe trust properly including cash or olher assets subject to ilic.lrusi. The beneficiaries by written instrument delivered

10 the trustee m.iy revoke lhe foregoing power ol" direction and designate the person incteai'let to exercise lhe power. Such instrument slull be signed by all the then beneficiaries. The trustee shall nol be required to inquire inio lhe propriety of any direction.

The trustee'shall nut be required to assume any personal obligation or liability in dealing with the property or to make itself liable for any damages, costs, expenses, lines or penalties, or lo deal with title 10 the property so long as any money is due to it hereunder.

The beneficiaries shall have the sole possession...management and control of the selling, renting, repairing, tTuinmning and handling of the properly and the Irustee shall have no right or duty in respect lo any such inaitors. The beneficiaries shall have the right lo execute leases and colleci rents in their own name or thiough then agents. The irustee shall have no right or duty in respect to he payment of taxes or assessments or insurance, litigation or matters relating to the piopeny. except on written-direction accepted by it as above provided and after the payment lo it of all money necessary in lis opinion lo carry out the directions without liability to it. The beneficiaries are not [he agents of the trustee for any purpose and do not have any authority to contract or to execute leases or do any other act for ot in the runstee or to obligate the trusiee personally or as irusice

The trustee shall nol be required to execute any instrument containing covenants of warranty.

If any properly remains in ihis trust iwenly years from the dale ol" this agreement or any extension thereof.

11 shall be sold al public sale by the trustee on reasonable notice as determined by it and the net proceeds ull the sale

11 shall be divided .timing those who are then entitled thereto under Ihis agreement in the proportions in which ihey are 11 then entitled

The trustee shall receive lor its services in accepting this trust and tiking title hetctindei an acceptance tec, and in addition each year in advance for holding litle after one year from the date liereol an annual lec. each lce as dcicrmined hy the in.sice"s ihen current tate schedule and also its regular scheduled lees for executing deeds, mortgages or other iiiMnmienis II shall receive reasonable compensation for any special services which may be rendered by it and tor laking and holding any. other properly which may hcicjlier be conveyed to it hereunder, which lces, charges and other compensation lhc henel'icuities jointly and severally agree to pay. If the value of the property is increased for any reason after the trustee has accepted title thereto: the m.stee shall be entitled to a reasonable additional annual lec. in accutdance with us schedule for holding lille to the property.

PIONHEK HANK X TKWST COMPANY JO(II) W. NORTH AVE , CHICAGO. ILL f>t)6.V>

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: 1230

WEST, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. |xTj the Applicant

OR

- 2. \Box 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.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 1230 w. FULTON STREET

CHICAGO, IL 60607

C. Telephone: (312)327-3350 p_{ax:} (312) 327-3315

Email: rnichael@acostaezgur.com

<mailto:rnichael@acostaezgur.com>

D. Name of contact person: michael ezgur

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):

Vacation of alley bounded by North Elizabeth St; West Carroll Ave, North Racine Ave; and West Fulton Street

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

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

Specification #

and Contract #

Page 1 of 13

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

Indicate the nature of the Disclosing | | Person
[~] Publicly registered business corporation H] Privately held business corporation Q Sole proprietorship [J General partnership | | Limited partnership □ Trust

j~Xj Limited liability company Q Limited liability partnership I I Joint venture

| [Not-for-profit corporation

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

 \Box Yes rjNo I | 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?

□ Yes iHNo [xjN/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 DOUGLAS VAN VLYMEN MANAGER

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,

Page	2	of	13
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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
DOUGLAS VAN VLYME	N 1230 W. FULTON ST., CHICAGO, IL 60607 50%	
Corrie Van Vlymen	1230 W. Fulton St., Chicago, IL 60607	50%

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?

 \Box Yes fx] 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 lo 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.

Page 3 of 13

Name (indicate whether	Business	Relationship to Disclosing Party	Fees (indica	te whether
retained or anticipated	Address	(subcontractor, attorney,		paid or estimated.) NOTE:
to be retained)		lobbyist, etc.)		"hourly rate" or "t.b.d." is
				not an acceptable response.
MICHAEL EZGUR 1030 W	. CHICAGO A	VENUE. 3RD FL. CHICAGO IL 60642	ATTORNEY	\$2,500 (est.)

(Add sheets if necessary)

j 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 [X, No fj No person directly or indirectly owns 10% or more of the Disclosing Party.

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

□ Yes []No

B. FURTHER CERTIFICATIONS

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

Page 4 of 13

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

- I 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;
 - 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 Parly, 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 13

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 ofthe United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

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

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

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

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. NONE.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. \Box is [xj 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 lo make this pledge because it or any of ils affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 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 [Xj No

NOTE: If you checked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to Item D.l., 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 [XJ No

3. If you checked "Yes" to Item D.l., 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 cither I. 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

Page 8 of 13

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

J=XJ_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.l. 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.l. 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.l. 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 3No

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?

LJ Yes 🛛 🗆 No

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

• Yes n No

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

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

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics <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 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

Page 1 1 of 13

F.l. 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.l. 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.

Signed and sworn to before me on (date)atCook)County, Illinois

Commission expires:

Page 12 of 13 CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party

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

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.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 anyperson 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.

Page 13 of 13 CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

fx] 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 Section 2-92-416 of the Municipal Code?

Not Applicable

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

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

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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.

Vacation of alley iDouoded by North Elizabeth St.: West Carroll Ave.; North This recertification is being submitted in connection with Racing Ave; and west Fulton 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.

1230 West, LLC (Print or type legal name of Disclosing Party) (signliere))	
Print or type name of signatory; Douglas Van Vlymen		
	Title of signatory: Manager	
Signed and sworn to before me on [date] Douglas Van Vlymen , at Cook	County, Illinois [state].	
Commission expires		
	otary Public.	
$Mm \wedge f \wedge o \wedge o$		
Ver. 11-01-05	\ WFICIALsiALr w MARGARITA BRIZUELA	
Vel. 11-01-05	 t Notary Public, State of Illinois i My Commission (Expires 5/14/2020 ; 	

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION 1 - GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable: Chicago Title

Land Trust Company Trust No. 25948

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [Xj the Applicant
 - OR
- 2. rj 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. [7] a legal entity with a right of control (see Section ILB.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: 325 N. ELIZABETH STREET

CHICAGO, IL 60607

C. Telephone: (312)327-3350 p_{ax:} (312)327-3315

Email: michael@acostaezgur.com

<mailto:michael@acostaezgur.com>

D. Name of contact person: MICHAEL EZGUR

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):

Vacation of alley bounded by North Elizabeth Street; West Carroll Avenue; North Racine Avenue; and West Fulton Street.

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

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

Specification #

and Contract #

Paue 1 of 13

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing [11 Person □j Publicly registered business corporation ,1 | Privately held business corporation □ Sole proprietorship | j General partnership [□ Limited partnership [Xj Trust Party:

ו מונץ. ר ז ד

[] Limited liability company j | Limited liability partnership

- Joint venture
- Joint venture
- Not-for-profit corporation
- (Is the not-for-profit corporation also a 501(c)(3))?
 - \Box Yes QNo \Box 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?

S 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-forprofit 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 Donald Chaimovitz Trustee

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,

Page 2 of 13

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
Donald Chaime	ovitz Declaration of Trust, dated July 25. 1994	325 N. Elizabeth Street. Chicago IL 60607 100%

N

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?

 \Box Yes > [xj 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 fo 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.

Pane 3 of 13

Name (indicate whether	Business	Relationship to Disclosing Party	Fees (indicate whether
retained or anticipated	Address	(subcontractor, attorney,	paid or estimated.) NOTE:
to be retained)		lobbyist, etc.)	"hourly rate" or "t.b.d." is
			not an acceptable response.
			Michael Ezgur 1030 W. Chicago
Ave., 3rd FL. Chicago IL 60	642 Atty		\$2,500 (est.)

(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?

[j Yes	0 No	Q 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?

 \Box Yes \Box No

B. FURTHER CERTIFICATIONS

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

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2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section ILB.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").

Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

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

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

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

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. NONE.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. \Box is 0 is not

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

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

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

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

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 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 [xjNo

NOTE: If you checked "Yes" to Item D.l., 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 docs not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

• Yes [*j No

3. If you checked "Yes" to Item D.l., 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.

|,^x_j 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.

dl 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.l. 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.l. 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.l. 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

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? L'iYes ['''JNo

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

; j Yes :;No

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

 \square No

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

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect

to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

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

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

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

System ("EPLS") maintained by the U. S. General Services Administration.

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

NOTE: If the Disclosing Party cannot certify as to any of the items in F.l., 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.

Chicago Title Land Trust Company Trust No. 25948

(Print or typ& name of Disclosing Party)

Donald Chaimovitz

(Print or type name of person signing)

Trustee of the Donald Chaimovitz Declaration of Trust, dated July 25, 1994, as sole beneficiary (Print or type title of person signing)

Signed and sworn to before me on (date)

at Cook County, Illinois

Page 12 of 13 CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any ofthe 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, 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?

L7; ^{Ycs}	[?] ^{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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BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

- 1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?
 - QYes [7) No
- 2. Tf the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?
 - | Yes O^{No} [3^{Not A}PP^{licable}
- 3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

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

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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.

Vacation of alley bounded by North Elizabeth St.; West Carroll Ave.; North This recertification is being submitted in connection with Racine Ave; and West Fulton 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.

Chicago Title Land Trust Company Trust No. 25948 Date: 6-2-16 (Print or type legal name of Disclosing Party)

(sign here) upCA> I-*QS<r Print or type name of signatory: Donald Chaimovitz

Title of signatory:

Trust of the Donald Chaimovitz Declaration of Trust, dated July 25, 1994, as sole beneficiary

Signed and sworn to before me on [date]£Mj/k, bysDonaldI Chaimovitz, atCookCounty, Illinois[state].

Ver. 11-01-05

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:

ELA Associates, Inc

Check. ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [^j the Applicant

OR

- 2. \Box 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. \Box a legal entity with a right of control (see Section ILB.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:

17W635 Butterfield Road Oakbrook Terrace, IL 80181

C. Telephone: 312-327-3350 Fax: 312-327-3315 <mailto:michael@acostaezgur.com> Email: michael@acostaezgur.com

D. Name of contact person: Michael Ezgur

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):

Vacation of alley bounded by North Elizabeth St.; West Carroll Ave.; North Racine Ave.; and West Fulton Street

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

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

Specification ft

and Contract it

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SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

 $f \, \, ! \, Person$

| j Publicly registered business corporation | j Privately held business corporation

Sole proprietorship } | General partnership r~] Limited partnership □ Trust

[Xj Limited liability company [~1 Limited liability partnership |] Joint venture [~], Not-for-profit

corporation

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

 \Box Yes QNo ! | 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?

□ Yes [J No EN/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

Carroll Avenue Associates, Ltd.

<u>Manager</u>

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
Carroll Avenue Ass	ociates, Ltd., 17W635 Butterfield Rd., Oa	akbrook Terrace, IL 60181 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?

 \Box Yes £ No

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

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

Michael Ezgur, 1030 W. Chicago Ave., 3rd FL, Chicago, IL 60642 Atty

\$2,500 (est.)

(Add sheets if necessary)

I | 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 fx 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 [JNo

B. FURTHER CERTIFICATIONS

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

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2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section ILB.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 enlily); 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 Parly understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

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

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 ofthe 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.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. \Box is [.xis 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 Muriicipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

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Tf 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 Cx'No

NOTE: If you checked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to Item D.l., 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.l., 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 lhat 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

Page 8 of 13

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.

CZ] 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 nol spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.l. 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.l. 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.l. 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 LjNo

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 [jNo

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 GNo

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

• Yes \Box No

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

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

The Disclosing Party understands and agrees that:

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

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

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F.l. 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.l. 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.

THOMAS E. COMFORTE

ELA ASSOCIATES. LLC (Print or type name of Disclosing Party) (Print or type name of person signing) PRESIDENT OF CARROLL AVENUE ASSOCIATES. LTD., MANAGER

(Print or type title of person signing)

Signed and sworn to before me on (date) at Cook/^yn County, Illinois

Commission expires:

Page 12 of 13 CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as ofthe 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, 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.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) anyperson 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 entily or any person exercising similar authority.

Docs 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?

 $\Box \; Yes$

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

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDLX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

0No

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

Not Applicable

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

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

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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.

Vacation of alley bounded by North Elizabeth St.: West Carroll Ave. This recertification is being submitted in connection with Racing Ave; and West Fulton 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.

ELA Associates, LLC

(Print or type legal name of Disclosing Party) By:

A

Print or type name of signatory:

Thomas E. Comforte

Title of signatory:

President of Manager

Thomas E. Comforte

Signed and swom to before me on [date] _

<u>, at Cook</u>

£,20f&, by

County, Illinois [state].

Notary Public.

Commission expires

OFFICIAL SEAL WNGAKLUC2K1EVWCZ NOTARY PU8UC - STATE OF ILUNOtS MY COMMISSION EXPWES:04/11/18

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: CARROLL

AVENUE ASSOCIATES, LTD.

Check ONE of the following three boxes:
Indicate whether the Disclosing Party submitting this EDS is:

- 1. fJ the Applicant
 - OR
- 2. [_x! 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: ela ASSOCIATES. LLC OR

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

B. Business address of the Disclosing Party: 17W635 BUTTERFIELD ROAD, SUITE 220

OAKBROOK TERRACE, IL 60181

C. Telephone: (312)327-3350 p_{ax:} (312)327-3315 Email: michael@acostaezgur.com

<mailto:michael@acostaezgur.com>

D. Name of contact person: MICHAEL EZGUR

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):

Vacation of alley bounced by North Elizabeth St; West Carroll Ave.; North Racine Ave.; and West Fulton St.

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

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

Specification it

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:

 L~j Person
 LJ¹ Limited liability company

 [71 Publicly registered business corporation
 □ Limited liability partnership

File #: 02016-4882, Version: 1

fxj Privately held business corporation
| Sole proprietorship
General partnership
[7] Limited partnership
[J Trust

Q Joint venture Q Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? [JYes [ZINo Q 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?

 \Box Yes T] No H 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-forprofit 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 titleholdcr(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 THOMAS E. COMFORTE ^CTORirCOlvIFORTE'''' JOHN W. COMFORTE TMEUrATvTA. COMFORTE

PRESIDENT AND TREASURER VTCETRESIUbrTI VICE PRESIDENT STECTfETARY

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,

Page 2 of 13

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

THOMAS E. COMFORTE 17W635 BUTTERFIELD ROAD, SUITE 220, OAKBROOK TERRACE, IL 60181 25% VICTOR J. COMFORTE 17W635 BUTTERFIELD ROAD. SUJTE 220, OAKBROOK TERRACE. IL 60181 25% JOHN W. COMFORTE I7W635 BUTTERFIELD ROAD. SUITE 220. OAKBROOK TERRACE, IL 60181 25% WILLIAM A COMFORTE, 17W635 BUTTERFIELD ROAD, SUITE 220, OAKBROOK TERRACE, IL 60181 25%

SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

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

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Name (indicate whether Business Relationship to Disclosing Party Fees (indicate whether

retained or anticipated Address (subcontractor, attorney, to be retained) lobbyist, etc.) paid or estimated.) NOTE:
"hourly rate" or "t.b.d." is
 not an acceptable response.

(Add sheets if necessary)

[xj 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 [^xj 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 [j No

B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance wilh 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 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, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;

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

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

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

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

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

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

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. NONE.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. n is [X; 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 Cily."

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

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 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 [Xj No

NOTE: If you checked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to Item D.l., 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 [X;No

3. If you checked "Yes" to Item D.l., 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.

[^x, j 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.

[j 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 entily listed in Paragraph A.l. 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.l. 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.l. 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.)

G Yes Li No

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

• Yes 🗆 No

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

LI Yes No

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

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

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchica.uo.org/Ethics http://www.cityofchica.uo.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 lo make this document available to the public on its Internet site and/or upon request. Some or all ofthe 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 Parly must update this EDS as the contract requires. NOTE: With respeel 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:

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F.l. 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.L, F.2. or F.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Thomas E. Comforte

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.

Carroll Avenue Associates, Ltd. (Print or type name of Disclosing Party) (Print or type name of person signing) President (Print or type title of person signing)

Signed and sworn to before me on (date) at Cook /^"V-i County, Illinois

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

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

H"]Yes ixjNo

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

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

QYes |T|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 Section 2-92-416 of the Municipal Code?

QYes

 Q^{No} Q Not Applicable

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

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

Vacation of alley bounded by North Elizabeth St.; West Carroll Ave.; North This recertification is being submitted in connection with Racine Ave; and west Fulton 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 is recertification, and (3) reaffirms its acknowledgments.

Carroll Avenue Associates, Ltd. (Print or type legal name of Disclosing Party) Date: 6-2-16

Print or type name of signatory:

Thomas E. Comforte

Title of signatory: President

Signed and sworn to before me on [date] _ Thomas E. Comforte , at Cook

Notary Public.

Commission expires:_____

OFFICIAL SEAL KINGAKLUCZWEVWCZ NOTARY PUBUC - STATE OF QIJNOIS MY COMMISSION EXPtftES.OVIIrta

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:

FULTON/RACINE PROPERTY, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. $|X\sim|$ the Applicant
 - OR
- 2. \Box 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 5

3. Q a legal entity with a right of control (see Section ILB.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: 1200W. fulton STREET

CHICAGO, IL 60607

C. Telephone⁻ (312)327-3350 p_{ax}. (312)327-3315

Email⁻ micnael@acostaezgur.com

<mailto:micnael@acostaezgur.com>

D. Name of contact person: MICHAEL EZGUR

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):

Vacation of alley bounded by North Elizabeth St; West Carroll Ave.; North Racine Ave.; and West Fulton St.

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

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

Specification it

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:

Ql Person

r_XjLimited liability company

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Limited liability partnership Joint venture
Not-for-profit corporation
the not-for-profit corporation also a 501 (c)(3))?
Yes LjNo
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?

 \Box Yes \Box No [1 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-forprofit 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 TIMOTHY JANS MANAGER

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

File #: 02016-4882, Version: 1

intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party
Timothy Jans, 1200 W. F	ulton St., Chicago, IL 60607	33.33%
Robert Jans, 1200 W. Fulto	n St., Chicago, IL 60607	33.33%
David Jans, 1200 W. Fultor	n St., Chicago, IL 60607	33.33%

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

□ Yes [Xj No

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

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Name (indicate whether	Business	Relationship to Disclosing Party Fe	ees (indicate whether
retained or anticipated	Address	(subcontractor, attorney,	paid or estimated.) NOTE:
to be retained)		lobbyist, etc.)	"hourly rate" or "t.b.d." is
			not an acceptable response.
MICHAEL EZGUR 1030	W. CHICAG	O AVENUE, 3RD FL. CHICAGO IL 606	42 ATTORNEY \$2,500 (est.)

(Add sheets if necessary)

I] 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?

n Yes [Xj No Q 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?

 \Box Yes \Box No

B. FURTHER CERTIFICATIONS

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

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;

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

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

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

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

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

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

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. NONE.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. \Box is [Xj is not

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

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

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

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

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 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 [Xj No

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

Docs the Matter involve a City Property Sale?

[j Yes [Xj No

3. If you checked "Yes" to Item D.l., 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 Matler will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. 1 f the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment lo Ihis 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.

I, XJ 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.

[_"1J 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 "N A" or if the word "None" appear, il 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 respeel 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.l. 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 lo 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.l. 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.l. 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 ONo

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?

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

• Yes fj No

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

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

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection wilh 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 ofthe 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 Parly must supplement this EDS up to the time the City takes action on the Matter. If the Mailer is a contract being handled by the Cily's Department of Procurement Services, the Disclosing Parly 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 I -23 and Section 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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F.l. 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.L, F.2. or F.3. above, an explanatory statement must be attached to this EDS.¹

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. (Print or type name of person signing)

MANAGER

(Print or type title of person signing)

Commission expires:

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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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 ofthe date this EDS is signed, the Disclosing Parly 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.I.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 anyperson 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 fx] 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 percent (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

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

QYes

- QYes [7] 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 Section 2-92-416 of the Municipal Code?
 - | [No |~X~~|Not Applicable
- 3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

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

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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 dale 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.

Vacation of alley bounded by North Elizabeth.St.: West Carroll Ave.; North This recertification is being submitted in connection with Racing Ave; and West Fulton 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)

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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.

Fulton/Racine Property, LLC	Date: 6-2-16		
Print or type name of signatory: Timothy Jans			
Title of signatory:			
Manager			
Signed and sworn to before me on [date] Timothy Jans , at Cook .Mjold-^lM. Notary Public.	G6/^Q/^, by County, Illinois	[state].	
7/			
<u>""Commission expires: Q%/o^> /g^b/y</u>			

Ver. 11-01-05