

Affidavits and Certifications



City of Chicago
Richard M. Daley, Mayor

Department of Planning and Development
J. F. Boyle, Jr., Commissioner

8000451

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT
AND
AFFIDAVIT

Pursuant to Chapter 2-154 of the Municipal Code of Chicago, the following information is required to be disclosed prior to any City agency, department or City Council action. Please fully complete each statement, with all information current as of the attestation date. Every question must be answered. If a question is not applicable, answer with "N.A." *An incomplete EDS shall be returned and any City action shall be interrupted.*

WHO MUST FILE:

1. The Applicant: Any individual or entity (the "Applicant") making an application to the City of Chicago (the "City") for action requiring City Council or other City agency approval must file this Economic Disclosure Statement and Affidavit (the "EDS"). For example, with respect to a City loan or grant, the individual or entity receiving the loan or grant is the "Applicant."
2. Entities holding an interest in the Applicant: Whenever an ownership interest in the Applicant (such as shares of stock of the Applicant or a limited partnership interest in the Applicant, for example) is held or owned by a legal entity (such as a corporation or partnership, for example) rather than an individual, each such legal entity must also file an EDS on its own behalf. If the Applicant is a not-for-profit corporation with members who elect the board of directors, those members who are legal entities and not individuals must also file EDS's on their own behalf. (Individuals who have ownership interests in the Applicant or who are members of a not-for-profit Applicant are not required to file an EDS on their own behalf.) However, if the Applicant is a corporation whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, only legal entities that own 10 percent or more of the Applicant's stock must file EDS's on their own behalf. A legal entity that holds an ownership interest in the Applicant and that is required to file an EDS on its own behalf shall be referred to hereinafter as a "First-Tier Related Entity."
3. Entities holding direct or indirect interest in a First-Tier Related Entity: The same rules described in (2) above also apply to owners of First-Tier Related Entities, owners of such owners, and so on. All such owners which are legal entities (i.e., not individuals) and are, pursuant to such rules, required to file EDS's on their own behalf shall be referred to hereinafter as "Upper-Tier Related Entities."

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS.

ACKNOWLEDGMENT OF POSSIBLE CREDIT AND OTHER CHECKS: By completing and filing this EDS, the undersigned acknowledges and agrees, on behalf of itself and the individuals named in this EDS, that the City may investigate the creditworthiness of some or all of the individuals named in this EDS.

INFORMATION TO BE KEPT CURRENT: All disclosures must be current as of the date upon which the application is presented to the City Council or other City agency, and shall be maintained current until such time as the City Council or City agency shall take action on the application. This requires (i) the submission of this EDS at the time the initial application is made; (ii) a recertification of this EDS (a) at the time the related ordinance, if any, is submitted to the City Council if such submission is more than 60 days following the original execution of this EDS; and (b) upon the closing of the related transaction.

RE-CERTIFYING THIS EDS: Execute the certification on the date of the initial submission of this EDS. You may be asked to re-execute this EDS on the last page as of the date of submission of any related ordinance to the City Council, or as of the date of the closing of your transaction.

I. GENERAL INFORMATION

A. Exact legal name of undersigned: Six Corners Development, L.L.C.

B. Address of principal office: 513 Central Avenue, 5th Floor, Highland Park 60035

C. Telephone: 847/926-9999

D. Fax: 847/926-9996

E. Name of contact person: Richard Tucker

F. City agency receiving this EDS: Department of Planning and Development

G. Type of action requested: Final approval of developer designation for Irving-Cicero Tax Increment Financing District

H. Project location: Irving Park Road at Cicero Avenue/Milwaukee Avenue ("Six Corners")

I. Brief project description: Project includes acquisition of land, demolition of existing structures, site preparation and construction of 117,000 square feet of retail space to complement existing Sears retail complex. Development will include a much-needed grocery store and 860 parking spaces.

J. Description and purpose of requested City assistance: To provide capital to offset extra-ordinary costs, including demolition, environmental remediation site improvements, etc.

II. DISCLOSURE OF OWNERSHIP INTERESTS

A. GENERAL INFORMATION

1. Indicate whether the undersigned is an individual or legal entity and, if a legal entity, indicate the type of entity below:

- Individual
 - Business corporation
 - Not-for-profit corporation
 - General partnership
 - Limited partnership
 - Limited liability company
 - Joint venture
 - Sole proprietor
 - Other entity (please specify) _____
-

2. State of incorporation or organization, if applicable:

Illinois

3. For corporations, limited partnerships and limited liability companies not organized in the State of Illinois: Is the organization authorized to do business in the State of Illinois as a foreign entity? N/A

- Yes No

B. ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

N/A

a. List below or on a separate sheet the names and titles of the officers and directors of the corporation.

Name

Title

N/A

- b. For business corporations whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934: list below or on a separate sheet the name, address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 10 percent of the total issued and outstanding shares.

Name

Address

Percentage Interest

N/A

- c. For business corporations whose shares are not registered on a national securities exchange pursuant to the Securities Exchange Act of 1934: list below or on a separate sheet the name, address and percentage of ownership interest of each shareholder.

Name

Address

Percentage Interest

N/A

- d. For not-for-profit corporations, list below or on a separate sheet the name, address and percentage of control of each member. If there are no members, please indicate that.

Name	Address	Percentage Control
N/A		

For general or limited partnerships: list below or on a separate sheet the name, address and percentage of ownership interest of each partner. For limited partnerships, indicate whether each partner is a general partner or a limited partner.

Name	Address	Percentage Interest
N/A		

3. FOR LIMITED LIABILITY COMPANIES:

- a. List below or on a separate sheet the names and titles of the officers, if any, of the limited liability company.

Name	Title
Richard Tucker	Member
Ken Tucker	Member
Marsha Tucker	Member

- b. List below or on a separate sheet the name, address and percentage of ownership interest of each (i) member and (ii) manager.

Name	Address	Percentage Interest
Richard Tucker	[REDACTED]	60035 20% member
Ken Tucker	[REDACTED]	60091 79% member
Marsha Tucker	[REDACTED]	60091 1% member

4. FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:

- a. List below or on a separate sheet the name of each individual or legal entity holding legal title to the property that is the subject of the trust:

N/A

- b. List below or on a separate sheet the name, address and percentage of beneficial interest of each beneficiary on whose behalf title is held:

Name	Address	Percentage Interest
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N/A

5. OTHER OWNERSHIP INTERESTS

- a. Is any ownership interest in the undersigned, as described in (1)(b)-(d), (2), 3(b) or (4)(b) above, held by one or more agents or one or more nominees on behalf of another individual or legal entity?

Yes No

If so, list below or on a separate sheet the name, address and percentage of ownership interest of each principal (whether an individual or legal entity) for whom such agent(s) or nominee(s) are holding their ownership interest(s) in the undersigned, and identify each principal's agent or nominee.

Principal's

Name	Address	Percentage Interest	Agent/Nominee
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N/A

- b. Is any ownership interest in the undersigned, as described in (1)(b)-(d), (2), 3(b) or (4)(b) above, constructively controlled (other than through an agent or nominee) by another individual or legal entity?

Yes No

If so, list below or on a separate sheet (i) the name of each individual or legal entity whose ownership interest is constructively controlled, (ii) the name, address and percentage of ownership interest of each individual or legal entity possessing such control, and (iii) the means by which such control is or may be exercised.

N/A

- B. If title to the Property is held in a land trust, list below or on a separate sheet the name, address and percentage of interest of each beneficiary. If all of this information has already been provided in Section II above, indicate that below and do not repeat it here:

Various owners, including Sears, Roebuck & Co.

C. Real estate tax index number(s) for the Property:

See attached list of property tax index numbers for property in the district.

D. Have all water charges, sewer charges, property taxes and sales taxes, due and payable on or prior to the date hereof and concerning the Property, been paid as of the date of this EDS?

Yes No

If no, describe below the kind and dollar amount of such charges or taxes and indicate by what date full payment shall be made. Failure to make full payment shall halt any requested City action.

Six Corners Development, L.L.C. has no outstanding parking tickets or other issues with the City of Chicago. They will purchase a Chicago Business License prior to closing on the project.

IV. ADDITIONAL APPLICANT INFORMATION

A. Has the Applicant, any individual owner of the Applicant, any First-Tier Related Entity, any individual owner of any First-Tier Related Entity, any Upper-Tier Related Entity, or any individual owner of any Upper-Tier Related Entity:

1. ever been a defendant in any civil or criminal suits or legal actions?

Yes No

2. ever had any debts discharged, satisfied or settled under the Bankruptcy Act?

Yes No

TABLE 2
1994 EQUALIZED ASSESSED VALUATION

Perm Index #	EAV
13-15-312-002	\$ 23,001
13-15-312-003	\$ 23,001
13-15-312-004	\$ 23,001
13-15-312-005	\$ 23,001
13-15-312-006	\$ 81,573
13-15-313-026	\$2,059,927
13-15-314-001	\$ 198,927
13-15-314-002	\$ 12,286
13-15-314-003	\$ 46,660
13-15-314-009	\$ 14,854
13-15-314-010	\$ 23,682
13-15-314-011	\$ 22,813
13-15-314-012	\$ 28,061
13-15-314-013	\$ 75,010
13-15-314-021	\$ 22,179
13-15-314-022	\$ 13,209
13-15-314-023	\$ 19,850
13-15-314-024	\$ 271,952
13-15-316-030	\$ 346,024
13-15-316-031	\$ 92,812
13-15-316-032	\$ 255,833
13-16-431-001	\$ 274,753
13-16-431-002	\$ 71,140
13-16-431-003	\$ 90,147
13-16-431-004	\$ 244,509
13-16-431-005	\$ 147,869
13-16-431-006	\$ 327,593
13-16-431-007	\$ 205,551
13-16-431-008	\$ 234,049
13-16-431-009	\$ 201,516
13-16-431-010	\$ 115,319
13-16-431-011	\$1,225,754
13-16-431-013	\$ 94,535
13-16-431-014	\$ 105,208
13-16-431-018	\$ 104,906
13-16-431-019	\$ 104,906
13-16-431-021	\$ 1,209
13-16-431-022	\$ 170,462

City of Chicago
Irving/Cicero - Redevelopment Plan

13-16-431-026	\$ 57,622
13-16-431-027	\$ 892
13-16-431-028	\$ 199,929
13-16-431-029	\$ 134,083
13-16-431-030	\$ 47,528
13-16-431-031	\$ 76,312
13-16-431-032	\$ 166,937
13-16-431-033	\$ 70,246
TOTAL	\$ 8,150,631


3. ever had a judgment entered against him/her/it?
 Yes No
4. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?
 Yes No - See Attached

NOTE: If the answer to any of the above questions is "yes," attach a separate schedule explaining the circumstances, parties involved and resolution or status. A specific description must be provided for each case.

V. CERTIFICATION OF ENVIRONMENTAL COMPLIANCE

A. Neither the undersigned nor any "Affiliated Entity" (as defined below) of the undersigned has, during a period of five years prior to the date of execution of this EDS, (1) violated or engaged in any conduct which violated Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code of Chicago or any other "Environmental Restriction" (as defined below), (2) received notice of any claim, demand or action, including but not limited to citations and warrants, from the City, the State of Illinois, the federal government, any state or political subdivision thereof, or any agency, court or body of the federal government or any state or political subdivision thereof, exercising executive, legislative, judicial, regulatory or administrative functions, relating to a violation or alleged violation of Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code of Chicago or any other Environmental Restriction, or (3) been subject to any fine or penalty of any nature for failure to comply with Section 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code of Chicago or any other Environmental Restriction.

The signatory of the undersigned who executes this EDS on behalf of the undersigned **MUST INITIAL** on the line next to the appropriate statement (1) or (2) below.

-  1. The undersigned makes the certification contained in Paragraph A of this Section V.
- _____ 2. The undersigned makes the certification contained in Paragraph A of this Section V except as to the matters specifically identified below:

(Attach additional pages of explanation to this EDS, if necessary).

B. The undersigned shall not employ any contractor or subcontractor in connection with the Property without obtaining from such contractor or subcontractor a certification similar in

TUCKER DEVELOPMENT CORPORATION

- Memorandum -

Date: May 3, 1996
To: Lori Healey
From: Richard H. Tucker
Subject: Additional Applicant Information

Has the applicant or member of the applicant:

a. Defendant in law suit - Yes

As an owner of real estate, Members of the applicant have been involved in various suits involving Landlord and Tenant disputes. The Members are not currently involved in any such matters. The only suit outstanding relates to a property in which the Members are no longer involved with the ownership, however the lender is pursuing obligations which the Members contend no longer exist.

b. Bankruptcy - No

c. Judgment against - Yes

More than 10 years ago, one of the Members had a judgment against him and it was satisfied immediately.

d. Loan "workouts" or Foreclosures - Yes

The Members have been involved in the real estate development and ownership business for over 40 years. During that time period, a total of three (3) of their properties have been involved in foreclosure, deed in lieu or "workout" situations. Each of which have been settled.

form and substance to the statement in (1) above (or, with the prior written consent of the City agency identified in Section I(F) of this EDS, a certification similar in form and substance to the statement in (2) above) prior to such contractor's or subcontractor's performance of any work or services in connection with the Property or furnishing any goods, supplies or materials of any kind with respect to the Property. The undersigned shall furnish, or cause to be furnished, to the City agency identified in Section I(F) hereof upon its request an executed copy of each such certification. The undersigned shall not employ, in connection with the Property, any contractor or subcontractor if the undersigned or any of its officers (if any) have knowledge that such contractor or subcontractor cannot truthfully execute such certification.

- C. Until completion of the project to which this EDS pertains (the "Project"), the undersigned shall not violate any provision of Section 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapter 7-28 or 11-4 of the Municipal Code of Chicago or any other Environmental Restriction, whether in connection with the Project or otherwise.

"Affiliated Entities" are affiliated if, directly or indirectly, one controls or has the power to control the other, or if a third person controls or has the power to control both entities. 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 another business entity using substantially the same management, ownership or principals as the first entity.

"Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directive relating to or imposing liability or standards of conduct concerning the release or threatened release of hazardous materials, special wastes or other contaminants into the environment, and to the generation, use, storage, transportation or disposal of construction debris, bulk waste, refuse, garbage, solid wastes, hazardous materials, special wastes or other contaminants, including but not limited to (1) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 *et seq.*); (2) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq.*); (3) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*); (4) the Clean Water Act (33 U.S.C. § 1251 *et seq.*); (5) the Clean Air Act (42 U.S.C. § 7401 *et seq.*); (6) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 *et seq.*); (7) the Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); (8) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 *et seq.*); (9) the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 *et seq.*); and (10) the Illinois Environmental Protection Act (415 ILCS 5/1 through 5/56.6).

VI. CHILD SUPPORT OBLIGATIONS

For purposes of this Section VI, "Substantial Owner" means any individual who owns or holds a 10 percent or more "Percentage of Interest" (as defined below) in the undersigned; where the undersigned is an individual or sole proprietorship, "Substantial Owner" means that individual or sole proprietor. "Percentage of Interest" includes direct, indirect and beneficial interests in the undersigned. "Indirect or beneficial interest" means that an interest in the undersigned is held by a corporation, joint venture, trust, partnership, association, estate or other legal entity, in which the individual holds an interest, or by agent(s) or nominee(s) on behalf of an individual or entity. For example, if Corporation B owns a 20 percent interest in the undersigned, and an individual or entity has a 50 percent or more percentage of interest in Corporation B, then such individual or entity

indirectly has a 10 percent or more percentage of interest in the undersigned. If any individuals thus indirectly hold at least a 10 percent interest in the undersigned, the response to this Section VI must cover such individual(s). If Corporation B is held by another entity, then this analysis similarly must be applied to that next entity (and so forth to any additional levels of ownership) to determine whether any individuals indirectly hold a 10 percent or more interest in the undersigned, in which case the response to this Section VI must include them.

The signatory of the undersigned who executes this EDS on behalf of the undersigned **MUST INITIAL** on the line next to the appropriate statement (1), (2), (3) or (4) below. If there is any misrepresentation in this Section VI, the undersigned shall be barred from contracting with the City for a period of three years.

1. No Substantial Owner has been declared in arrearage on his/her child support obligations by an Illinois court.
- ___ 2. An Illinois court has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations; however, all such Substantial Owners have entered into court-approved agreements for the payment of all such child support owed, and all such Substantial Owners are in compliance with such agreements.
- ___ 3. An Illinois court has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations and: (i) at least one such Substantial Owner has not entered into any court-approved agreement for the payment of all such child support owed, or (ii) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed, or both (i) and (ii).
- ___ 4. There are no individuals who are Substantial Owners of the undersigned.

VII. CERTIFICATION

The signatory for the undersigned, being first duly sworn, on oath hereby certifies, deposes and says, under penalty of perjury, as follows:

1. The signatory is authorized to execute this EDS on behalf of the undersigned; the information disclosed herein is true and complete to the best of his/her knowledge; no disclosures as to economic interest in the Project have been withheld; and no information has been reserved as to the intended use or purpose for which the undersigned (or a related entity) seeks action by the City Council or pertinent City agency.
2. Except as described in Section III(D) hereof, if applicable, the undersigned is not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or assessments owed to the City, personally or by any partnership, corporation, joint venture or land trust in which the undersigned has at least a five percent beneficial interest.

3. Since the initial date of application, the undersigned has not done or suffered to be done anything that could in any way adversely affect the title to the Property and, except as described herein, no proceedings have been filed by or against the undersigned, nor has any judgment or decree been rendered against the undersigned, nor is there any judgment note or other instrument that can result in a judgment or decree against the undersigned within five days from the date thereof.
4. The undersigned has either paid in full or settled all outstanding parking violation complaints issued to any vehicle owned or controlled by the undersigned personally, or by any partnership, corporation, joint venture or land trust in which the undersigned has control or an ownership interest exceeding five percent in such entity.
5. Neither the undersigned nor, as applicable, any partner, officer, director, owner, member or beneficiary of the undersigned:
 - (a) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - (b) has within a three-year period preceding the date hereof been convicted of or had a civil judgment rendered against him/her/it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction, including, without limitation, any violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
 - (c) is presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause (b) above;
 - (d) has within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default;
 - (e) has been barred from contracting with any unit of state or local government as a result of a violation of 720 ILCS 5/33E-3 or 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time;
 - (f) is in default on an educational loan as provided in 5 ILCS 385/1, as amended, supplemented and restated from time to time;
 - (g) has within the last three years (i) been convicted 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, in that officer's or employee's official capacity; or (ii) been convicted 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 (iii) made an admission of guilt of such conduct described in

(i) or (ii) above which is a matter of record, but has not been prosecuted for such conduct; or

(h) has made or caused to be made, directly or indirectly, any payment, gratuity or offer of employment in connection with the Project as an inducement for the City to provide the requested City assistance described in Section I(J) hereof.

6. The undersigned shall comply with the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code of Chicago, as amended, supplemented and restated from time to time.
7. The undersigned understands and shall comply with all the applicable provisions of Chapter 2-56 of the Municipal Code of Chicago (Office of the Inspector General), as amended, supplemented and restated from time to time.

VIII. RESTRICTION ON LOBBYING

The undersigned certifies, to the best of its knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the requested City assistance to which this EDS pertains, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this Section VIII be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. The certification contained in this Section VIII is a material representation of fact upon which reliance is placed when the transaction to which this EDS pertains was made or entered into. Submission of such certification is a prerequisite for making or entering into such transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Six Corners Development, L.L.C.

(Print or type name of individual or legal entity--this should be the same name as given in Section I(A) hereof)

By: 

(sign here)

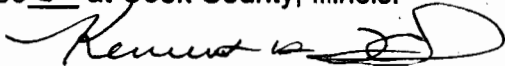
Title of signatory: Member

Print or type name of signatory: Richard Tucker

Date: October 25, 1996

Subscribed to before me this 25 day of October

1996 at Cook County, Illinois.



Notary Public

Commission expires: 8/8/98



(Do not write below this line except to recertify prior to submission to City Council or on the date of closing.)

RECERTIFICATION

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby represents, under penalty of perjury, that all certifications and statements contained in this 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 hereof.

(Print or type name of individual or legal entity--this should be the same name as given in Section I(A) hereof)

By: _____
(sign here)

Title of signatory: _____

Print or type name of signatory: _____

Date: _____, 199__

Subscribed to before me this ____ day of _____,
199__ at Cook County, Illinois.

Notary Public

Commission expires: _____