

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), 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.*

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

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 EDS. For example, with respect to a City loan or grant, the individual or entity applying for 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.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

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; and (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: PH Investors, L.L.C

B. Business address: 200 W. Madison, 37th Floor
Chicago, IL 60606

C. Telephone: (312) 750-8415

D. Fax: (312) 750-8597

E. Name of contact person: John Kevin Poorman

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

G. Type of action requested: Tax Increment Financing via two (2) City notes.

H. Project location: 24-acre property bounded generally by Polk Street on the north side, Clark Street on the east side, Roosevelt on the south side and Wells Street on the west side.

I. Brief project description: See attached Exhibit A.

J. Description and purpose of requested City assistance:

Various infrastructure improvements for the purpose of making our site and adjacent sites marketable.

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 proprietorship
- Other entity (please specify) _____

2. State of incorporation or organization, if applicable:
Delaware

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?

- Yes No

B. ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

- a. List below the names and titles of the executive officers and directors, of the corporation.

Name	Title
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N/A _____

- b. For business corporations with 100 or more shareholders, list below the name, business address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 7.5 percent of the total issued and outstanding shares.

Name	Business Address	Percentage Interest
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N/A _____

- c. For business corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder.

Name	Business Address	Percentage Interest
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N/A _____

- d. For not-for-profit corporations, list below the name, business address and percentage of control of each member. If there are no members, write "no members."

Name	Business Address	Percentage Control
N/A		

2. FOR PARTNERSHIPS:

For general or limited partnerships: list below the name, business 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 / Business Address	Percentage	Interest
N/A		

3. FOR LIMITED LIABILITY COMPANIES:

- a. List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers."

Name	Title
Penny Pritzker	President
John Kevin Poorman	Vice President and Secretary
Glen Miller	Vice President and Treasurer
Susan Panzer	Vice President

- b. List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers."

Name	Business Address	Percentage Interest
Don G.C Trust #1	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #2	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #3	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #4	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #5	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #6	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #7	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #8	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #9	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don G.C Trust #10	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Don Trust #25	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
T&M Childrens Trust	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
JBR Trust #4	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
Donrose Trust	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
H Investments L.L.C.	200 W. Madison 25 th Floor Chicago, IL 60606	Varying
No Managers		

4. FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:

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

Name	Business 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 the name, business 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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See attached Exhibit D

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 (i) the name of each individual or legal entity whose ownership interest is constructively controlled, (ii) the name, business 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

III. OTHER PROJECT INFORMATION

A. List below the name and business address of each individual or legal entity currently holding legal title to the property for which City assistance is being requested (the "Property"):

Clark/Taylor L.L.C. (100% of Parcels 2,3,4,7 & 8)

101 E. Erie Suite 800 (50% of Parcels 5 & 6)

Chicago, IL 60611

Devon Trust No. 4764 (50% of Parcels 5 & 6)

6445 North Western Ave.

Chicago, IL 60645

B. If title to the Property is held in a land trust, list below the name, business 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:

Devon Trust No. 4764 Beneficiary:

Allright Realty Company Wholly Owned Subsidiary 100%

Of CPS Parking

221 N. LaSalle St. Suite 626 Chicago, IL 60601

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

See attached Exhibit B

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 may halt any requested City action.

N/A

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

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

Yes No

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

Yes No

C. ever had a judgment entered against him/her/it?

Yes No

D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?

Yes No

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 hereof:

- (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 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 or any other Environmental Restriction; or
- (3) been subject to any fine or penalty of any nature for failure to comply with 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 or any other Environmental Restriction.

- B. If the undersigned is unable to certify to any of the above statements in this Section V, the undersigned shall identify all exceptions and indicate whether any such exceptions occurred within the City or otherwise pertain to the City:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

- C. The undersigned covenants and agrees that the undersigned shall:
- (1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision 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 or any other Environmental Restriction;
 - (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
 - (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.
- D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the

undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.

- E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has reason to believe that such contractor or subcontractor has, within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.
- F. Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or subcontractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A)-(B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.
- H. Definitions:
 - (1) 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.

- (2) "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directly 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: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 *et seq.*); (b) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq.*); (c) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*); (d) the Clean Water Act (33 U.S.C. § 1251 *et seq.*); (e) the Clean Air Act (42 U.S.C. § 7401 *et seq.*); (f) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 *et seq.*); (g) the Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); (h) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 *et seq.*); (i) the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 *et seq.*); and (j) 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. If the undersigned is an individual or sole proprietorship, the "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 has a 50 percent percentage of interest in Corporation B, then such individual

indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. 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.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) below constitutes an event of default.

Check one:

- A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, 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.
- C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction 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 a 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) .

X D. There are no Substantial Owners.

VII. CERTIFICATION

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

- A. 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.
- B. Except as described in Section III (D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges 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; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.
- C. 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.

- D. 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.
- E. The undersigned and its principals:
- (1) 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;
 - (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense 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;
 - (3) are not 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; and

(4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.

F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or 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 of America, in that officer's or employee's official capacity;
- (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or 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
- (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.

G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions

of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

- H. Neither the undersigned nor any employee, official, agent or partner of the undersigned 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, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time; or (3) any similar offense of any state or of the United States of America which contains the same elements as the offense of bid-rigging or bid-rotating.

- I. If the undersigned is unable to certify to any of the above statements in this Section VII, the undersigned shall explain below:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.

- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's

certification or any other information known or obtained by the undersigned, has reason to believe that:

- (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made an admission of guilt of any of the conduct listed in Section VII(F) above;
- (2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United States of America which contains the same elements as bid-rigging or bid-rotating; or
- (3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.

- C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

- A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 *et seq.* (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."

None

- B. The undersigned certifies that it has not and shall not expend any Federal appropriated funds to pay any person for influencing or attempting 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 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. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section IX(A) above for his/her lobbying activities in connection with the Transaction.
- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. 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 Transaction, the undersigned shall complete and submit Standard Form-

LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.
- F. The undersigned shall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned shall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

- A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.
- B. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.

- C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor will be subject to the equal opportunity clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity clause. See 41 C.F.R. Part 60 for further information regarding the equal opportunity clause.
- D. The undersigned shall forward or cause to be forwarded the following notice to proposed contractors and subcontractors:

**NOTICE TO PROSPECTIVE CONTRACTORS/SUBCONTRACTORS OF
REQUIREMENTS FOR CERTIFICATIONS OF NONSEGREGATED
FACILITIES**

A Certification of Nonsegregated Facilities must be submitted before the award of a contract/subcontract under which the contractor/subcontractor will be subject to the Equal Opportunity clause. The certifications may be submitted either for each contract/subcontract or for all contracts/subcontracts during a period (e.g., quarterly, semiannually or annually).

XI. EQUAL EMPLOYMENT OPPORTUNITY

Federal regulations require that the undersigned and proposed contractors/subcontractors submit the following information with their bids or in writing at the outset of negotiations:

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

[] Yes

[X] No

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

[] Yes [X] No

C. If the answer to (B) is yes, have you filed with the Joint Reporting Committee, the Director of OFCC, any federal agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements of these organizations?

[] Yes [] No

XII. RETAINED PARTIES

A. Definitions and Disclosure Requirements

1. Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the undersigned has retained or expects to retain in connection with the contract or lease. In particular, the undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.

2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.

3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B. Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be

retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Business Name/Address	Relationship (Attorney, Contractor, etc.)	Fee (indicated whether paid or estimated)
-----------------------	---	---

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED:

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

A. Definitions and Disclosure Requirement

1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.

2. A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand

deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. Certification

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

[] Yes [X] No

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

N/A

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.

B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

C. 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 undersigned 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.

PH Investors, L.L.C.

By: _____

Title of signatory: Vice President

Print or type
name of signatory: John Kevin Poorman

Date: _____, 2000

Subscribed to before me this _____ day of _____ ,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

(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.

PH Investors, L.L.C.

By: _____

Title of signatory: Vice President

Print or type
name of signatory: John Kevin Poorman

Date: _____, 2000

Subscribed to before me this day of _____,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

EXHIBIT A

PHASE I IMPROVEMENTS

- Construction and dedication of a 70-foot public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities on South Wells Street between West Taylor Street and West Roosevelt Road.
- Construction of a temporary bus turnaround at the south end of the South Wells Street extension; provided, however, that Developer will not be obligated to construct the turnaround unless and until the Chicago Transit Authority provides service down South Wells Street and notifies Developer of its intention to provide such service.
- Construction of improvements at the southern intersection of West Polk and South LaSalle Streets, including a sidewalk, curb and gutter (to close South LaSalle Street following its vacation).
- Construction and dedication of a 20-foot alley between South Wells Street and the alley next east of South Wells Street (in a location as depicted in Exhibit C).
- Construction and dedication of a 5-foot strip of land (in a location as depicted on Exhibit C) between the aforementioned 20-foot alley and the north line of West Taylor Street.
- Construction of improvements to South Wells Street from the north line of West Taylor Street to a point approximately 500 feet north of West Taylor Street, including curbs, gutters, additional pavement to meet existing pavement, sidewalks (on the east side of South Wells Street only) and landscaping.

Note: The Phase I Improvements are fully described on plans entitled "LaSalle Park Development Phase I" consisting of sheets G-1 - G-2, C-1 - C-26, L-1 and E-1 - E-11. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated March 1, 2000.

PHASE II IMPROVEMENTS

- Construction and dedication of a public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities for a relocated South Financial Place between West Polk Street and West Taylor Street; said relocated South Financial Place right of way to be 60 feet wide from the south line of West Polk Street and then narrowing to 50 feet at a line approximately 198.75 feet south of and parallel to the south line of West Polk Street (in a location as depicted on Exhibit C).
- Construction of improvements to West Polk Street between the Metra Tracks and South Wells Street, including construction and installations of curbs, gutters, sidewalks, parkways and landscaping.

- Installation of traffic signals at the Wells/Taylor, Polk/Wells and Polk/Financial Place intersections, if warranted.
- To the extent necessary, construction and dedication of improvements to West Taylor Street, including curbs, gutters, sidewalks, parkways, street lights and utilities between the relocated South Financial Place and South Wells Street.

Note: The Phase II Improvements are fully described on plans entitled "LaSalle Park Development Phase II" consisting of sheets G-1 - G-2, C-1 - C-26, S-1 and E-1 - E-9. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated August 13, 1999.

RIGHTS OF WAY TO BE VACATED

- South LaSalle Street between West Polk Street and West Taylor Street;
- West Stowell Street between South Clark Street and the Metra Right-of-Way;
- The alley next west of South Clark Street between West Polk Street and a line approximately 398 feet north of West Taylor Street;
- West Taylor Street between South Clark Street and the Metra Right-of-Way;
- South Financial Place between West Polk Street and West Taylor Street;
- The alley next west of South Wells Street from a line approximately 393 feet south of West Polk Street and West Taylor Street; and
- A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

RIGHTS OF WAY TO BE DEDICATED

1. An extension of South Wells Street beginning at the south line of West Taylor Street and extending to a point on the north line of West Roosevelt Road;
2. An approximately 5 foot x 283 foot strip of land to the east of the east line of South Wells Street and north of the north line of West Taylor Street;
3. A 20 foot east-west alley (to be located approximately 283 feet north of West Taylor Street) to allow for ingress/egress of the alley next east of South Wells Street;
4. A relocated South Financial Place (the east edge of which will be located approximately 10 feet to the west of the Metra Right-of-Way) to replace the vacated South Financial Place; and
5. A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

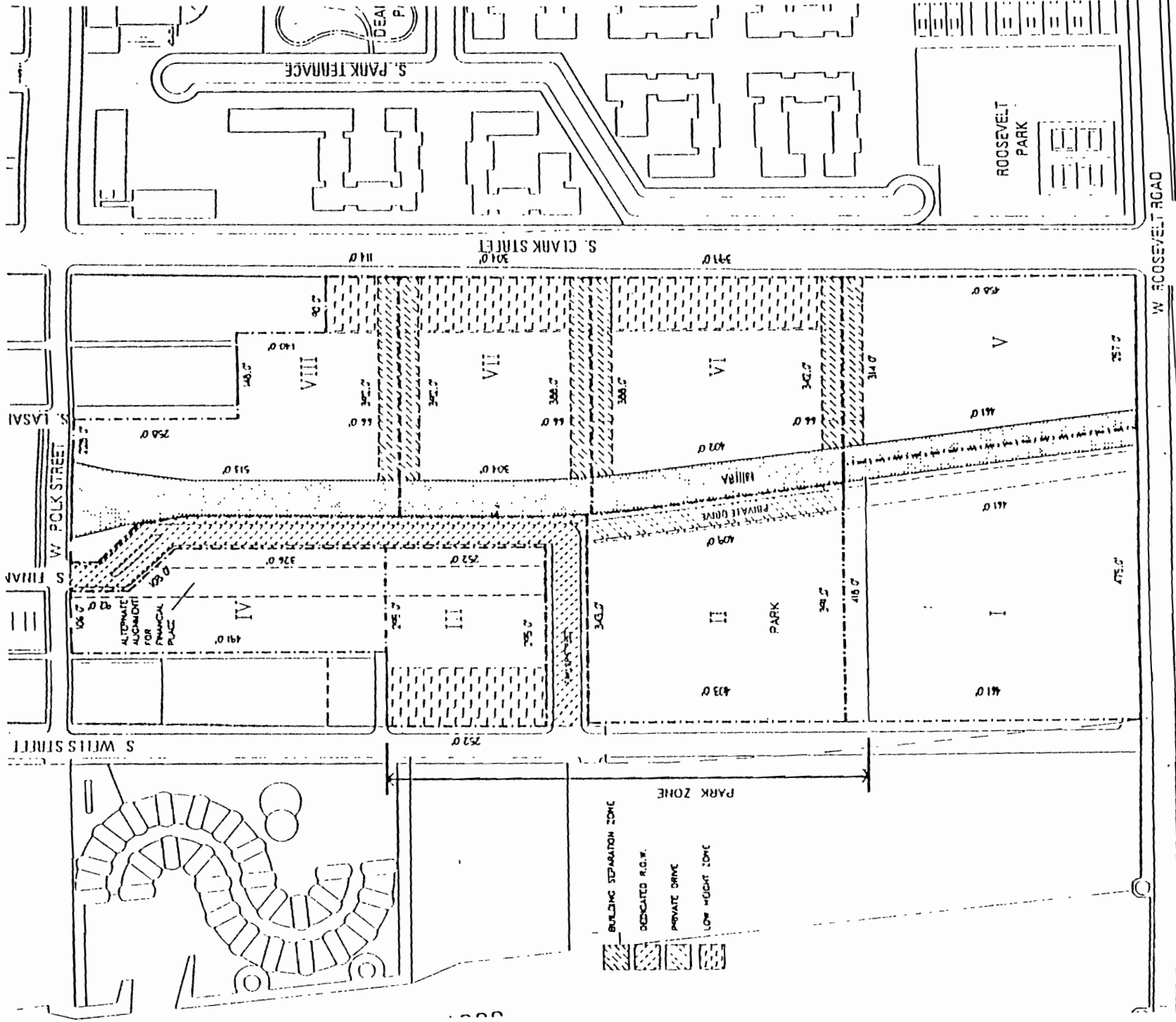
EXHIBIT B

REAL ESTATE TAX INDEX NUMBERS

17-16-410-009
17-16-410-012
17-16-410-014
17-16-410-015
17-16-410-019
17-16-410-020
17-16-410-021
17-16-411-003
17-16-411-004
17-16-412-010
17-16-412-011
17-16-412-012
17-16-412-013
17-16-416-005
17-16-416-006
17-16-416-007

EXHIBIT C

SITE PLAN & LEGAL DESCRIPTION OF PROJECT



BUILDING SEPARATION ZONES SHOWN IN CONCEPTUAL LOCATIONS. ACTUAL LOCATIONS MAY VARY DEPENDING UPON DEVELOPMENT. THE PARK LOCATION MAY BE ADJUSTED BY APPLICANT WITHIN THE PARK ZONE PER THE REQUIREMENTS OF THIS P.D.



LUCIEN LABARRE AND ASSOC. ARCHT.
 185 W MICHIGAN AVE
 CHICAGO
 ILLINOIS 60611
 U.S.A.
 ARCHITECTS

LaSalle Park
 Chicago, IL

Sub-Area Plan

Walsh Higgins & Company
 Developers

11 DEC 1998

LEGAL DESCRIPTION OF PROJECT

PARCEL 2:

That part of Blocks 107 and 108 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various Lots and Street in Stowell's Subdivision of Block 106 and 107 in said School Addition to Chicago and part of Stowell Slip or canal in said Block 107, all taken as a tract bounded and described as follows:

Beginning at the point of intersection of the West line of South Clark Street as widened (said West line being, 20.00 feet West of and parallel with the East line of said Block 107) with the North line of Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet; thence Northwesterly, 127.55 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, .35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 32.10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.45 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 15 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence South 89 degrees 56 minutes 02 seconds East along said South line 70.45 feet to the Southerly extension of the West line of the aforesaid South La Salle Street; thence South 0 degrees 00 minutes 27 seconds West along said Southerly extension, 381.35 feet to the North line of Lot 6 in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West along said North line of Lot 6, 4.05 feet to the Northwest corner of said Lot 6; thence South 0 degrees 00 minutes 00 seconds West along the West line of said Lot 6 and its extension, 108.00 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence South 89 degrees 56 minutes 02 seconds East along said center line, 138.00 feet to a line 122.00 feet West of and parallel with the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said parallel line, 213.60 feet to the point of intersection with a line drawn 141.00 feet North of and parallel with the North line of the aforesaid Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East along said parallel line 122.00 feet to the West line of the aforesaid South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line, 141.00 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

(ALL AFFECT THIS PARCELL 2 AND OTHER PROPERTY BEING PARTS OF PARCELS 3, 4 AND 8
HEREIN)

PARCEL 3:

That part of Blocks 103 through 110, both inclusive, in the School Section Addition to Chicago in the Southeast 1/4 of Section 16, Township 39 North, Range 14 East of the Third Principal Meridian; together with that part of various streets, alley and Stowell Slip (or Canal) all taken as a tract bounded and described as follows:

Commencing at the point of intersection of the West line of South Clark Street as widened (said West line being 20.00 feet West of and parallel with the East line of said Block 107) with the North line of West Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet to the point of beginning of the tract herein, described; thence Northwesterly, 127.56 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 691.35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence continuing Northwesterly 126.25 feet along a continuation of the last described arc, being convex Westerly, having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.26 feet to a point on the South line of West Polk Street, said point being 50.54 feet West of the Northeast corner of Lot 3 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in the aforesaid School Section Addition to Chicago; thence North 89 degrees 53 minutes 28 seconds West along the South line of West Polk Street, 168.57 feet to the Northwest corner of Lot 1 in Block 103 in aforesaid Adam's and Parker's Subdivision; thence South 0 degrees 02 minutes 09 seconds East, along the East line of South Sherman Street and its Southerly extension, 1217.87 feet to the South line of Block 105 in the aforesaid School Section Addition to Chicago (being also, the North line of Stowell's Subdivision of Blocks 106 and 107 in the aforesaid school Section Addition to Chicago); thence South 89 degrees 56 minutes 02 seconds East 122.14 feet to a point on the North line of Lot 9 in Stowell's Subdivision, said point being 40.00 feet West of the Northeast corner thereof; thence South 9 degrees 27 minutes 37 seconds East 91.26 feet to a point on the North line of West Stowell Street, said point being 25.00 feet West of the Southeast corner of the aforesaid Lot 9; thence South 4 degrees 45 minutes 47 seconds East 36.13 feet to a point on the South line of West Stowell Street (being also the North line of Lot 15 in the aforesaid Stowell's

along said center line, 138.00 feet to the Southerly extension of the West line of Lot 6 in said Stowell's Subdivision; thence North 0 degrees 00 minutes 00 seconds East, 108.00 feet along the West line of said Lot 6, thence South 89 degrees 56 minutes 02 seconds East along the North line of said Lot 6, 4.05 feet to the point of intersection with the Southerly extension of the West line of South La Salle Street (said West line of La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence North 0 degrees 00 minutes 27 seconds East along said Southerly extension 381.35 feet to the South line of the aforesaid West Taylor Street; thence South 89 degrees 56 minutes 02 seconds East along said South line 255.91 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-006

Volume: 511

17-16-416-007

(AFFECT THIS PARCEL 4 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 8 HEREIN)

PARCEL 5:

The undivided one-half interest in the following described property vested in the Insured:

That part of Block 109 in School Section Addition to Chicago, and all of Lots 23, 26 and 29 and that part of Lots 19, 20, 24, 25 and 30, and part of the North and South 10 foot alley lying West of and adjoining said Lots 19, 24, 25 and 30 in Block 110 in Adams's and Parker's Subdivision of Blocks 103 and 110 in said School Section Addition to Chicago in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the North line of West Taylor Street (being the South line of said Block 109) with the East line of South La Salle Street (being a line 40.00 feet East of and parallel with the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition) thence North 0 degrees 00 minutes 27 seconds East, 537.78 feet along said East line of South La Salle Street and the West line of the aforesaid Lots 29, 26, 23 and 20 (in Adams's and Parker's Subdivision) to the South line of the North 1/2 of said Lot 20; thence South 89 degrees 54 minutes 18 seconds East along said South line and its extension, 125.83 feet to the point of intersection with a line drawn 90.00 feet West of and parallel with the West line of South Clark Street as widened, said West line being 20.00 feet West of the East line of the aforesaid Block 109; thence South 0 degrees 00 minutes 00 seconds West along said line drawn 90.00 feet West and parallel, 139.60 feet to the South line of said Lot 30; thence South 89 degrees 54 minutes 45 seconds East along said South line 90.00 feet to the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened, 398.08 feet to the aforesaid North line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along said North line 215.90 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-008-6001

Volume: 511

17-16-412-008-6002

BLOCK 109 OUTSIDE GURNEE'S SUB

Permanent Tax Number: 17-16-412-006-6001

Volume: 511

17-16-412-006-6002

(AFFECTS ONLY PARCEL 5)

PARCEL 6:

The undivided one-half interest in the following described property vested in the Insured:

That part of Lots 3, 4, 9, 10, 15, 16, 21, 22, 27 and 28 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, also that part of Lots 1 to 16, both inclusive in Block 109 of W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in said School Section Addition to Chicago, also that part of West Taylor Street vacated per ordinance passed February 11, 1901, all taken as a tract; bounded and described as follows:

Beginning at the Northeast corner of the aforesaid Lot 3 in Adam's and Parker's Subdivision; thence South 0 degrees 00 minutes 27 seconds West along the West line of South La Salle Street and its extension, being also the East line of the aforesaid Lots and their extension, 836.35 feet to the South line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along the South line of vacated West Taylor Street per ordinance passed February 11, 1901, 70.46 feet; thence Northwesterly 126.25 feet along the arc of a circle convex Westerly having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.25 feet to a point on the South line of West Polk Street (being the North line of the aforesaid Lot 3 in Adam's and Parker's Subdivision) said point being 50.54 feet West of the hereinabove designate point of beginning; thence South 89 degrees 53 minutes 28 seconds East along said South line, 50.54 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-009-6001

Volume: 511

17-16-412-009-6002

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-411-002-6001

Volume: 511

17-16-411-002-6002

17-16-411-002-8001

(AFFECT ONLY PARCEL 6)

PARCEL 7:

Lots 2, 5, 8, 11, 14, 17, 20, 23, 25 and 29 in Block 103 of Adams and Parker's Subdivision of Blocks 103 and 111 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, also Lots 4 to 32, both inclusive in Block 104 of Gurnee's Subdivision of Blocks 104 and the West 1/2 of Block 109 in School Section Addition to Chicago in Section 16, in Cook County, Illinois.

MS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001
17-16-410-016-6002
17-16-410-017-6001
17-16-410-017-6002
17-16-410-018-6001
17-16-410-018-6002
17-16-410-012
17-16-410-014

Volume: 511

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-410-009
17-16-410-015

Volume: 511

(ALL PINS EXCEPT 17-16-410-012 AFFECT THIS PARCEL 7 AND OTHER PROPERTY BEING PART OF PARCEL 3 HEREIN)

(PERMANENT INDEX NUMBER 17-16-410-012 AFFECTS ONLY PARCEL 7)

PARCEL 8:

That part of Blocks 105 and 106 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, and of Lots 9 to 15 in Stowell's Subdivision of Blocks 106 and 107 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

inning at a point on the North line of West Roosevelt Road, 400 feet West of the West line of South Clark Street; thence North along a line parallel with and 400 feet West of said West line of Clark Street, a distance of 141 feet more or less to the center of a canal slip; thence East along a line parallel with and 141 feet North of the North line of said Roosevelt Road a distance of 88 feet; thence Northwesterly along a straight line to a point in the North line of Lot 15 in said Stowell's Subdivision, 334 feet West of the West line of South Clark Street; thence Northwesterly to a point in the South line of Lot 9 in said Stowell's Subdivision, 25 feet West of the East line of said Lot 9; thence Northwesterly to a point in the North line of said Lot 9, 40 feet West of the East line of said Lot 9; thence Westerly along the North line of said Lot 9 to a point in the East line, extended Southerly, of Sherman Street; thence North along said East line extended to a point in the North line of Block 105 aforesaid; thence West along the North line of said Block 105 to a point on the West line of South Wells Street, as same now exists North of Taylor Street, produced South, running thence South along said West line of South Wells Street, produced South, a distance of 100.90 feet; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet, a distance of 180.16 feet to the point of tangency, said point being 280.8 feet South from the South line of Taylor Street, produced East, measured parallel with the West line of South Clark Street, and 787.91 feet West of the West line of South Clark Street, as now established, measured parallel with the South line of Taylor Street; thence running Southerly along a straight line, a distance of 508.47 feet to a point of curve, said point of curve being 57.28 feet North from the North line of West Roosevelt Road, as now widened, measured parallel to the West line of South Clark Street and 739.73 feet West from the West line of Clark Street, as now established, measured parallel with the North line of West Roosevelt Road; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet a distance of 57.64 feet to a point on the North line of West Roosevelt Road, as now widened, said point

being 733.41 feet West of the West line of South Clark Street, as now established, as
measured along the North line of West Roosevelt Street as now widened; thence East
along the North line of West Roosevelt Road to the point of beginning, in Cook
County, Illinois.

BLOCK 105 TO 108 INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005

Volume: 511

.17-16-416-006

17-16-416-007

(ALL PINS AFFECT THIS PARCEL 8 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 4
HEREIN)

EXHIBIT D

Trustees of the Trusts set forth in Item #3.b.

<u>Trusts</u>	<u>Trustees</u>
Don. G.C. Trusts #1-#10	Marshall E. Eisenberg and Thomas J. Pritzker
Don Trust #25	Marshall E. Eisenberg and Nicholas J. Pritzker
T&M Childrens Trust	Simon Zunamon
JBR Trust #4	Marshall E. Eisenberg
Donrose Trust	Nicholas J. Pritzker

Trustee Addresses

<u>Trustee</u>	<u>Address</u>
Marshall E. Eisenberg	Two North LaSalle Street, 22 nd Floor Chicago, Illinois 60602
Thomas J. Pritzker	200 West Madison Street, 25 th Floor Chicago, Illinois 60606
Nicholas J. Pritzker	200 West Madison Street, 25 th Floor Chicago, Illinois 60606
Simon Zunamon	200 West Madison Street, 25 th Floor Chicago, Illinois 60606

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), 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.*

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

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 EDS. For example, with respect to a City loan or grant, the individual or entity applying for 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.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

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; and (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: _____
W/H Development Corp.

B. Business address: 101 E. Erie, Suite 800 Chicago, IL 60611

C. Telephone: (312) 943-4999

D. Fax: (312) 943-9768

E. Name of contact person: John W. Higgins

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

G. Type of action requested: Tax Increment Financing via two(2) City notes.

H. Project location: 24-acre property bounded generally by Polk Street on the north side, Clark Street on the east side, Roosevelt on the south side and Wells Street on the west side.

I. Brief project description: See Attached Exhibit A.

J. Description and purpose of requested City assistance:

Various infrastructure improvements for the purpose of making our site and adjacent sites marketable.

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 proprietorship
- 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?

- Yes No

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

C. The undersigned covenants and agrees that the undersigned shall:

- (1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision 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 or any other Environmental Restriction;
- (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
- (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.

D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.

E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has

reason to believe that such contractor or subcontractor has, within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.

F. Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or subcontractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A)-(B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.

G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.

H. Definitions:

(1) 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.

(2) "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directly 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: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 *et seq.*); (b) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq.*); (c) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*); (d) the Clean Water Act (33 U.S.C. § 1251 *et seq.*); (e) the Clean Air Act (42 U.S.C. § 7401 *et seq.*); (f) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 *et seq.*); (g) the Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); (h) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 *et seq.*); (i) the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 *et seq.*); and (j) 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. If the undersigned is an individual or sole proprietorship, the "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 has a 50 percent percentage of interest in Corporation B, then such individual indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. 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.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term

of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) below constitutes an event of default.

Check one:

- A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, 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.
- C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction 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 a 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) .
- D. There are no Substantial Owners.

VII. CERTIFICATION

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

- A. 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.

- B. Except as described in Section III (D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges 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; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.

- C. 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.

- D. 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.
- E. The undersigned and its principals:
- (1) 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;
 - (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense 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;
 - (3) are not 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; and
 - (4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.
- F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the

undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or 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 of America, in that officer's or employee's official capacity;
- (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or 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
- (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.

G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

H. Neither the undersigned nor any employee, official, agent or partner of the undersigned 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, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time;

or (3) any similar offense of any state or of the United States of America which contains the same elements as the offense of bid-rigging or bid-rotating.

- I. If the undersigned is unable to certify to any of the above statements in this Section VII, the undersigned shall explain below:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.
- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's certification or any other information known or obtained by the undersigned, has reason to believe that:
- (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made

an admission of guilt of any of the conduct listed in Section VII(F) above;

(2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United States of America which contains the same elements as bid-rigging or bid-rotating; or

(3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.

C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.

D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq. (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."

None

- B. The undersigned certifies that it has not and shall not expend any Federal appropriated funds to pay any person for influencing or attempting 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 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. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section IX(A) above for his/her lobbying activities in connection with the Transaction.
- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. 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 Transaction, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.

F. The undersigned shall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned shall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

- A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.
- B. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.
- C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor will be subject to the equal opportunity clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity

[] Yes

[] No

XII. RETAINED PARTIES

A. Definitions and Disclosure Requirements

1. Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the undersigned has retained or expects to retain in connection with the contract or lease. In particular, the undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.

2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.

3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B. Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Business Name/Address	Relationship (Attorney, Contractor, etc.)	Fee (indicated whether paid or estimated)
--------------------------	---	--

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED:

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

A. Definitions and Disclosure Requirement

1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.

2. A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. Certification

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

Yes

No

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

N/A

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.

B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

C. 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 undersigned 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.

W/H Limited Partnership No. 17, an Illinois Limited Partnership

By: _____

Title of signatory: Authorized Partner (President of General Partner)

Print or type
name of signatory: John W. Higgins

Date: _____, 2000

Subscribed to before me this _____ day of _____ ,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

(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.

W/H Limited Partnership No. 17, An Illinois Limited Partnership

By: _____

Title of signatory: Authorized Partner (President of General Partner)

Print or type
name of signatory: John W. Higgins

Date: _____, 2000

Subscribed to before me this day of _____,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

EXHIBIT A

PHASE I IMPROVEMENTS

- Construction and dedication of a 70-foot public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities on South Wells Street between West Taylor Street and West Roosevelt Road.
- Construction of a temporary bus turnaround at the south end of the South Wells Street extension; provided, however, that Developer will not be obligated to construct the turnaround unless and until the Chicago Transit Authority provides service down South Wells Street and notifies Developer of its intention to provide such service.
- Construction of improvements at the southern intersection of West Polk and South LaSalle Streets, including a sidewalk, curb and gutter (to close South LaSalle Street following its vacation).
- Construction and dedication of a 20-foot alley between South Wells Street and the alley next east of South Wells Street (in a location as depicted in Exhibit C).
- Construction and dedication of a 5-foot strip of land (in a location as depicted on Exhibit C) between the aforementioned 20-foot alley and the north line of West Taylor Street.
- Construction of improvements to South Wells Street from the north line of West Taylor Street to a point approximately 500 feet north of West Taylor Street, including curbs, gutters, additional pavement to meet existing pavement, sidewalks (on the east side of South Wells Street only) and landscaping.

Note: The Phase I Improvements are fully described on plans entitled "LaSalle Park Development Phase I" consisting of sheets G-1 - G-2, C-1 - C-26, L-1 and E-1 - E-11. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated March 1, 2000.

PHASE II IMPROVEMENTS

- Construction and dedication of a public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities for a relocated South Financial Place between West Polk Street and West Taylor Street; said relocated South Financial Place right of way to be 60 feet wide from the south line of West Polk Street and then narrowing to 50 feet at a line approximately 198.75 feet south of and parallel to the south line of West Polk Street (in a location as depicted on Exhibit C).
- Construction of improvements to West Polk Street between the Metra Tracks and South Wells Street, including construction and installations of curbs, gutters, sidewalks, parkways and landscaping.

- Installation of traffic signals at the Wells/Taylor, Polk/Wells and Polk/Financial Place intersections, if warranted.
- To the extent necessary, construction and dedication of improvements to West Taylor Street, including curbs, gutters, sidewalks, parkways, street lights and utilities between the relocated South Financial Place and South Wells Street.

Note: The Phase II Improvements are fully described on plans entitled "LaSalle Park Development Phase II" consisting of sheets G-1 - G-2, C-1 - C-26, S-1 and E-1 - E-9. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated August 13, 1999.

RIGHTS OF WAY TO BE VACATED

- South LaSalle Street between West Polk Street and West Taylor Street;
- West Stowell Street between South Clark Street and the Metra Right-of-Way;
- The alley next west of South Clark Street between West Polk Street and a line approximately 398 feet north of West Taylor Street;
- West Taylor Street between South Clark Street and the Metra Right-of-Way;
- South Financial Place between West Polk Street and West Taylor Street;
- The alley next west of South Wells Street from a line approximately 393 feet south of West Polk Street and West Taylor Street; and
- A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

RIGHTS OF WAY TO BE DEDICATED

1. An extension of South Wells Street beginning at the south line of West Taylor Street and extending to a point on the north line of West Roosevelt Road;
2. An approximately 5 foot x 283 foot strip of land to the east of the east line of South Wells Street and north of the north line of West Taylor Street;
3. A 20 foot east-west alley (to be located approximately 283 feet north of West Taylor Street) to allow for ingress/egress of the alley next east of South Wells Street;
4. A relocated South Financial Place (the east edge of which will be located approximately 10 feet to the west of the Metra Right-of-Way) to replace the vacated South Financial Place; and
5. A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

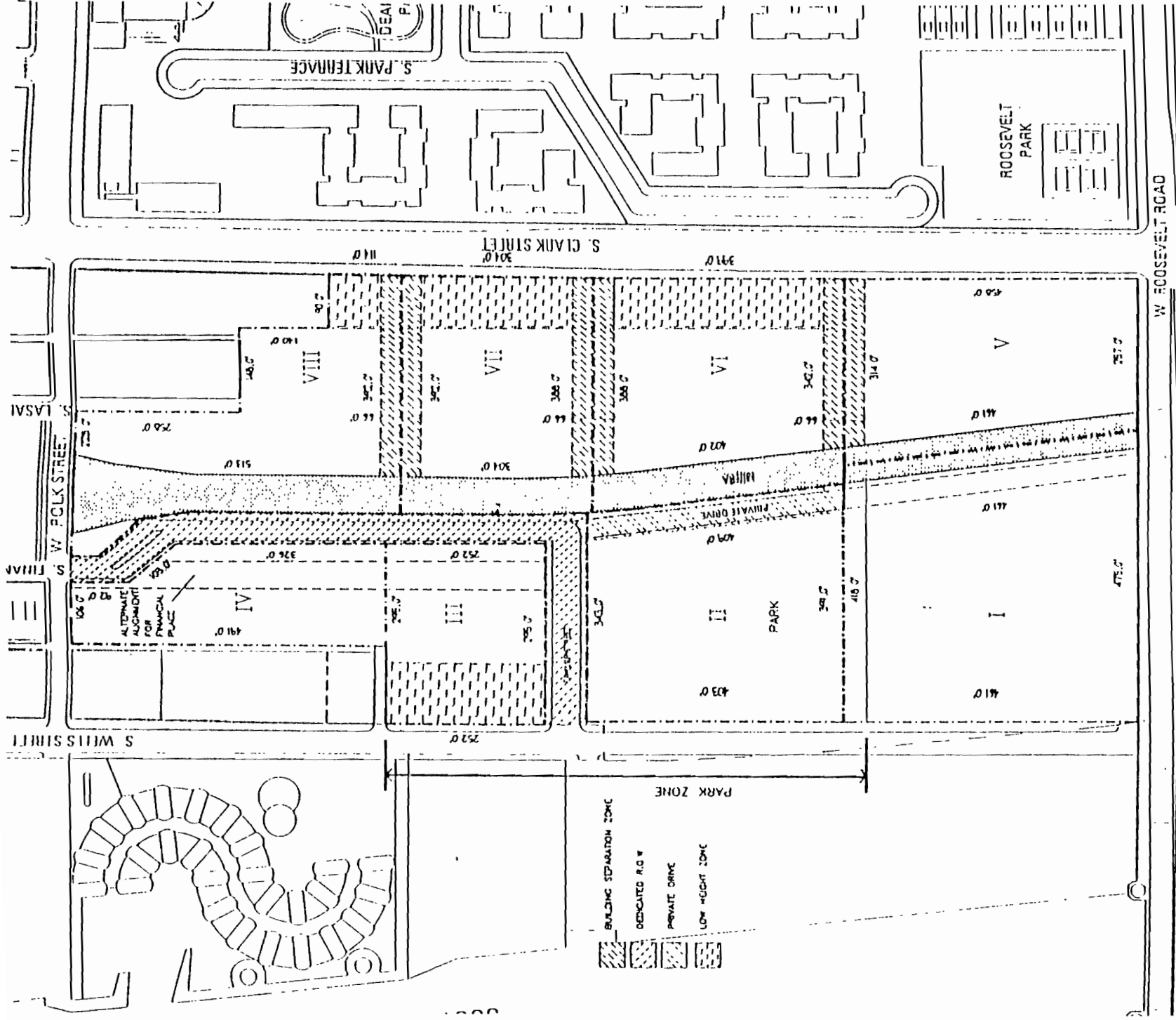
EXHIBIT B

REAL ESTATE TAX INDEX NUMBERS

17-16-410-009
17-16-410-012
17-16-410-014
17-16-410-015
17-16-410-019
17-16-410-020
17-16-410-021
17-16-411-003
17-16-411-004
17-16-412-010
17-16-412-011
17-16-412-012
17-16-412-013
17-16-416-005
17-16-416-006
17-16-416-007

EXHIBIT C

SITE PLAN & LEGAL DESCRIPTION OF PROJECT



BUILDING SEPARATION ZONES SHOWN IN CONCEPTUAL LOCATIONS. ACTUAL LOCATIONS MAY VARY DEPENDING UPON DEVELOPMENT.
 THE PARK LOCATION MAY BE ADJUSTED BY APPLICANT WITHIN THE PARK ZONE PER THE REQUIREMENTS OF THIS P.D.



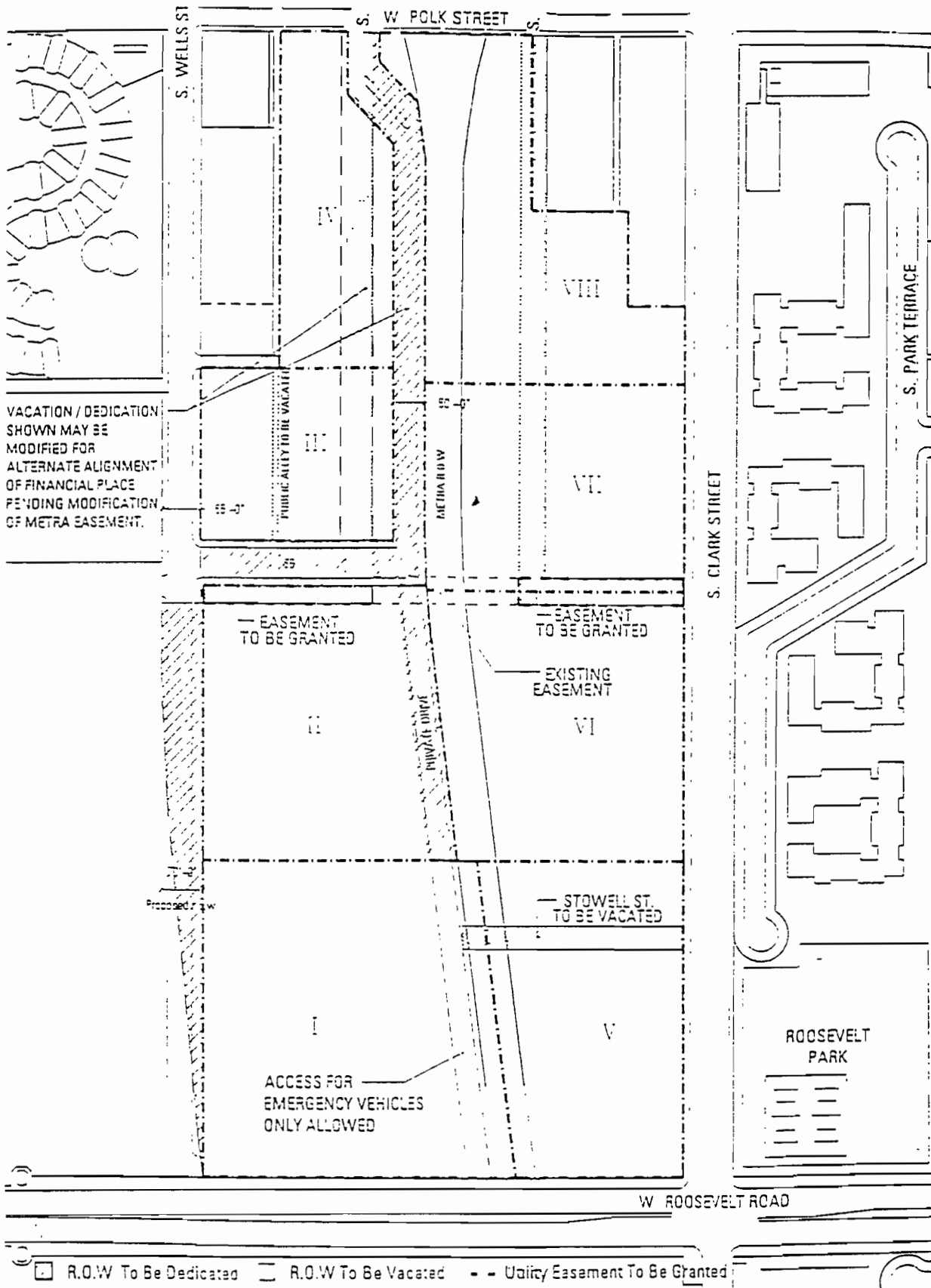
LUCIEN LARAMBLE AND ASSOCIATES
 888 N. MICHIGAN AVE
 CHICAGO
 ILLINOIS 60611
 USA
 ARCHITECTS

LaSalle Park
 Chicago, IL

Sub-Area Plan

Walsh Higgins & Company
 Developers

11 DEC 1998



LUCIEN LAGRANGE AND ASSOCIATES
 885 N MICHIGAN AVE
 CHICAGO
 ILLINOIS 60611
 USA
 ARCHITECTS

LaSalle Park
 Chicago, IL

**Public R.O.W.
 Adjustment Map**

Wain Higgins & Company
 Developers
 17 Nov 1998

LEGAL DESCRIPTION OF PROJECT

PARCEL 2:

That part of Blocks 107 and 108 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various lots and street in Stowell's Subdivision of Block 106 and 107 in said School Addition to Chicago and part of Stowell Slip or canal in said Block 107, all taken as a tract bounded and described as follows:

Beginning at the point of intersection of the West line of South Clark Street as widened (said West line being, 20.00 feet West of and parallel with the East line of said Block 107) with the North line of Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet; thence Northwesterly, 127.55 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, .35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 32.10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence South 89 degrees 56 minutes 02 seconds East along said South line 70.45 feet to the Southerly extension of the West line of the aforesaid South La Salle Street; thence South 0 degrees 00 minutes 27 seconds West along said Southerly extension, 381.35 feet to the North line of Lot 6 in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West along said North line of Lot 6, 4.05 feet to the Northwest corner of said Lot 6; thence South 0 degrees 00 minutes 00 seconds West along the West line of said Lot 6 and its extension, 108.00 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence South 89 degrees 56 minutes 02 seconds East along said center line, 138.00 feet to a line 122.00 feet West of and parallel with the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said parallel line, 213.60 feet to the point of intersection with a line drawn 141.00 feet North of and parallel with the North line of the aforesaid Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East along said parallel line 122.00 feet to the West line of the aforesaid South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line, 141.00 feet to the hereinafore designated point of beginning, in Cook County, Illinois.

(ALL AFFECT THIS PARCELL 2 AND OTHER PROPERTY BEING PARTS OF PARCELS 3, 4 AND 8
HEREIN)

PARCEL 3:

That part of Blocks 103 through 110, both inclusive, in the School Section Addition to Chicago in the Southeast 1/4 of Section 16, Township 39 North, Range 14 East of the Third Principal Meridian; together with that part of various streets, alley and Stowell Slip (or Canal) all taken as a tract bounded and described as follows:

Commencing at the point of intersection of the West line of South Clark Street as widened (said West line being 20.00 feet West of and parallel with the East line of said Block 107) with the North line of West Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet to the point of beginning of the tract herein, described; thence Northwesterly, 127.56 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 691.35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence continuing Northwesterly 126.25 feet along a continuation of the last described arc, being convex Westerly, having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.26 feet to a point on the South line of West Polk Street, said point being 50.54 feet West of the Northeast corner of Lot 3 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in the aforesaid School Section Addition to Chicago; thence North 89 degrees 53 minutes 28 seconds West along the South line of West Polk Street, 168.57 feet to the Northwest corner of Lot 1 in Block 103 in aforesaid Adam's and Parker's Subdivision; thence South 0 degrees 02 minutes 09 seconds East, along the East line of South Sherman Street and its Southerly extension, 1217.87 feet to the South line of Block 105 in the aforesaid School Section Addition to Chicago (being also, the North line of Stowell's Subdivision of Blocks 106 and 107 in the aforesaid school Section Addition to Chicago); thence South 89 degrees 56 minutes 02 seconds East 122.14 feet to a point on the North line of Lot 9 in Stowell's Subdivision, said point being 40.00 feet West of the Northeast corner thereof; thence South 9 degrees 27 minutes 37 seconds East 91.26 feet to a point on the North line of West Stowell Street, said point being 25.00 feet West of the Southeast corner of the aforesaid Lot 9; thence South 4 degrees 45 minutes 47 seconds East 36.13 feet to a point on the South line of West Stowell Street (being also the North line of Lot 15 in the aforesaid Stowell's

bdivision) said point being 334.00 feet West of the aforesaid West line of South Clark Street as widened (being also 334.00 feet West of the Northeast corner of Lot 17 in Stowell's Subdivision); thence South 6 degrees 24 minutes 51 seconds East 196.93 feet to a point on the center line of Stowell Slip (or Canal) said point being on a line drawn 141.00 feet North of and parallel with the North line of West Roosevelt Road; thence North 89 degrees 57 minutes 15 seconds West, along the aforesaid line drawn 141.00 feet North and parallel, 88.00 feet; thence South 0 degrees 00 minutes 00 seconds East, along a line drawn parallel with the West line of South Clark Street, 141.00 feet to the aforesaid North line of West Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East, along said North line, 181.05 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001 Volume: 511
 17-16-410-016-6002
 17-16-410-017-6001
 17-16-410-017-6002
 17-16-410-018-6001
 17-16-410-018-6002
 17-16-410-014

(ABOVE PINS AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-416-009 Volume: 511
 17-16-416-015

AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005 Volume: 511
 17-16-416-006
 17-16-416-007

(AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 4 AND 8 HEREIN)

PARCEL 4:

That part of Block 108 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various lots, street and vacated alley in Stowell's Subdivision of Blocks 106 and 107 in said School Section Addition and part of Stowell Slip or Canal in said Block 107, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the South line of West Taylor Street (being also the North line of said Block 108) with the West line of South Clark Street as widened, said West line being 20.00 feet West of and parallel with the East line of the aforesaid Blocks 108 and 109; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened 702.91 feet to a line drawn 141.00 feet North of and parallel with the North line of Roosevelt Road (said North line being the South line of the aforesaid Block 107); thence North 89 degrees 57 minutes 15 seconds West, along said parallel line 122.00 feet; thence North 0 degrees 00 minutes 00 seconds East along a line parallel with said West line of South Clark Street as widened, 213.60 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West

along said center line, 138.00 feet to the Southerly extension of the West line of Lot 6 in said Stowell's Subdivision; thence North 0 degrees 00 minutes 00 seconds East, 108.00 feet along the West line of said Lot 6, thence South 89 degrees 56 minutes 02 seconds East along the North line of said Lot 6, 4.05 feet to the point of intersection with the Southerly extension of the West line of South La Salle Street (said West line of La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence North 0 degrees 00 minutes 27 seconds East along said Southerly extension 381.35 feet to the South line of the aforesaid West Taylor Street; thence South 89 degrees 56 minutes 02 seconds East along said South line 255.91 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-006

Volume: 511

17-16-416-007

(AFFECT THIS PARCEL 4 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 8 HEREIN)

PARCEL 5:

The undivided one-half interest in the following described property vested in the Insured:

That part of Block 109 in School Section Addition to Chicago, and all of Lots 23, 26 and 29 and that part of Lots 19, 20, 24, 25 and 30, and part of the North and South 10 foot alley lying West of and adjoining said Lots 19, 24, 25 and 30 in Block 110 in Adams and Parker's Subdivision of Blocks 103 and 110 in said School Section Addition to Chicago in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the North line of West Taylor Street (being the South line of said Block 109) with the East line of South La Salle Street (being a line 40.00 feet East of and parallel with the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition) thence North 0 degrees 00 minutes 27 seconds East, 537.78 feet along said East line of South La Salle Street and the West line of the aforesaid Lots 29, 26, 23 and 20 (in Adams and Parker's Subdivision) to the South line of the North 1/2 of said Lot 20; thence South 89 degrees 54 minutes 18 seconds East along said South line and its extension, 125.83 feet to the point of intersection with a line drawn 90.00 feet West of and parallel with the West line of South Clark Street as widened, said West line being 20.00 feet West of the East line of the aforesaid Block 109; thence South 0 degrees 00 minutes 00 seconds West along said line drawn 90.00 feet West and parallel, 139.60 feet to the South line of said Lot 30; thence South 89 degrees 54 minutes 45 seconds East along said South line 90.00 feet to the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened, 398.08 feet to the aforesaid North line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along said North line 215.90 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-008-6001

Volume: 511

17-16-412-008-6002

BLOCK 109 OUTSIDE GURNEE'S SUB

Permanent Tax Number: 17-16-412-006-6001
17-16-412-006-6002

Volume: 511

(AFFECTS ONLY PARCEL 5)

PARCEL 6:

The undivided one-half interest in the following described property vested in the Insured:

That part of Lots 3, 4, 9, 10, 15, 16, 21, 22, 27 and 28 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, also that part of Lots 1 to 16, both inclusive in Block 109 of W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in said School Section Addition to Chicago, also that part of West Taylor Street vacated per ordinance passed February 11, 1901, all taken as a tract; bounded and described as follows:

Beginning at the Northeast corner of the aforesaid Lot 3 in Adam's and Parker's Subdivision; thence South 0 degrees 00 minutes 27 seconds West along the West line of South La Salle Street and its extension, being also the East line of the aforesaid Lots and their extension, 836.35 feet to the South line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along the South line of vacated West T or Street per ordinance passed February 11, 1901, 70.46 feet; thence Northwesterly 126.25 feet along the arc of a circle convex Westerly having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.25 feet to a point on the South line of West Polk Street (being the North line of the aforesaid Lot 3 in Adam's and Parker's Subdivision) said point being 50.54 feet West of the hereinabove designate point of beginning; thence South 89 degrees 53 minutes 28 seconds East along said South line, 50.54 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-009-6001
17-16-412-009-6002

Volume: 511

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-411-002-6001
17-16-411-002-6002
17-16-411-002-8001

Volume: 511

(AFFECT ONLY PARCEL 6)

PARCEL 7:

Lots 2, 5, 8, 11, 14, 17, 20, 23, 25 and 29 in Block 103 of Adams and Parker's Subdivision of Blocks 103 and 111 in School Section Addition to Chicago in Section 1 Township 39 North, Range 14 East of the Third Principal Meridian, also Lots 4 to 3., both inclusive in Block 104 of Gurnee's Subdivision of Blocks 104 and the West 1/2 of Block 109 in School Section Addition to Chicago in Section 16, in Cook County, Illinois.

MS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001
17-16-410-016-6002
17-16-410-017-6001
17-16-410-017-6002
17-16-410-018-6001
17-16-410-018-6002
17-16-410-012
17-16-410-014

Volume: 511

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-410-009
17-16-410-015

Volume: 511

(ALL PINS EXCEPT 17-16-410-012 AFFECT THIS PARCEL 7 AND OTHER PROPERTY BEING PART OF PARCEL 3 HEREIN)

(PERMANENT INDEX NUMBER 17-16-410-012 AFFECTS ONLY PARCEL 7)

PARCEL 8:

That part of Blocks 105 and 106 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, and of Lots 9 to 15 in Stowell's Subdivision of Blocks 106 and 107 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

inning at a point on the North line of West Roosevelt Road, 400 feet West of the West line of South Clark Street; thence North along a line parallel with and 400 feet West of said West line of Clark Street, a distance of 141 feet more or less to the center of a canal slip; thence East along a line parallel with and 141 feet North of the North line of said Roosevelt Road a distance of 88 feet; thence Northwesterly along a straight line to a point in the North line of Lot 15 in said Stowell's Subdivision, 334 feet West of the West line of South Clark Street; thence Northwesterly to a point in the South line of Lot 9 in said Stowell's Subdivision, 25 feet West of the East line of said Lot 9; thence Northwesterly to a point in the North line of said Lot 9, 40 feet West of the East line of said Lot 9; thence Westerly along the North line of said Lot 9 to a point in the East line, extended Southerly, of Sherman Street; thence North along said East line extended to a point in the North line of Block 105 aforesaid; thence West along the North line of said Block 105 to a point on the West line of South Wells Street, as same now exists North of Taylor Street, produced South, running thence South along said West line of South Wells Street, produced South, a distance of 100.90 feet; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet, a distance of 180.16 feet to the point of tangency, said point being 280.8 feet South from the South line of Taylor Street, produced East, measured parallel with the West line of South Clark Street, and 787.91 feet West of the West line of South Clark Street, as now established, measured parallel with the South line of Taylor Street; thence running Southerly along a straight line, a distance of 508.47 feet to a point of curve, said point of curve being 57.28 feet North from the North line of West Roosevelt Road, as now widened, measured parallel to the West line of South Clark Street and 739.73 feet West from the West line of Clark Street, as now established, measured parallel with the North line of West Roosevelt Road; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet a distance of 57.64 feet to a point on the North line of West Roosevelt Road, as now widened, said point

being 733.41 feet West of the West line of South Clark Street, as now established, as
measured along the North line of West Roosevelt Street as now widened; thence East
along the North line of West Roosevelt Road to the point of beginning, in Cook
County, Illinois.

BLOCK 105 TO 108 INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005

Volume: 511

.17-16-416-006

17-16-416-007

(ALL PINS AFFECT THIS PARCEL 8 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 4
HEREIN)

EXHIBIT D

DESCRIPTION OF FORECLOSURE PROCEEDINGS

200 Park Plaza Naperville, Illinois

On November 8, 1995, Plaintiff Teachers Insurance and Annuity Association ("Teachers") filed a verified complaint in the Circuit Court of Dupage County, Illinois, Eighteenth Judicial Circuit, against defendants, LaSalle National Bank, as Trustee under Trust Agreement dated September 4, 1984 (Trust No. 108920), 200 Park Plaza Associates, W/H Partnership No.2, Matthew M. Walsh, Jr., Daniel J. Walsh, John W. Higgins, Christopher Noon and Walsh, Higgins & Co. Teacher's complaint sought a judgement of foreclosure and other relief, including a judicial sale of the 200 Park Plaza (the "Property"). Defendants answered and set forth various affirmative defenses and counterclaims.

On November 1, 1996, the circuit court entered an order granting plaintiff's renewed motion for summary judgement as to defendants' affirmative defenses. On December 2, 1996, the circuit court entered a judgement of foreclosure and sale ordering the judicial sale of the Property. On December 6, 1996, defendants' filed a notice of appeal from the judgement of foreclosure and sale.

On April 10, 1997, the trial court entered an order granting plaintiff's motion for summary judgement as to defendants' counterclaims. Defendants appealed from the order on that day, April 10, 1997.

On April 29, 1997, Teachers purchased the Property at the judicial sale. On May 13, 1997, the circuit court entered an Order confirming and approving the sale of the Property to Teachers ("Confirmation Order"). On June 11, 1997, one of the defendants, Walsh, Higgins & Company, filed a motion to vacate the May 13, 1997 order. In response to the motion, the circuit court entered an order on August 18, 1997, providing, *inter alia*, that the Confirmation Order shall remain in full force and effect (the "Modified Confirmation Order"). Defendants appealed from the Confirmation Order and the Modified Confirmation Order on June 11, 1997 and August 28, 1997, respectively.

The appeals were consolidated in the Illinois Appellate Court, Second District. On March 6, 1998, The Appellate Court affirmed the circuit court. The Appellate Court denied defendants' Petition for Rehearing on April 2, 1998. On October 26, 1998, The Supreme Court of Illinois denied defendants Petition for Leave to Appeal. On February 22, 1999, the Supreme Court of the United States denied defendants' Petition for Writ of Certiorari, thus ending all avenues of appeal.

LaSalle Park (Location Described in Section I.H)

Lumbermens Mutual Casualty Company commenced a mortgage foreclosure action concerning LaSalle Park in the Circuit Court of Cook County on August 10, 1998, entitled Lumbermens Mutual Casualty Company vs. American National Bank and Trust Company of Chicago, et.al. No. 98CH10604. The beneficiary of the trust at that time was W/H Limited Partnership No. 17. This action was dismissed several months later.

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), 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.*

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

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 EDS. For example, with respect to a City loan or grant, the individual or entity applying for 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

8002521

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.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

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; and (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: H Investments LLC

B. Business address: 200 West Madison Street, Suite 2500
Chicago, IL 60606

C. Telephone: (312) 750-8444

D. Fax: (312) 920-2315

E. Name of contact person: Scott T. Stevens

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

G. Type of action requested: Tax Increment Financing via two (2) City notes.

H. Project location: 24-acre property bounded generally by Polk Street on the north side, Clark Street on the east side, Roosevelt on the south side and Wells Street on the west side.

I. Brief project description: See Attached Exhibit A.

J. Description and purpose of requested City assistance: Various infrastructure improvements for the purpose of making our site and adjacent sites marketable.

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 proprietorship
- Other entity (please specify) _____

2. State of incorporation or organization, if applicable: _____
Delaware

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?

- Yes No

B. ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

a. List below the names and titles of the executive officers and directors, of the corporation.

Name	Title
------	-------

N/A	

b. For business corporations with 100 or more shareholders, list below the name, business address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 7.5 percent of the total issued and outstanding shares.

Name	Business Address	Percentage Interest
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N/A		

c. For business corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder.

Name	Business Address	Percentage Interest
------	------------------	---------------------

N/A		

- d. For not-for-profit corporations, list below the name, business address and percentage of control of each member. If there are no members, write "no members."

Name	Business Address	Percentage Control
N/A		

2. FOR PARTNERSHIPS:

For general or limited partnerships: list below the name, business 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 / Business Address	Percentage	Interest
N/A		

3. FOR LIMITED LIABILITY COMPANIES:

- a. List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers."

Name	Title
John Kevin Poorman	President and Secretary
Scott T. Stevens	Vice President and Treasurer

b. List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers."

Name	Business Address	Percentage Interest
HTF LLC	200 W. Madison St. Suite 2500 Chicago, IL 60606	Member - 100%
John Kevin Poorman	200 W. Madison St. Suite 3700 Chicago, IL 60606	Manager

4. FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:

a. List below 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 the name, business address and percentage of beneficial interest of each beneficiary on whose behalf title is held:

Name	Business Address	Percentage Interest
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 the name, business 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 (i) the name of each individual or legal entity whose ownership interest is constructively controlled, (ii) the name, business 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

III. OTHER PROJECT INFORMATION

A. List below the name and business address of each individual or legal entity currently holding legal title to the property for which City assistance is being requested (the "Property"):

Clark/Taylor L.L.C. (100% of Parcels 2,3,4,7 & 8)

101 E. Erie Suite 800 (50% of Parcels 5 & 6)

Chicago, IL 60611

Devon Trust No. 4764 (50% of Parcels 5 & 6)

6445 North Western Ave.

Chicago, IL 60645

B. If title to the Property is held in a land trust, list below the name, business 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:

Devon Trust No. 4764 Beneficiary:

Allright Realty Company Wholly Owned Subsidiary 100%

Of CPS Parking

221 N. LaSalle St. Suite 626 Chicago, IL 60601

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

See attached Exhibit B

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 may halt any requested City action.

N/A

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

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

Yes No

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

Yes No

C. ever had a judgment entered against him/her/it?

Yes No

D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?

Yes No

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 hereof:

- (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 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 or any other Environmental Restriction; or
- (3) been subject to any fine or penalty of any nature for failure to comply with 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 or any other Environmental Restriction.

B. If the undersigned is unable to certify to any of the above statements in this Section V, the undersigned shall identify all exceptions and indicate whether any such exceptions occurred within the City or otherwise pertain to the City:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

- C. The undersigned covenants and agrees that the undersigned shall:
- (1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision 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 or any other Environmental Restriction;
 - (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
 - (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.
- D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.
- E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has reason to believe that such contractor or subcontractor has,

within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.

- F. Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or subcontractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A) - (B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.
- H. Definitions:
 - (1) 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.
 - (2) "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directly 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: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 *et seq.*); (b) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq.*); (c) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*); (d) the Clean Water Act (33 U.S.C. § 1251 *et seq.*); (e) the Clean Air Act (42 U.S.C. § 7401 *et seq.*); (f) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 *et seq.*); (g) the Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); (h) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 *et seq.*); (i) the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 *et seq.*); and (j) 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. If the undersigned is an individual or sole proprietorship, the "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 has a 50 percent percentage of interest in Corporation B, then such individual indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. 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.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term

of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) below constitutes an event of default.

Check one:

- A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, 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.
- C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction 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 a 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) .
- D. There are no Substantial Owners.

VII. CERTIFICATION

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

- A. 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.

- B. Except as described in Section III (D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges 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; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.

- C. 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.

- D. 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.
- E. The undersigned and its principals:
- (1) 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;
 - (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense 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;
 - (3) are not 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; and
 - (4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.
- F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the

undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or 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 of America, in that officer's or employee's official capacity;
- (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or 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
- (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.

G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

H. Neither the undersigned nor any employee, official, agent or partner of the undersigned 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, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time;

or (3) any similar offense of any state or of the United States of America which contains the same elements as the offense of bid-rigging or bid-rotating.

- I. If the undersigned is unable to certify to any of the above statements in this Section VII, the undersigned shall explain below:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.
- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's certification or any other information known or obtained by the undersigned, has reason to believe that:
- (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent

or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made an admission of guilt of any of the conduct listed in Section VII(F) above;

- (2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United States of America which contains the same elements as bid-rigging or bid-rotating; or
- (3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.

C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.

D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 *et seq.* (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."

None

- B. The undersigned certifies that it has not and shall not expend any Federal appropriated funds to pay any person for influencing or attempting 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 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. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section IX(A) above for his/her lobbying activities in connection with the Transaction.
- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. 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 Transaction, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.

F. The undersigned shall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned shall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.

B. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.

C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor will be subject to the equal opportunity clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity

[] Yes

[] No

XII. RETAINED PARTIES

A. Definitions and Disclosure Requirements

1. Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the undersigned has retained or expects to retain in connection with the contract or lease. In particular, the undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.

2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.

3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B. Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Business Name/Address	Relationship (Attorney, Contractor, etc.)	Fee (indicated whether paid or estimated)
--------------------------	---	--

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED: X

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

A. Definitions and Disclosure Requirement

1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.

2. A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. Certification

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

[] Yes

[X] No

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

N/A

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.

B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

C. 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 undersigned 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.

H Investments LLC

By: _____

Title of signatory: _____ President _____

Print or type
name of signatory: _____ John Kevin Poorman _____

Date: _____, 2000

Subscribed to before me this _____ day of _____ ,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

(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.

H Investments LLC

By: _____

Title of signatory: President

Print or type
name of signatory: John Kevin Poorman

Date: _____, 2000

Subscribed to before me this day of _____,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

EXHIBIT A

PHASE I IMPROVEMENTS

- Construction and dedication of a 70-foot public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities on South Wells Street between West Taylor Street and West Roosevelt Road.
- Construction of a temporary bus turnaround at the south end of the South Wells Street extension; provided, however, that Developer will not be obligated to construct the turnaround unless and until the Chicago Transit Authority provides service down South Wells Street and notifies Developer of its intention to provide such service.
- Construction of improvements at the southern intersection of West Polk and South LaSalle Streets, including a sidewalk, curb and gutter (to close South LaSalle Street following its vacation).
- Construction and dedication of a 20-foot alley between South Wells Street and the alley next east of South Wells Street (in a location as depicted in Exhibit C).
- Construction and dedication of a 5-foot strip of land (in a location as depicted on Exhibit C) between the aforementioned 20-foot alley and the north line of West Taylor Street.
- Construction of improvements to South Wells Street from the north line of West Taylor Street to a point approximately 500 feet north of West Taylor Street, including curbs, gutters, additional pavement to meet existing pavement, sidewalks (on the east side of South Wells Street only) and landscaping.

Note: The Phase I Improvements are fully described on plans entitled "LaSalle Park Development Phase I" consisting of sheets G-1 - G-2, C-1 - C-26, L-1 and E-1 - E-11. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated March 1, 2000.

PHASE II IMPROVEMENTS

- Construction and dedication of a public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities for a relocated South Financial Place between West Polk Street and West Taylor Street; said relocated South Financial Place right of way to be 60 feet wide from the south line of West Polk Street and then narrowing to 50 feet at a line approximately 198.75 feet south of and parallel to the south line of West Polk Street (in a location as depicted on Exhibit C).
- Construction of improvements to West Polk Street between the Metra Tracks and South Wells Street, including construction and installations of curbs, gutters, sidewalks, parkways and landscaping.

- Installation of traffic signals at the Wells/Taylor, Polk/Wells and Polk/Financial Place intersections, if warranted.
- To the extent necessary, construction and dedication of improvements to West Taylor Street, including curbs, gutters, sidewalks, parkways, street lights and utilities between the relocated South Financial Place and South Wells Street.

Note: The Phase II Improvements are fully described on plans entitled "LaSalle Park Development Phase II" consisting of sheets G-1 - G-2, C-1 - C-26, S-1 and E-1 - E-9. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated August 13, 1999.

RIGHTS OF WAY TO BE VACATED

- South LaSalle Street between West Polk Street and West Taylor Street;
- West Stowell Street between South Clark Street and the Metra Right-of-Way;
- The alley next west of South Clark Street between West Polk Street and a line approximately 398 feet north of West Taylor Street;
- West Taylor Street between South Clark Street and the Metra Right-of-Way;
- South Financial Place between West Polk Street and West Taylor Street;
- The alley next west of South Wells Street from a line approximately 393 feet south of West Polk Street and West Taylor Street; and
- A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

RIGHTS OF WAY TO BE DEDICATED

1. An extension of South Wells Street beginning at the south line of West Taylor Street and extending to a point on the north line of West Roosevelt Road;
2. An approximately 5 foot x 283 foot strip of land to the east of the east line of South Wells Street and north of the north line of West Taylor Street;
3. A 20 foot east-west alley (to be located approximately 283 feet north of West Taylor Street) to allow for ingress/egress of the alley next east of South Wells Street;
4. A relocated South Financial Place (the east edge of which will be located approximately 10 feet to the west of the Metra Right-of-Way) to replace the vacated South Financial Place; and
5. A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

EXHIBIT B

REAL ESTATE TAX INDEX NUMBERS

17-16-410-009
17-16-410-012
17-16-410-014
17-16-410-015
17-16-410-019
17-16-410-020
17-16-410-021
17-16-411-003
17-16-411-004
17-16-412-010
17-16-412-011
17-16-412-012
17-16-412-013
17-16-416-005
17-16-416-006
17-16-416-007

EXHIBIT C

SITE PLAN & LEGAL DESCRIPTION OF PROJECT



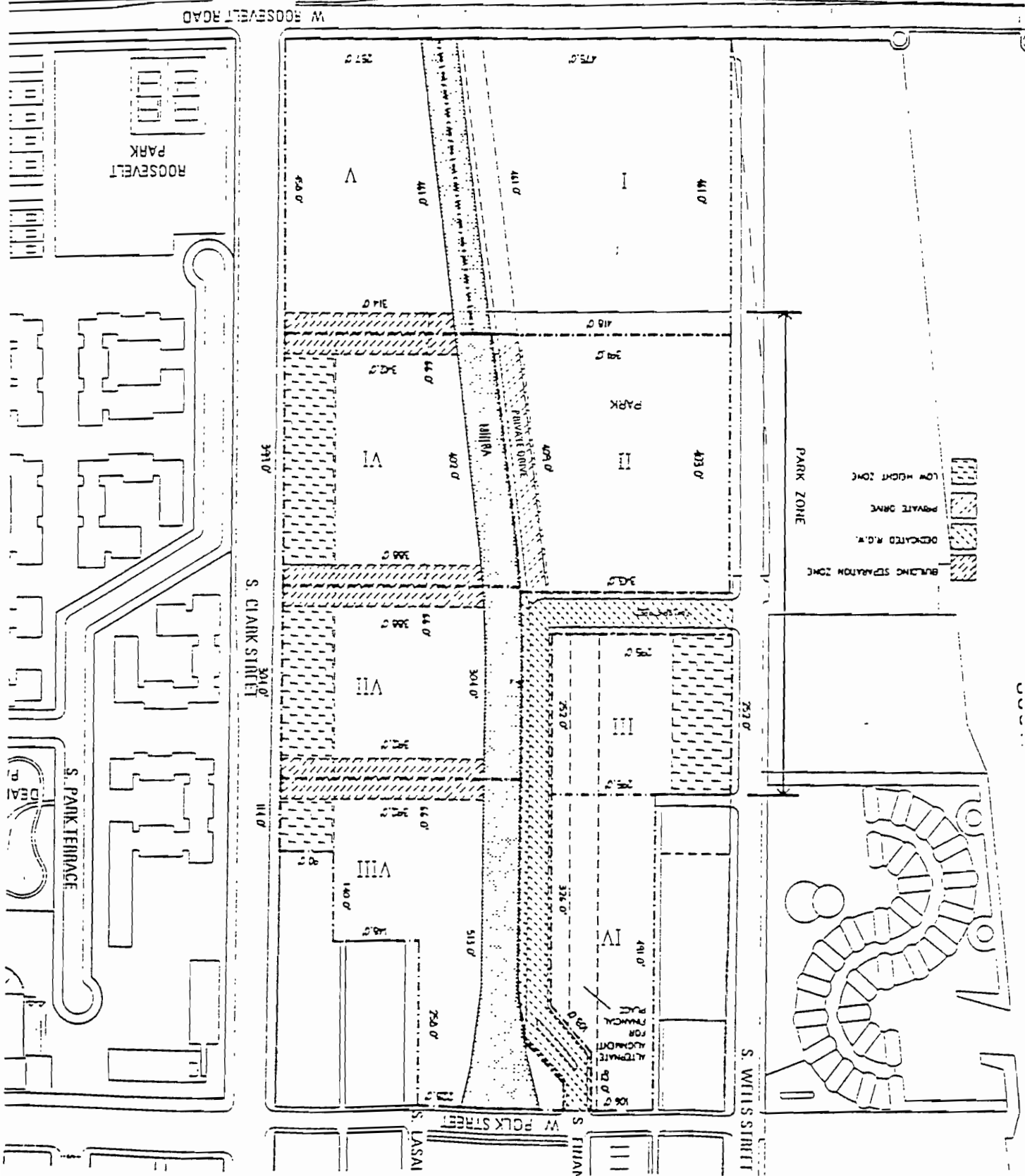
ARCHITECTS
 187 N. MICHIGAN AVE.
 CHICAGO
 ILLINOIS 60611
 U.S.A.

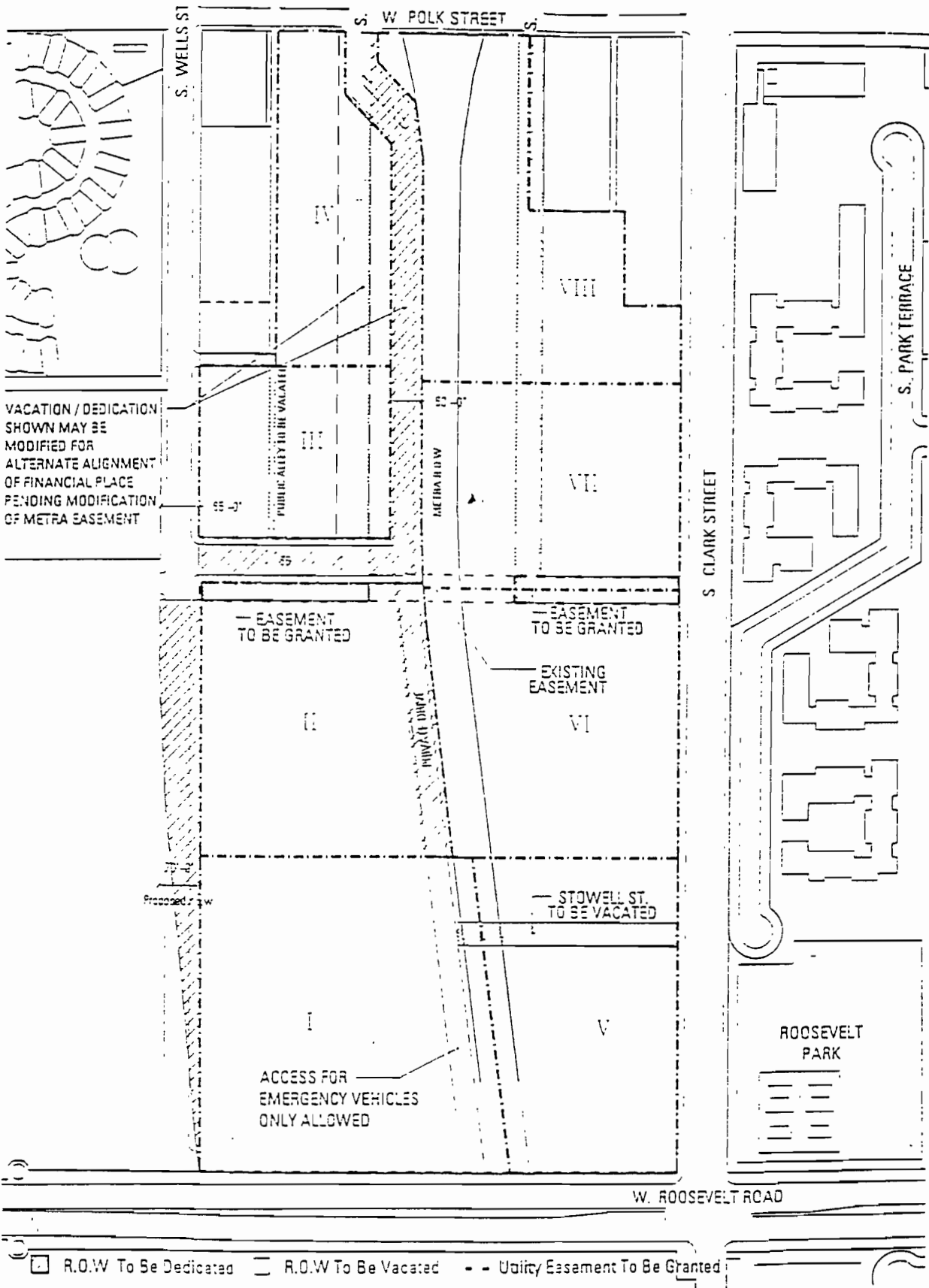
LaSalle Park Chicago, IL


Sub-Area Plan

Walsh Higgins & Company
 Developers
 11 DEC 1998

BUILDING SEPARATION ZONES SHOWN IN CONCEPTUAL LOCATIONS. ACTUAL LOCATIONS MAY VARY DEPENDING UPON DEVELOPMENT. THE PARK LOCATION MAY BE ADJUSTED BY APPLICANT WITHIN THE PARK ZONE PER THE REQUIREMENTS OF THIS P.O.






LUCIEN LAGARRRE AND ASSOCIATES
 485 N MICHIGAN AVE
 CHICAGO
 ILLINOIS 60611
 USA
 ARCHITECTS

LaSalle Park
 Chicago, IL

Public R.O.W.
 Adjustment Map

Wain Higgins & Company
 Developers
 17 Nov 1998

LEGAL DESCRIPTION OF PROJECT

PARCEL 2:

That part of Blocks 107 and 108 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various lots and street in Stowell's Subdivision of Block 106 and 107 in said School Addition to Chicago and part of Stowell Slip or canal in said Block 107, all taken as a tract bounded and described as follows:

Beginning at the point of intersection of the West line of South Clark Street as widened (said West line being, 20.00 feet West of and parallel with the East line of said Block 107) with the North line of Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet; thence Northwesterly, 127.55 feet along the arc of a circle convex westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, .35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex westerly having a radius of 1309.05 feet and whose chord of 32.10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.45 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence South 89 degrees 56 minutes 02 seconds East along said South line 70.45 feet to the Southerly extension of the West line of the aforesaid South La Salle Street; thence South 0 degrees 00 minutes 27 seconds West along said Southerly extension, 381.35 feet to the North line of Lot 6 in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West along said North line of Lot 6, 4.05 feet to the Northwest corner of said Lot 6; thence South 0 degrees 00 minutes 00 seconds West along the West line of said Lot 6 and its extension, 108.00 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence South 89 degrees 56 minutes 02 seconds East along said center line, 158.00 feet to a line 122.00 feet West of and parallel with the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said parallel line, 213.60 feet to the point of intersection with a line drawn 141.00 feet North of and parallel with the North line of the aforesaid Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East along said parallel line 122.00 feet to the West line of the aforesaid South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line, 141.00 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

(ALL AFFECT THIS PARCELL 2 AND OTHER PROPERTY BEING PARTS OF PARCELS 3, 4 AND 8
HEREIN)

PARCEL 3:

That part of Blocks 103 through 110, both inclusive, in the School Section Addition to Chicago in the Southeast 1/4 of Section 16, Township 39 North, Range 14 East of the Third Principal Meridian; together with that part of various streets, alley and Stowell Slip (or Canal) all taken as a tract bounded and described as follows:

Commencing at the point of intersection of the West line of South Clark Street as widened (said West line being 20.00 feet West of and parallel with the East line of said Block 107) with the North line of West Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet to the point of beginning of the tract herein, described; thence Northwesterly, 127.56 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 691.35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence continuing Northwesterly 126.25 feet along a continuation of the last described arc, being convex Westerly, having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.26 feet to a point on the South line of West Polk Street, said point being 50.54 feet West of the Northeast corner of Lot 3 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in the aforesaid School Section Addition to Chicago; thence North 89 degrees 53 minutes 28 seconds West along the South line of West Polk Street, 168.57 feet to the Northwest corner of Lot 1 in Block 103 in aforesaid Adam's and Parker's Subdivision; thence South 0 degrees 02 minutes 09 seconds East, along the East line of South Sherman Street and its Southerly extension, 1217.87 feet to the South line of Block 105 in the aforesaid School Section Addition to Chicago (being also, the North line of Stowell's Subdivision of Blocks 106 and 107 in the aforesaid school Section Addition to Chicago); thence South 89 degrees 56 minutes 02 seconds East 122.14 feet to a point on the North line of Lot 9 in Stowell's Subdivision, said point being 40.00 feet West of the Northeast corner thereof; thence South 9 degrees 27 minutes 37 seconds East 91.26 feet to a point on the North line of West Stowell Street, said point being 25.00 feet West of the Southeast corner of the aforesaid Lot 9; thence South 4 degrees 45 minutes 47 seconds East 36.13 feet to a point on the South line of West Stowell Street (being also the North line of Lot 15 in the aforesaid Stowell's

bdivision) said point being 334.00 feet West of the aforesaid West line of South Clark Street as widened (being also 334.00 feet West of the Northeast corner of Lot 17 in Stowell's Subdivision); thence South 6 degrees 24 minutes 51 seconds East 196.93 feet to a point on the center line of Stowell Slip (or Canal) said point being on a line drawn 141.00 feet North of and parallel with the North line of West Roosevelt Road; thence North 89 degrees 57 minutes 15 seconds West, along the aforesaid line drawn 141.00 feet North and parallel, 88.00 feet; thence South 0 degrees 00 minutes 00 seconds East, along a line drawn parallel with the West line of South Clark Street, 141.00 feet to the aforesaid North line of West Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East, along said North line, 181.05 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001 Volume: 511
 17-16-410-016-6002
 17-16-410-017-6001
 17-16-410-017-6002
 17-16-410-018-6001
 17-16-410-018-6002
 17-16-410-014

(ABOVE PINS AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-416-009 Volume: 511
 17-16-416-015

AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005 Volume: 511
 17-16-416-006
 17-16-416-007

(AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 4 AND 8 HEREIN)

PARCEL 4:

That part of Block 108 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various lots, street and vacated alley in Stowell's Subdivision of Blocks 106 and 107 in said School Section Addition and part of Stowell Slip or Canal in said Block 107, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the South line of West Taylor Street (being also the North line of said Block 108) with the West line of South Clark Street as widened, said West line being 20.00 feet West of and parallel with the East line of the aforesaid Blocks 108 and 109; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened 702.91 feet to a line drawn 141.00 feet North of and parallel with the North line of Roosevelt Road (said North line being the South line of the aforesaid Block 107); thence North 89 degrees 57 minutes 15 seconds West, along said parallel line 122.00 feet; thence North 0 degrees 00 minutes 00 seconds East along a line parallel with said West line of South Clark Street as widened, 213.60 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West

along said center line, 138.00 feet to the Southerly extension of the West line of Lot 6 in said Stowell's Subdivision; thence North 0 degrees 00 minutes 00 seconds East, 108.00 feet along the West line of said Lot 6, thence South 89 degrees 56 minutes 02 seconds East along the North line of said Lot 6, 4.05 feet to the point of intersection with the Southerly extension of the West line of South La Salle Street (said West line of La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence North 0 degrees 00 minutes 27 seconds East along said Southerly extension 381.35 feet to the South line of the aforesaid West Taylor Street; thence South 89 degrees 56 minutes 02 seconds East along said South line 255.91 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-006

Volume: 511

17-16-416-007

(AFFECT THIS PARCEL 4 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 8 HEREIN)

PARCEL 5:

The undivided one-half interest in the following described property vested in the Insured:

That part of Block 109 in School Section Addition to Chicago, and all of Lots 23, 25 and 29 and that part of Lots 19, 20, 24, 25 and 30, and part of the North and South 10 foot alley lying West of and adjoining said Lots 19, 24, 25 and 30 in Block 110 in Adams' and Parker's Subdivision of Blocks 103 and 110 in said School Section Addition to Chicago in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the North line of West Taylor Street (being the South line of said Block 109) with the East line of South La Salle Street (being a line 40.00 feet East of and parallel with the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition) thence North 0 degrees 00 minutes 27 seconds East, 537.78 feet along said East line of South La Salle Street and the West line of the aforesaid Lots 29, 26, 23 and 20 (in Adams' and Parker's Subdivision) to the South line of the North 1/2 of said Lot 20; thence South 89 degrees 54 minutes 18 seconds East along said South line and its extension, 125.83 feet to the point of intersection with a line drawn 90.00 feet West of and parallel with the West line of South Clark Street as widened, said West line being 20.00 feet West of the East line of the aforesaid Block 109; thence South 0 degrees 00 minutes 00 seconds West along said line drawn 90.00 feet West and parallel, 139.60 feet to the South line of said Lot 30; thence South 89 degrees 54 minutes 45 seconds East along said South line 90.00 feet to the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened, 398.08 feet to the aforesaid North line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along said North line 215.90 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-008-6001

Volume: 511

17-16-412-008-6002

BLOCK 109 OUTSIDE GURNEE'S SUB

Permanent Tax Number: 17-16-412-006-6001

Volume: 511

17-16-412-006-6002

(AFFECTS ONLY PARCEL 5)

PARCEL 6:

The undivided one-half interest in the following described property vested in the Insured:

That part of Lots 3, 4, 9, 10, 15, 16, 21, 22, 27 and 28 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, also that part of Lots 1 to 16, both inclusive in Block 109 of W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in said School Section Addition to Chicago, also that part of West Taylor Street vacated per ordinance passed February 11, 1901, all taken as a tract; bounded and described as follows:

Beginning at the Northeast corner of the aforesaid Lot 3 in Adam's and Parker's Subdivision; thence South 0 degrees 00 minutes 27 seconds West along the West line of South La Salle Street and its extension, being also the East line of the aforesaid Lots and their extension, 836.35 feet to the South line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along the South line of vacated West Taylor Street per ordinance passed February 11, 1901, 70.46 feet; thence Northwesterly 126.25 feet along the arc of a circle convex Westerly having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.25 feet to a point on the South line of West Polk Street (being the North line of the aforesaid Lot 3 in Adam's and Parker's Subdivision) said point being 50.54 feet West of the hereinabove designate point of beginning; thence South 89 degrees 53 minutes 28 seconds East along said South line, 50.54 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-009-6001

Volume: 511

17-16-412-009-6002

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-411-002-6001

Volume: 511

17-16-411-002-6002

17-16-411-002-8001

(AFFECT ONLY PARCEL 6)

PARCEL 7:

Lots 2, 5, 8, 11, 14, 17, 20, 23, 25 and 29 in Block 103 of Adams and Parker's Subdivision of Blocks 103 and 111 in School Section Addition to Chicago in Section 16 Township 39 North, Range 14 East of the Third Principal Meridian, also Lots 4 to 32, both inclusive in Block 104 of Gurnee's Subdivision of Blocks 104 and the West 1/2 of Block 109 in School Section Addition to Chicago in Section 16, in Cook County, Illinois.

MS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001
17-16-410-016-6002
17-16-410-017-6001
17-16-410-017-6002
17-16-410-018-6001
17-16-410-018-6002
17-16-410-012
17-16-410-014

Volume: 511

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-410-009
17-16-410-015

Volume: 511

(ALL PINS EXCEPT 17-16-410-012 AFFECT THIS PARCEL 7 AND OTHER PROPERTY BEING PART OF PARCEL 3 HEREIN)

(PERMANENT INDEX NUMBER 17-16-410-012 AFFECTS ONLY PARCEL 7)

PARCEL 8:

That part of Blocks 105 and 106 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, and of Lots 9 to 15 in Stowell's Subdivision of Blocks 106 and 107 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

inning at a point on the North line of West Roosevelt Road, 400 feet West of the West line of South Clark Street; thence North along a line parallel with and 400 feet West of said West line of Clark Street, a distance of 141 feet more or less to the center of a canal slip; thence East along a line parallel with and 141 feet North of the North line of said Roosevelt Road a distance of 88 feet; thence Northwesterly along a straight line to a point in the North line of Lot 15 in said Stowell's Subdivision, 334 feet West of the West line of South Clark Street; thence Northwesterly to a point in the South line of Lot 9 in said Stowell's Subdivision, 25 feet West of the East line of said Lot 9; thence Northwesterly to a point in the North line of said Lot 9, 40 feet West of the East line of said Lot 9; thence Westerly along the North line of said Lot 9 to a point in the East line, extended Southerly, of Sherman Street; thence North along said East line extended to a point in the North line of Block 105 aforesaid; thence West along the North line of said Block 105 to a point on the West line of South Wells Street, as same now exists North of Taylor Street, produced South, running thence South along said West line of South Wells Street, produced South, a distance of 100.90 feet; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet, a distance of 190.16 feet to the point of tangency, said point being 280.8 feet South from the South line of Taylor Street, produced East, measured parallel with the West line of South Clark Street, and 787.91 feet West of the West line of South Clark Street, as now established, measured parallel with the South line of Taylor Street; thence running Southerly along a straight line, a distance of 508.47 feet to a point of curve, said point of curve being 57.28 feet North from the North line of West Roosevelt Road, as now widened, measured parallel to the West line of South Clark Street and 739.73 feet West from the West line of Clark Street, as now established, measured parallel with the North line of West Roosevelt Road; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet a distance of 57.64 feet to a point on the North line of West Roosevelt Road, as now widened, said point

being 733.41 feet West of the West line of South Clark Street, as now established, as
measured along the North line of West Roosevelt Street as now widened; thence East
along the North line of West Roosevelt Road to the point of beginning, in Cook
County, Illinois.

BLOCK 105 TO 108 INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005

Volume: 511

.17-16-416-006

17-16-416-007

(ALL PINS AFFECT THIS PARCEL 8 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 4
HEREIN)

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), 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.*

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

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 EDS. For example, with respect to a City loan or grant, the individual or entity applying for 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.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

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; and (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: _____
Clark/Taylor, L.L.C.

B. Business address: 101 E. Erie, Suite 800 Chicago, IL 60611

C. Telephone: (312) 943-4999

D. Fax: (312) 943-9768

E. Name of contact person: John W. Higgins

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

G. Type of action requested: Tax Increment Financing via two (2) City notes.

H. Project location: 24-acre property bounded generally by Polk Street on the north side, Clark Street on the east side, Roosevelt on the south side and Wells Street on the west side.

I. Brief project description: See Attached Exhibit A.

J. Description and purpose of requested City assistance:

Various infrastructure improvements for the purpose of making our site and adjacent sites marketable.

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 proprietorship
- Other entity (please specify)_____

2. State of incorporation or organization, if applicable:

Delaware

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?

- Yes No

B. ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

- a. List below the names and titles of the executive officers and directors, of the corporation.

Name	Title
------	-------

N/A	

- b. For business corporations with 100 or more shareholders, list below the name, business address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 7.5 percent of the total issued and outstanding shares.

Name	Business Address	Percentage Interest
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N/A		

- C. For business corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder.

Name	Business Address	Percentage Interest
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N/A		

- d. For not-for-profit corporations, list below the name, business address and percentage of control of each member. If there are no members, write "no members."

Name	Business Address	Percentage Control
<u>N/A</u>		

2. FOR PARTNERSHIPS:

For general or limited partnerships: list below the name, business 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 / Business Address	Percentage	Interest
<u>N/A</u>		

3. FOR LIMITED LIABILITY COMPANIES:

- a. List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers."

Name	Title
<u>Penny Pritzker</u>	<u>Executive Committee Representative</u>

<u>John Kevin Poorman</u>	<u>Executive Committee Representative</u>
<u>John W. Higgins</u>	<u>Executive Committee Representative</u>
<u>Matthew M. Walsh, Jr.</u>	<u>Executive Committee Representative</u>
<u>Daniel J. Walsh</u>	<u>Executive Committee Representative</u>

b. List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers."

Name	Business Address	Percentage Interest
<u>CTL Investors, L.L.C.</u>	<u>200 W. Madison Suite 3700</u>	<u>16.67%</u>
	<u>Chicago, IL 60606</u>	
<u>W/H Limited</u>	<u>101 E. Erie Suite 800</u>	<u>83.33%</u>
<u>Partnership No. 17</u>	<u>Chicago, IL 60611</u>	
<u>No Managers</u>		

4. FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:

a. List below 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 the name, business address and percentage of beneficial interest of each beneficiary on whose behalf title is held:

Name	Business Address	Percentage Interest
<u>N/A</u>		

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 the name, business 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 (i) the name of each individual or legal entity whose ownership interest is constructively controlled, (ii) the name, business 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

III. OTHER PROJECT INFORMATION

A. List below the name and business address of each individual or legal entity currently holding legal title to the property for which City assistance is being requested (the "Property"):

Clark/Taylor L.L.C. (100% of Parcels 2,3,4,7 & 8)

101 E. Erie Suite 800 (50% of Parcels 5 & 6)

Chicago, IL 60611

Devon Trust No. 4764 (50% of Parcels 5 & 6)

6445 North Western Ave.

Chicago, IL 60645

B. If title to the Property is held in a land trust, list below the name, business 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:

Devon Trust No. 4764 Beneficiary:

Allright Realty Company Wholly Owned Subsidiary 100%

Of CPS Parking

221 N. LaSalle St. Suite 626 Chicago, IL 60601

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

See attached Exhibit B

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 may halt any requested City action.

N/A

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

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

Yes No

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

Yes No

C. ever had a judgment entered against him/her/it?

Yes No

D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?

Yes No (See Attached Exhibit D)

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 hereof:

- (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 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 or any other Environmental Restriction; or
- (3) been subject to any fine or penalty of any nature for failure to comply with 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 or any other Environmental Restriction.

B. If the undersigned is unable to certify to any of the above statements in this Section V, the undersigned shall identify all exceptions and indicate whether any such exceptions occurred within the City or otherwise pertain to the City:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

C. The undersigned covenants and agrees that the undersigned shall:

- (1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision 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 or any other Environmental Restriction;
- (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
- (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.

D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.

E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has reason to believe that such contractor or subcontractor has, within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim

relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.

- F. Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or subcontractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A) - (B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.
- H. Definitions:
- (1) 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.
 - (2) "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directly 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: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et

seq.); (b) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq.*); (c) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*); (d) the Clean Water Act (33 U.S.C. § 1251 *et seq.*); (e) the Clean Air Act (42 U.S.C. § 7401 *et seq.*); (f) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 *et seq.*); (g) the Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); (h) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 *et seq.*); (i) the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 *et seq.*); and (j) 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. If the undersigned is an individual or sole proprietorship, the "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 has a 50 percent percentage of interest in Corporation B, then such individual indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. 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.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the

City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) below constitutes an event of default.

Check one:

- A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, 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.
- C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction 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 a 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) .
- D. There are no Substantial Owners.

VII. CERTIFICATION

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

- A. 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.

- B. Except as described in Section III (D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges 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; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.

- C. 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.

- D. 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.
- E. The undersigned and its principals:
- (1) 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;
 - (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense 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;
 - (3) are not 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; and
 - (4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.
- F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the

undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or 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 of America, in that officer's or employee's official capacity;
- (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or 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
- (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.

G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

H. Neither the undersigned nor any employee, official, agent or partner of the undersigned 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, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time;

or (3) any similar offense of any state or of the United States of America which contains the same elements as the offense of bid-rigging or bid-rotating.

- I. If the undersigned is unable to certify to any of the above statements in this Section VII, the undersigned shall explain below:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.
- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's certification or any other information known or obtained by the undersigned, has reason to believe that:
- (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made

an admission of guilt of any of the conduct listed in Section VII(F) above;

- (2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United States of America which contains the same elements as bid-rigging or bid-rotating; or
- (3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.

C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.

D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq. (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."

None

- B. The undersigned certifies that it has not and shall not expend any Federal appropriated funds to pay any person for influencing or attempting 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 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. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section IX(A) above for his/her lobbying activities in connection with the Transaction.
- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. 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 Transaction, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.

F. The undersigned shall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned shall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.

B. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.

C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor will be subject to the equal opportunity clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity

[] Yes

[] No

XII. RETAINED PARTIES

A. Definitions and Disclosure Requirements

1. Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the undersigned has retained or expects to retain in connection with the contract or lease. In particular, the undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.

2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.

3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B. Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Business Name/Address	Relationship (Attorney, Contractor, etc.)	Fee (indicated whether paid or estimated)
<u>Alzheimer & Gray</u>	<u>Attorney</u>	<u>\$305,000 (Estimated)</u>
<u>10 S. Wacker Dr. Chicago, IL</u>		
<u>McDonough Associates, Inc.</u>	<u>Engineer</u>	<u>\$380,000 (Estimated)</u>
<u>180 N. Stetson Chicago, IL</u>		

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED:

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

A. Definitions and Disclosure Requirement

1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.

2. A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. Certification

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

[] Yes

[X] No

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

N/A

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.

B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

C. 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 undersigned 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.

Clark/Taylor, L.L.C, A Delaware Limited Liability Company

By: _____

Title of signatory: Representative

Print or type
name of signatory: John W. Higgins

Date: _____, 2000

Subscribed to before me this _____ day of _____ ,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

(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.

Clark/Taylor, L.L.C., A Delaware Limited Liability Company

By: _____

Title of signatory: Representative

Print or type
name of signatory: John W. Higgins

Date: _____, 2000

Subscribed to before me this day of _____,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

EXHIBIT A

PHASE I IMPROVEMENTS

- Construction and dedication of a 70-foot public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities on South Wells Street between West Taylor Street and West Roosevelt Road.
- Construction of a temporary bus turnaround at the south end of the South Wells Street extension; provided, however, that Developer will not be obligated to construct the turnaround unless and until the Chicago Transit Authority provides service down South Wells Street and notifies Developer of its intention to provide such service.
- Construction of improvements at the southern intersection of West Polk and South LaSalle Streets, including a sidewalk, curb and gutter (to close South LaSalle Street following its vacation).
- Construction and dedication of a 20-foot alley between South Wells Street and the alley next east of South Wells Street (in a location as depicted in Exhibit C).
- Construction and dedication of a 5-foot strip of land (in a location as depicted on Exhibit C) between the aforementioned 20-foot alley and the north line of West Taylor Street.
- Construction of improvements to South Wells Street from the north line of West Taylor Street to a point approximately 500 feet north of West Taylor Street, including curbs, gutters, additional pavement to meet existing pavement, sidewalks (on the east side of South Wells Street only) and landscaping.

Note: The Phase I Improvements are fully described on plans entitled "LaSalle Park Development Phase I" consisting of sheets G-1 - G-2, C-1 - C-26, L-1 and E-1 - E-11. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated March 1, 2000.

PHASE II IMPROVEMENTS

- Construction and dedication of a public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities for a relocated South Financial Place between West Polk Street and West Taylor Street; said relocated South Financial Place right of way to be 60 feet wide from the south line of West Polk Street and then narrowing to 50 feet at a line approximately 198.75 feet south of and parallel to the south line of West Polk Street (in a location as depicted on Exhibit C).
- Construction of improvements to West Polk Street between the Metra Tracks and South Wells Street, including construction and installations of curbs, gutters, sidewalks, parkways and landscaping.

- Installation of traffic signals at the Wells/Taylor, Polk/Wells and Polk/Financial Place intersections, if warranted.
- To the extent necessary, construction and dedication of improvements to West Taylor Street, including curbs, gutters, sidewalks, parkways, street lights and utilities between the relocated South Financial Place and South Wells Street.

Note: The Phase II Improvements are fully described on plans entitled “LaSalle Park Development Phase II” consisting of sheets G-1 - G-2, C-1 - C-26, S-1 and E-1 - E-9. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated August 13, 1999.

RIGHTS OF WAY TO BE VACATED

- South LaSalle Street between West Polk Street and West Taylor Street;
- West Stowell Street between South Clark Street and the Metra Right-of-Way;
- The alley next west of South Clark Street between West Polk Street and a line approximately 398 feet north of West Taylor Street;
- West Taylor Street between South Clark Street and the Metra Right-of-Way;
- South Financial Place between West Polk Street and West Taylor Street;
- The alley next west of South Wells Street from a line approximately 393 feet south of West Polk Street and West Taylor Street; and
- A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

RIGHTS OF WAY TO BE DEDICATED

1. An extension of South Wells Street beginning at the south line of West Taylor Street and extending to a point on the north line of West Roosevelt Road;
2. An approximately 5 foot x 283 foot strip of land to the east of the east line of South Wells Street and north of the north line of West Taylor Street;
3. A 20 foot east-west alley (to be located approximately 283 feet north of West Taylor Street) to allow for ingress/egress of the alley next east of South Wells Street;
4. A relocated South Financial Place (the east edge of which will be located approximately 10 feet to the west of the Metra Right-of-Way) to replace the vacated South Financial Place; and
5. A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

EXHIBIT B

REAL ESTATE TAX INDEX NUMBERS

17-16-410-009
17-16-410-012
17-16-410-014
17-16-410-015
17-16-410-019
17-16-410-020
17-16-410-021
17-16-411-003
17-16-411-004
17-16-412-010
17-16-412-011
17-16-412-012
17-16-412-013
17-16-416-005
17-16-416-006
17-16-416-007

EXHIBIT C

SITE PLAN & LEGAL DESCRIPTION OF PROJECT

LEGAL DESCRIPTION OF PROJECT

PARCEL 2:

That part of Blocks 107 and 108 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various lots and street in Stowell's Subdivision of Block 106 and 107 in said School Addition to Chicago and part of Stowell Slip or canal in said Block 107, all taken as a tract bounded and described as follows:

Beginning at the point of intersection of the West line of South Clark Street as widened (said West line being, 20.00 feet West of and parallel with the East line of said Block 107) with the North line of Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet; thence Northwesterly, 127.56 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 53 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, .35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 32.10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence South 89 degrees 56 minutes 02 seconds East along said South line 70.46 feet to the Southerly extension of the West line of the aforesaid South La Salle Street; thence South 0 degrees 00 minutes 27 seconds West along said Southerly extension, 381.35 feet to the North line of Lot 6 in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West along said North line of Lot 6, 4.05 feet to the Northwest corner of said Lot 6; thence South 0 degrees 00 minutes 00 seconds West along the West line of said Lot 6 and its extension, 108.00 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence South 89 degrees 56 minutes 02 seconds East along said center line, 138.00 feet to a line 122.00 feet West of and parallel with the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said parallel line, 213.60 feet to the point of intersection with a line drawn 141.00 feet North of and parallel with the North line of the aforesaid Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East along said parallel line 122.00 feet to the West line of the aforesaid South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line, 141.00 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

(ALL AFFECT THIS PARCELL 2 AND OTHER PROPERTY BEING PARTS OF PARCELS 3, 4 AND 8
HEREIN)

PARCEL 3:

That part of Blocks 103 through 110, both inclusive, in the School Section Addition to Chicago in the Southeast 1/4 of Section 16, Township 39 North, Range 14 East of the Third Principal Meridian; together with that part of various streets, alley and Stowell Slip (or Canal) all taken as a tract bounded and described as follows:

Commencing at the point of intersection of the West line of South Clark Street as widened (said West line being 20.00 feet West of and parallel with the East line of said Block 107) with the North line of West Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet to the point of beginning of the tract herein, described; thence Northwesterly, 127.56 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 691.35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence continuing Northwesterly 126.25 feet along a continuation of the last described arc, being convex Westerly, having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.26 feet to a point on the South line of West Polk Street, said point being 50.54 feet West of the Northeast corner of Lot 3 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in the aforesaid School Section Addition to Chicago; thence North 89 degrees 53 minutes 28 seconds West along the South line of West Polk Street, 168.57 feet to the Northwest corner of Lot 1 in Block 103 in aforesaid Adam's and Parker's Subdivision; thence South 0 degrees 02 minutes 09 seconds East, along the East line of South Sherman Street and its Southerly extension, 1217.87 feet to the South line of Block 105 in the aforesaid School Section Addition to Chicago (being also, the North line of Stowell's Subdivision of Blocks 106 and 107 in the aforesaid school Section Addition to Chicago); thence South 89 degrees 55 minutes 02 seconds East 122.14 feet to a point on the North line of Lot 9 in Stowell's Subdivision, said point being 40.00 feet West of the Northeast corner thereof; thence South 9 degrees 27 minutes 37 seconds East 91.26 feet to a point on the North line of West Stowell Street, said point being 25.00 feet West of the Southeast corner of the aforesaid Lot 9; thence South 4 degrees 45 minutes 47 seconds East 36.13 feet to a point on the South line of West Stowell Street (being also the North line of Lot 15 in the aforesaid Stowell's

bdivision) said point being 334.00 feet West of the aforesaid West line of South Clark Street as widened (being also 334.00 feet West of the Northeast corner of Lot 17 in Stowell's Subdivision); thence South 6 degrees 24 minutes 51 seconds East 196.93 feet to a point on the center line of Stowell Slip (or Canal) said point being on a line drawn 141.00 feet North of and parallel with the North line of West Roosevelt Road; thence North 89 degrees 57 minutes 15 seconds West, along the aforesaid line drawn 141.00 feet North and parallel, 88.00 feet; thence South 0 degrees 00 minutes 00 seconds East, along a line drawn parallel with the West line of South Clark Street, 141.00 feet to the aforesaid North line of West Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East, along said North line, 181.05 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001 Volume: 511
 17-16-410-016-6002
 17-16-410-017-6001
 17-16-410-017-6002
 17-16-410-018-6001
 17-16-410-018-6002
 17-16-410-014

(ABOVE PINS AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-416-009 Volume: 511
 17-16-416-015

AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005 Volume: 511
 17-16-416-006
 17-16-416-007

(AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 4 AND 8 HEREIN)

PARCEL 4:

That part of Block 108 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various lots, street and vacated alley in Stowell's Subdivision of Blocks 106 and 107 in said School Section Addition and part of Stowell Slip or Canal in said Block 107, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the South line of West Taylor Street (being also the North line of said Block 108) with the West line of South Clark Street as widened, said West line being 20.00 feet West of and parallel with the East line of the aforesaid Blocks 108 and 109; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened 702.91 feet to a line drawn 141.00 feet North of and parallel with the North line of Roosevelt Road (said North line being the South line of the aforesaid Block 107); thence North 89 degrees 57 minutes 15 seconds West, along said parallel line 122.00 feet; thence North 0 degrees 00 minutes 00 seconds East along a line parallel with said West line of South Clark Street as widened, 213.60 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West

along said center line, 138.00 feet to the Southerly extension of the West line of Lot 6 in said Stowell's Subdivision; thence North 0 degrees 00 minutes 00 seconds East, 108.00 feet along the West line of said Lot 6, thence South 89 degrees 56 minutes 02 seconds East along the North line of said Lot 6, 4.05 feet to the point of intersection with the Southerly extension of the West line of South La Salle Street (said West line of La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence North 0 degrees 00 minutes 27 seconds East along said Southerly extension 381.35 feet to the South line of the aforesaid West Taylor Street; thence South 89 degrees 56 minutes 02 seconds East along said South line 255.91 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-006

Volume: 511

17-16-416-007

(AFFECT THIS PARCEL 4 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 8 HEREIN)

PARCEL 5:

The undivided one-half interest in the following described property vested in the Insured:

That part of Block 109 in School Section Addition to Chicago, and all of Lots 23, 26 and 29 and that part of Lots 19, 20, 24, 25 and 30, and part of the North and South 10 foot alley lying West of and adjoining said Lots 19, 24, 25 and 30 in Block 110 in Adams and Parker's Subdivision of Blocks 103 and 110 in said School Section Addition to Chicago in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the North line of West Taylor Street (being the South line of said Block 109) with the East line of South La Salle Street (being a line 40.00 feet East of and parallel with the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition) thence North 0 degrees 00 minutes 27 seconds East, 537.78 feet along said East line of South La Salle Street and the West line of the aforesaid Lots 29, 26, 23 and 20 (in Adams and Parker's Subdivision) to the South line of the North 1/2 of said Lot 20; thence South 89 degrees 54 minutes 18 seconds East along said South line and its extension, 125.83 feet to the point of intersection with a line drawn 90.00 feet West of and parallel with the West line of South Clark Street as widened, said West line being 20.00 feet West of the East line of the aforesaid Block 109; thence South 0 degrees 00 minutes 00 seconds West along said line drawn 90.00 feet West and parallel, 139.60 feet to the South line of said Lot 30; thence South 89 degrees 54 minutes 45 seconds East along said South line 90.00 feet to the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened, 398.08 feet to the aforesaid North line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along said North line 215.90 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-008-6001

Volume: 511

17-16-412-008-6002

BLOCK 109 OUTSIDE GURNEE'S SUB

Permanent Tax Number: 17-16-412-006-6001

Volume: 511

17-16-412-006-6002

(AFFECTS ONLY PARCEL 5)

PARCEL 6:

The undivided one-half interest in the following described property vested in the Insured:

That part of Lots 3, 4, 9, 10, 15, 16, 21, 22, 27 and 28 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, also that part of Lots 1 to 16, both inclusive in Block 109 of W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in said School Section Addition to Chicago, also that part of West Taylor Street vacated per ordinance passed February 11, 1901, all taken as a tract; bounded and described as follows:

Beginning at the Northeast corner of the aforesaid Lot 3 in Adam's and Parker's Subdivision; thence South 0 degrees 00 minutes 27 seconds West along the West line of South La Salle Street and its extension, being also the East line of the aforesaid Lots and their extension, 836.35 feet to the South line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along the South line of vacated West T or Street per ordinance passed February 11, 1901, 70.46 feet; thence Northwesterly 126.25 feet along the arc of a circle convex Westerly having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.25 feet to a point on the South line of West Polk Street (being the North line of the aforesaid Lot 3 in Adam's and Parker's Subdivision) said point being 50.54 feet West of the hereinabove designate point of beginning; thence South 89 degrees 53 minutes 23 seconds East along said South line, 50.54 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-009-6001

Volume: 511

17-16-412-009-6002

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-411-002-6001

Volume: 511

17-16-411-002-6002

17-16-411-002-6001

(AFFECT ONLY PARCEL 6)

PARCEL 7:

Lots 2, 5, 8, 11, 14, 17, 20, 23, 26 and 29 in Block 103 of Adams and Parker's Subdivision of Blocks 103 and 111 in School Section Addition to Chicago in Section 1 Township 39 North, Range 14 East of the Third Principal Meridian, also Lots 4 to 3., both inclusive in Block 104 of Gurnee's Subdivision of Blocks 104 and the West 1/2 of Block 109 in School Section Addition to Chicago in Section 16, in Cook County, Illinois.

MS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001
17-16-410-016-6002
17-16-410-017-6001
17-16-410-017-6002
17-16-410-018-6001
17-16-410-018-6002
17-16-410-012
17-16-410-014

Volume: 511

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-410-009
17-16-410-015

Volume: 511

(ALL PINS EXCEPT 17-16-410-012 AFFECT THIS PARCEL 7 AND OTHER PROPERTY BEING PART OF PARCEL 3 HEREIN)

(PERMANENT INDEX NUMBER 17-16-410-012 AFFECTS ONLY PARCEL 7)

PARCEL 8:

That part of Blocks 105 and 106 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, and of Lots 9 to 15 in Stowell's Subdivision of Blocks 106 and 107 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

inning at a point on the North line of West Roosevelt Road, 400 feet West of the West line of South Clark Street; thence North along a line parallel with and 400 feet West of said West line of Clark Street, a distance of 141 feet more or less to the center of a canal slip; thence East along a line parallel with and 141 feet North of the North line of said Roosevelt Road a distance of 88 feet; thence Northwesterly along a straight line to a point in the North line of Lot 15 in said Stowell's Subdivision, 334 feet West of the West line of South Clark Street; thence Northwesterly to a point in the South line of Lot 9 in said Stowell's Subdivision, 25 feet West of the East line of said Lot 9; thence Northwesterly to a point in the North line of said Lot 9, 40 feet West of the East line of said Lot 9; thence Westerly along the North line of said Lot 9 to a point in the East line, extended Southerly, of Sherman Street; thence North along said East line extended to a point in the North line of Block 105 aforesaid; thence West along the North line of said Block 105 to a point on the West line of South Wells Street, as same now exists North of Taylor Street, produced South, running thence South along said West line of South Wells Street, produced South, a distance of 100.90 feet; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet, a distance of 180.16 feet to the point of tangency, said point being 280.8 feet South from the South line of Taylor Street, produced East, measured parallel with the West line of South Clark Street, and 787.91 feet West of the West line of South Clark Street, as now established, measured parallel with the South line of Taylor Street; thence running Southerly along a straight line, a distance of 508.47 feet to a point of curve, said point of curve being 57.28 feet North from the North line of West Roosevelt Road, as now widened, measured parallel to the West line of South Clark Street and 739.73 feet West from the West line of Clark Street, as now established, measured parallel with the North line of West Roosevelt Road; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet a distance of 57.64 feet to a point on the North line of West Roosevelt Road, as now widened, said point

being 733.41 feet West of the West line of South Clark Street, as now established, as
measured along the North line of West Roosevelt Street as now widened; thence East
along the North line of West Roosevelt Road to the point of beginning, in Cook
County, Illinois.

BLOCK 105 TO 108 INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005

Volume: 511

.17-16-416-006

17-16-416-007

(ALL PINS AFFECT THIS PARCEL 8 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 4
HEREIN)

EXHIBIT D

DESCRIPTION OF FORECLOSURE PROCEEDINGS

200 Park Plaza Naperville, Illinois

On November 8, 1995, Plaintiff Teachers Insurance and Annuity Association (“Teachers”) filed a verified complaint in the Circuit Court of Dupage County, Illinois, Eighteenth Judicial Circuit, against defendants, LaSalle National Bank, as Trustee under Trust Agreement dated September 4, 1984 (Trust No. 108920), 200 Park Plaza Associates, W/H Partnership No.2, Matthew M. Walsh, Jr., Daniel J. Walsh, John W. Higgins, Christopher Noon and Walsh, Higgins & Co. Teacher’s complaint sought a judgement of foreclosure and other relief, including a judicial sale of the 200 Park Plaza (the “Property”). Defendants answered and set forth various affirmative defenses and counterclaims.

On November 1, 1996, the circuit court entered an order granting plaintiff’s renewed motion for summary judgement as to defendants’ affirmative defenses. On December 2, 1996, the circuit court entered a judgement of foreclosure and sale ordering the judicial sale of the Property. On December 6, 1996, defendants’ filed a notice of appeal from the judgement of foreclosure and sale.

On April 10, 1997, the trial court entered an order granting plaintiff’s motion for summary judgement as to defendants’ counterclaims. Defendants appealed from the order on that day, April 10, 1997.

On April 29, 1997, Teachers purchased the Property at the judicial sale. On May 13, 1997, the circuit court entered an Order confirming and approving the sale of the Property to Teachers (“Confirmation Order”). On June 11, 1997, one of the defendants, Walsh, Higgins & Company, filed a motion to vacate the May 13, 1997 order. In response to the motion, the circuit court entered an order on August 18, 1997, providing, *inter alia*, that the Confirmation Order shall remain in full force and effect (the “Modified Confirmation Order”). Defendants appealed from the Confirmation Order and the Modified Confirmation Order on June 11, 1997 and August 28, 1997, respectively.

The appeals were consolidated in the Illinois Appellate Court, Second District. On March 6, 1998, The Appellate Court affirmed the circuit court. The Appellate Court denied defendants’ Petition for Rehearing on April 2, 1998. On October 26, 1998, The Supreme Court of Illinois denied defendants Petition for Leave to Appeal. On February 22, 1999, the Supreme Court of the United States denied defendants’ Petition for Writ of Certiorari, thus ending all avenues of appeal.

LaSalle Park (Location Described in Section I.H)

Lumbermens Mutual Casualty Company commenced a mortgage foreclosure action concerning LaSalle Park in the Circuit Court of Cook County on August 10, 1998, entitled Lumbermens Mutual Casualty Company vs. American National Bank and Trust Company of Chicago, et al. No. 98CH10604. The beneficiary of the trust at that time was W/H Limited Partnership No. 17. This action was dismissed several months later.

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), 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.*

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

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 EDS. For example, with respect to a City loan or grant, the individual or entity applying for 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.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

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; and (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: _____
CTL Investors, L.L.C.

B. Business address: 200 W. Madison, 37th Floor
Chicago, IL 60606

C. Telephone: (312) 750-8415

D. Fax: (312) 750-8597

E. Name of contact person: John Kevin Poorman

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

G. Type of action requested: Tax Increment Financing via two (2) City notes.

H. Project location: 24-acre property bounded generally by Polk Street on the north side, Clark Street on the east side, Roosevelt on the south side and Wells Street on the west side.

I. Brief project description: See Attached Exhibit A

J. Description and purpose of requested City assistance:
Various infrastructure improvements for the purpose of making our site and adjacent sites marketable.

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 proprietorship
- Other entity (please specify) _____

2. State of incorporation or organization, if applicable:
Delaware

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?

- Yes No

B. ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

a. List below the names and titles of the executive officers and directors, of the corporation.

Name	Title
------	-------

N/A

b. For business corporations with 100 or more shareholders, list below the name, business address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 7.5 percent of the total issued and outstanding shares.

Name	Business Address	Percentage Interest
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N/A

C. For business corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder.

Name	Business Address	Percentage Interest
------	------------------	---------------------

N/A

d. For not-for-profit corporations, list below the name, business address and percentage of control of each member. If there are no members, write "no members."

Name	Business Address	Percentage Control
N/A		

2. FOR PARTNERSHIPS:

For general or limited partnerships: list below the name, business 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 / Business Address	Percentage	Interest
N/A		

3. FOR LIMITED LIABILITY COMPANIES:

a. List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers."

Name	Title
Penny Pritzker	President
John Kevin Poorman	Vice President and Secretary
Glen Miller	Vice President and Treasurer
Susan Panzer	Vice President

b. List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers."

Name	Business Address	Percentage Interest
PH Investors, L.L.C.	200 W. Madison Suite 3700 Chicago, IL 60606	100%
No Managers		

4. FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:

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

Name	Business Address	Percentage Interest
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 the name, business 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 (i) the name of each individual or legal entity whose ownership interest is constructively controlled, (ii) the name, business 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

III. OTHER PROJECT INFORMATION

A. List below the name and business address of each individual or legal entity currently holding legal title to the property for which City assistance is being requested (the "Property"):

Clark/Taylor L.L.C. (100% of Parcels 2,3,4,7 & 8)

101 E. Erie Suite 800 (50% of Parcels 5 & 6)

Chicago, IL 60611

Devon Trust No. 4764 (50% of Parcels 5 & 6)

6445 North Western Ave.

Chicago, IL 60645

B. If title to the Property is held in a land trust, list below the name, business 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:

Devon Trust No. 4764 Beneficiary:

Allright Realty Company Wholly Owned Subsidiary 100%

Of CPS Parking

221 N. LaSalle St. Suite 626 Chicago, IL 60601

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

See attached Exhibit B

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 may halt any requested City action.

N/A

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

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

Yes No

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

Yes No

C. ever had a judgment entered against him/her/it?

Yes No

D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?

Yes No

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 hereof:

- (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 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 or any other Environmental Restriction; or

(3) been subject to any fine or penalty of any nature for failure to comply with 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 or any other Environmental Restriction.

B. If the undersigned is unable to certify to any of the above statements in this Section V, the undersigned shall identify all exceptions and indicate whether any such exceptions occurred within the City or otherwise pertain to the City:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

C. The undersigned covenants and agrees that the undersigned shall:

(1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision 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 or any other Environmental Restriction;

- (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
 - (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.
- D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.
- E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has reason to believe that such contractor or subcontractor has, within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.
- F. Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or subcontractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A)-(B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.

G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.

H. Definitions:

- (1) 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.
- (2) "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directly 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: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 *et seq.*); (b) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq.*); (c) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*); (d) the Clean Water Act (33 U.S.C. § 1251 *et seq.*); (e) the Clean Air Act (42 U.S.C. § 7401 *et seq.*); (f) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 *et seq.*); (g) the Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); (h) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 *et seq.*); (i) the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 *et seq.*); and (j) the Illinois

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. If the undersigned is an individual or sole proprietorship, the "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 has a 50 percent percentage of interest in Corporation B, then such individual indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. 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.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) below constitutes an event of default.

Check one:

- A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.

- _____ B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, 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.
- _____ C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction 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 a 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) .
- X D. There are no Substantial Owners.

VII. CERTIFICATION

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

- A. 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.

- B. Except as described in Section III (D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges 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; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.
- C. 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.
- D. 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.
- E. The undersigned and its principals:
- (1) 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;

- (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense 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;
- (3) are not 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; and
- (4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.

F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or 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 of

America, in that officer's or employee's official capacity;

- (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or 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
- (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.

G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

H. Neither the undersigned nor any employee, official, agent or partner of the undersigned 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, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time; or (3) any similar offense of any state or of the United States of America which contains the same elements as the offense of bid-rigging or bid-rotating.

I. If the undersigned is unable to certify to any of the above statements in this Section VII, the undersigned shall explain below:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.
- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's certification or any other information known or obtained by the undersigned, has reason to believe that:
- (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made an admission of guilt of any of the conduct listed in Section VII(F) above;
 - (2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United States of America which contains the same elements as bid-rigging or bid-rotating; or
 - (3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.

- C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

- A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq. (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."

None

- B. The undersigned certifies that it has not and shall not expend any Federal appropriated funds to pay any person for influencing or attempting 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 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. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section

IX(A) above for his/her lobbying activities in connection with the Transaction.

- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. 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 Transaction, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.
- F. The undersigned shall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned shall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

- A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to

perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.

- B. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.
- C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor will be subject to the equal opportunity clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity clause. See 41 C.F.R. Part 60 for further information regarding the equal opportunity clause.
- D. The undersigned shall forward or cause to be forwarded the following notice to proposed contractors and subcontractors:

**NOTICE TO PROSPECTIVE CONTRACTORS/SUBCONTRACTORS OF
REQUIREMENTS FOR CERTIFICATIONS OF NONSEGREGATED
FACILITIES**

A Certification of Nonsegregated Facilities must be submitted before the award of a contract/subcontract under which the contractor/subcontractor will be subject to the Equal Opportunity clause. The certifications may be submitted either for each contract/subcontract or for all contracts/subcontracts

during a period (e.g., quarterly, semiannually or annually).

XI. EQUAL EMPLOYMENT OPPORTUNITY

Federal regulations require that the undersigned and proposed contractors/subcontractors submit the following information with their bids or in writing at the outset of negotiations:

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

[] Yes [X] No

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

[] Yes [X] No

- C. If the answer to (B) is yes, have you filed with the Joint Reporting Committee, the Director of OFCC, any federal agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements of these organizations?

[] Yes [] No

XII. RETAINED PARTIES

- A. Definitions and Disclosure Requirements

1. Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the undersigned has retained or expects to retain in connection with the contract or lease. In particular, the undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.

2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.

3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B. Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Business Name/Address	Relationship (Attorney, Contractor, etc.)	Fee (indicated whether paid or estimated)
--------------------------	---	--

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED:

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

A. Definitions and Disclosure Requirement

1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.

2. A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a

"financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. Certification

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

[] Yes [X] No

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

N/A

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a

material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.

B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

C. 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 undersigned 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.

CTL Investors, L.L.C.

By: _____

Title of signatory: Vice President

Print or type
name of signatory: John Kevin Poorman

Date: _____, 2000

Subscribed to before me this _____ day of _____ ,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

(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.

CTL Investors, L.L.C

By: _____

Title of signatory: Vice President

Print or type
name of signatory: John Kevin Poorman

Date: _____, 2000

Subscribed to before me this day of _____,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

EXHIBIT A

PHASE I IMPROVEMENTS

- Construction and dedication of a 70-foot public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities on South Wells Street between West Taylor Street and West Roosevelt Road.
- Construction of a temporary bus turnaround at the south end of the South Wells Street extension; provided, however, that Developer will not be obligated to construct the turnaround unless and until the Chicago Transit Authority provides service down South Wells Street and notifies Developer of its intention to provide such service.
- Construction of improvements at the southern intersection of West Polk and South LaSalle Streets, including a sidewalk, curb and gutter (to close South LaSalle Street following its vacation).
- Construction and dedication of a 20-foot alley between South Wells Street and the alley next east of South Wells Street (in a location as depicted in Exhibit C).
- Construction and dedication of a 5-foot strip of land (in a location as depicted on Exhibit C) between the aforementioned 20-foot alley and the north line of West Taylor Street.
- Construction of improvements to South Wells Street from the north line of West Taylor Street to a point approximately 500 feet north of West Taylor Street, including curbs, gutters, additional pavement to meet existing pavement, sidewalks (on the east side of South Wells Street only) and landscaping.

Note: The Phase I Improvements are fully described on plans entitled "LaSalle Park Development Phase I" consisting of sheets G-1 - G-2, C-1 - C-26, L-1 and E-1 - E-11. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc and dated March 1, 2000.

PHASE II IMPROVEMENTS

- Construction and dedication of a public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities for a relocated South Financial Place between West Polk Street and West Taylor Street; said relocated South Financial Place right of way to be 60 feet wide from the south line of West Polk Street and then narrowing to 50 feet at a line approximately 198.75 feet south of and parallel to the south line of West Polk Street (in a location as depicted on Exhibit C).
- Construction of improvements to West Polk Street between the Metra Tracks and South Wells Street, including construction and installations of curbs, gutters, sidewalks, parkways and landscaping.

- Installation of traffic signals at the Wells/Taylor, Polk/Wells and Polk/Financial Place intersections, if warranted.
- To the extent necessary, construction and dedication of improvements to West Taylor Street, including curbs, gutters, sidewalks, parkways, street lights and utilities between the relocated South Financial Place and South Wells Street.

Note: The Phase II Improvements are fully described on plans entitled "LaSalle Park Development Phase II" consisting of sheets G-1 - G-2, C-1 - C-26, S-1 and E-1 - E-9. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated August 13, 1999.

RIGHTS OF WAY TO BE VACATED

- South LaSalle Street between West Polk Street and West Taylor Street;
- West Stowell Street between South Clark Street and the Metra Right-of-Way;
- The alley next west of South Clark Street between West Polk Street and a line approximately 398 feet north of West Taylor Street;
- West Taylor Street between South Clark Street and the Metra Right-of-Way;
- South Financial Place between West Polk Street and West Taylor Street;
- The alley next west of South Wells Street from a line approximately 393 feet south of West Polk Street and West Taylor Street; and
- A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

RIGHTS OF WAY TO BE DEDICATED

1. An extension of South Wells Street beginning at the south line of West Taylor Street and extending to a point on the north line of West Roosevelt Road;
2. An approximately 5 foot x 283 foot strip of land to the east of the east line of South Wells Street and north of the north line of West Taylor Street;
3. A 20 foot east-west alley (to be located approximately 283 feet north of West Taylor Street) to allow for ingress/egress of the alley next east of South Wells Street;
4. A relocated South Financial Place (the east edge of which will be located approximately 10 feet to the west of the Metra Right-of-Way) to replace the vacated South Financial Place; and
5. A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

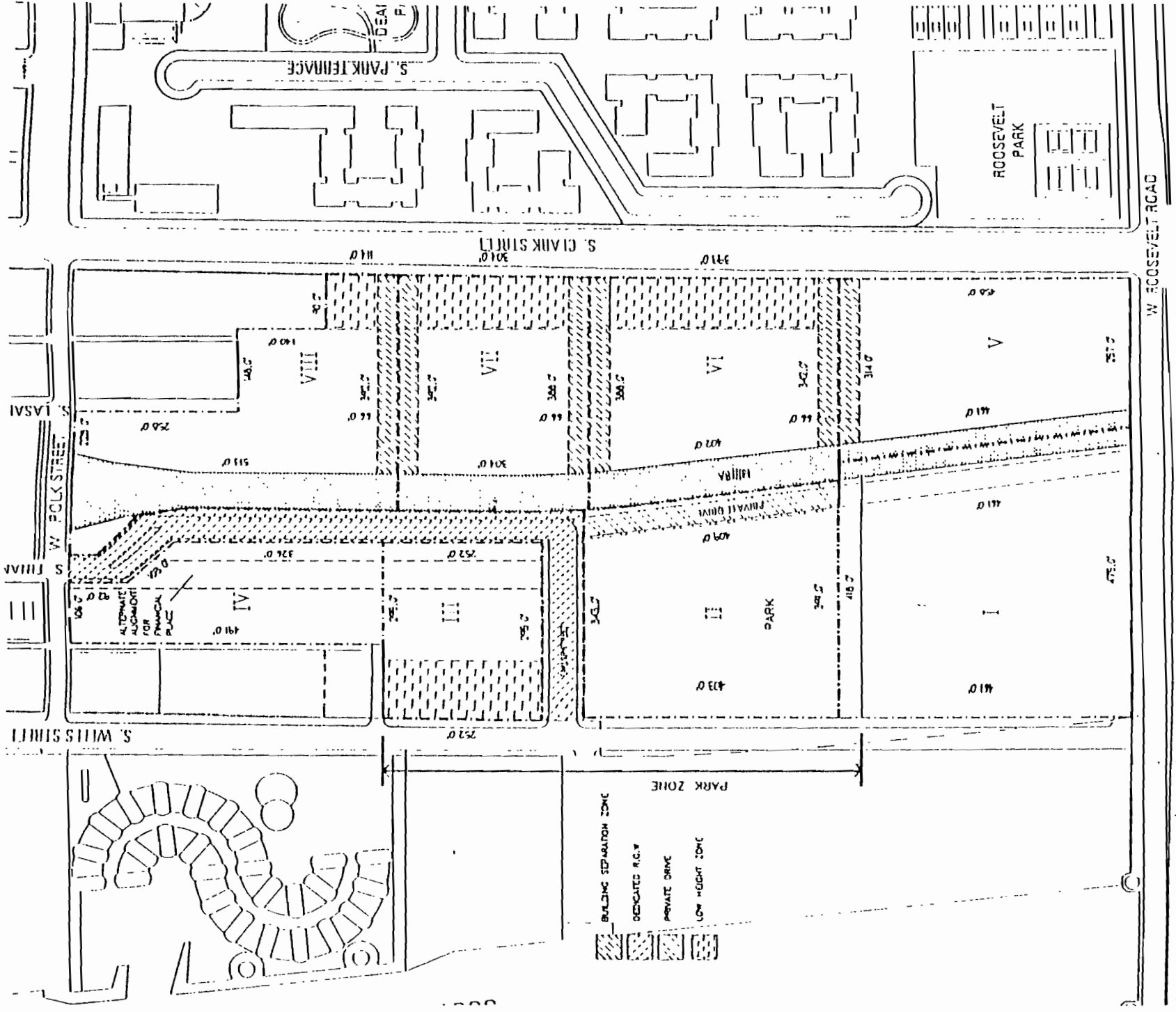
EXHIBIT B

REAL ESTATE TAX INDEX NUMBERS

17-16-410-009
17-16-410-012
17-16-410-014
17-16-410-015
17-16-410-019
17-16-410-020
17-16-410-021
17-16-411-003
17-16-411-004
17-16-412-010
17-16-412-011
17-16-412-012
17-16-412-013
17-16-416-005
17-16-416-006
17-16-416-007

EXHIBIT C

SITE PLAN & LEGAL DESCRIPTION OF PROJECT



BUILDING SEPARATION ZONES SHOWN IN CONCEPTUAL LOCATIONS. ACTUAL LOCATIONS MAY VARY DEPENDING UPON DEVELOPMENT.
 THE PARK LOCATION MAY BE ADJUSTED BY APPLICANT WITHIN THE PARK ZONE PER THE REQUIREMENTS OF THIS P.D.



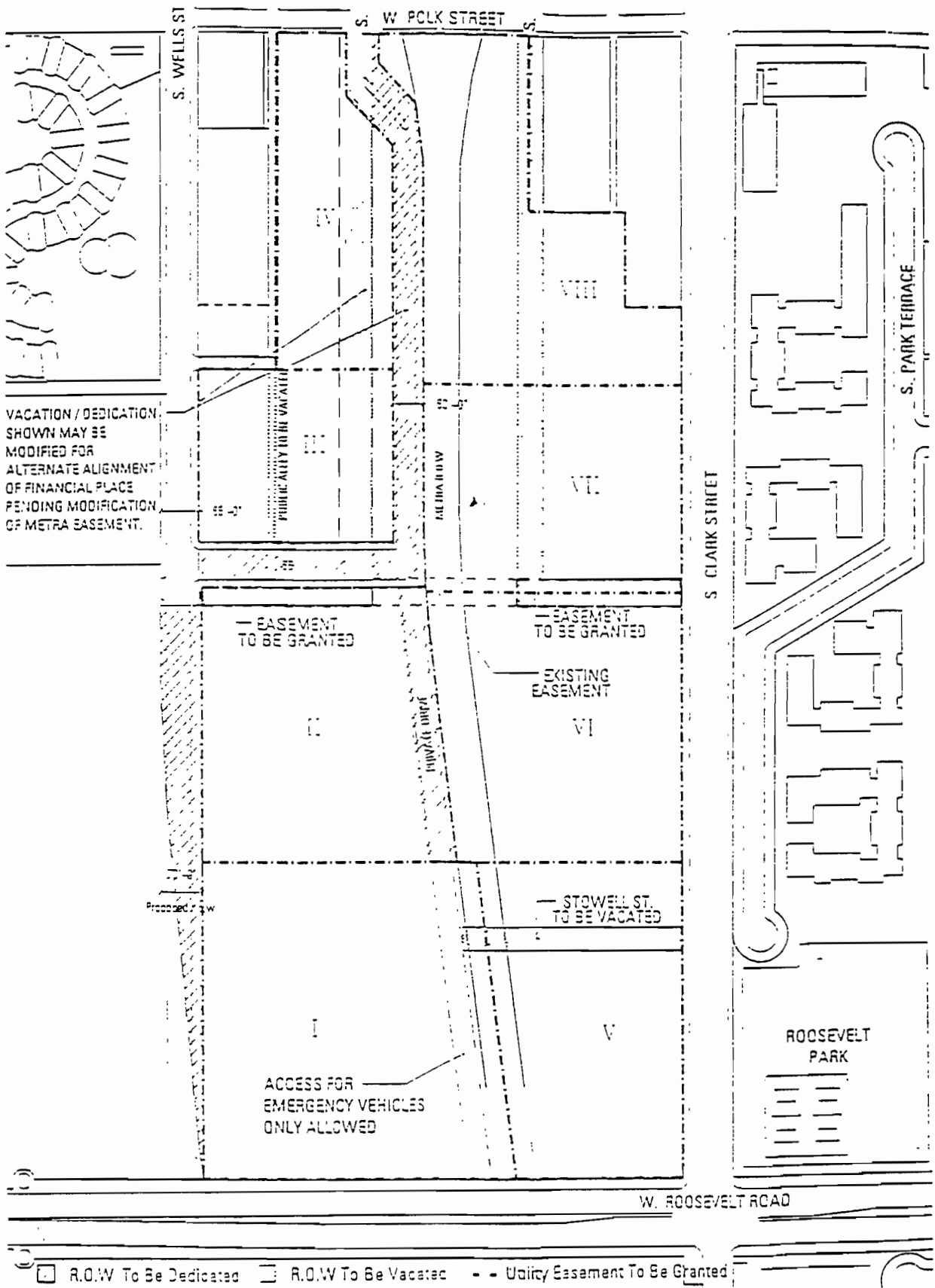
LUCIER LARRABEE AND ASSOCIATES
 605 N. MICHIGAN AVE
 CHICAGO
 ILLINOIS 60611
 USA
 ARCHITECTS

LaSalle Park
 Chicago, IL


Sub-Area Plan

Walter Higgins & Company
 Developers

11 DEC 1998



R.O.W To Be Dedicated
 R.O.W To Be Vacated
 - - Utility Easement To Be Granted


LUCIER LAGARRABRE AND ASSOC. A.C.
 805 N MICHIGAN AVE
 CHICAGO
 ILLINOIS 60611
 USA
 ARCHITECTS

LaSalle Park
 Chicago, IL

Public R.O.W.
 Adjustment Map

Wain Higgins & Company
 Developers
 17 Nov 1998

LEGAL DESCRIPTION OF PROJECT

PARCEL 2:

That part of Blocks 107 and 108 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various Lots and Street in Stowell's Subdivision of Block 106 and 107 in said School Addition to Chicago and part of Stowell Slip or canal in said Block 107, all taken as a tract bounded and described as follows:

Beginning at the point of intersection of the West line of South Clark Street as widened (said West line being, 20.00 feet West of and parallel with the East line of said Block 107) with the North line of Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 213.95 feet; thence Northwestarily, 127.55 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 53 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 32.10 feet to a point; thence Northwestarily, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 32.10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.45 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence South 89 degrees 56 minutes 02 seconds East along said South line 70.45 feet to the Southerly extension of the West line of the aforesaid South La Salle Street; thence South 0 degrees 00 minutes 27 seconds West along said Southerly extension, 381.35 feet to the North line of Lot 6 in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West along said North line of Lot 6, 4.05 feet to the Northwest corner of said Lot 6; thence South 0 degrees 00 minutes 00 seconds West along the West line of said Lot 6 and its extension, 108.00 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence South 89 degrees 56 minutes 02 seconds East along said center line, 138.00 feet to a line 122.00 feet West of and parallel with the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said parallel line, 213.60 feet to the point of intersection with a line drawn 141.00 feet North of and parallel with the North line of the aforesaid Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East along said parallel line 122.00 feet to the West line of the aforesaid South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line, 141.00 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

(ALL AFFECT THIS PARCELL 2 AND OTHER PROPERTY BEING PARTS OF PARCELS 3, 4 AND 8
HEREIN)

PARCEL 3:

That part of Blocks 103 through 110, both inclusive, in the School Section Addition to Chicago in the Southeast 1/4 of Section 16, Township 39 North, Range 14 East of the Third Principal Meridian; together with that part of various streets, alley and Stowell Slip (or Canal) all taken as a tract bounded and described as follows:

Commencing at the point of intersection of the West line of South Clark Street as widened (said West line being 20.00 feet West of and parallel with the East line of said Block 107) with the North line of West Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet to the point of beginning of the tract herein, described; thence Northwesterly, 127.56 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 691.35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence continuing Northwesterly 126.25 feet along a continuation of the last described arc, being convex Westerly, having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.26 feet to a point on the South line of West Polk Street, said point being 50.54 feet West of the Northeast corner of Lot 3 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in the aforesaid School Section Addition to Chicago; thence North 89 degrees 53 minutes 28 seconds West along the South line of West Polk Street, 168.57 feet to the Northwest corner of Lot 1 in Block 103 in aforesaid Adam's and Parker's Subdivision; thence South 0 degrees 02 minutes 09 seconds East, along the East line of South Sherman Street and its Southerly extension, 1217.87 feet to the South line of Block 105 in the aforesaid School Section Addition to Chicago (being also, the North line of Stowell's Subdivision of Blocks 106 and 107 in the aforesaid school Section Addition to Chicago); thence South 89 degrees 56 minutes 02 seconds East 122.14 feet to a point on the North line of Lot 9 in Stowell's Subdivision, said point being 40.00 feet West of the Northeast corner thereof; thence South 9 degrees 27 minutes 37 seconds East 91.25 feet to a point on the North line of West Stowell Street, said point being 25.00 feet West of the Southeast corner of the aforesaid Lot 9; thence South 4 degrees 45 minutes 47 seconds East 36.13 feet to a point on the South line of West Stowell Street (being also the North line of Lot 15 in the aforesaid Stowell's

100.00 feet to the southerly extension of the West line of Lot 6 in said Stowell's Subdivision; thence North 0 degrees 00 minutes 00 seconds East, 108.00 feet along the West line of said Lot 6, thence South 89 degrees 56 minutes 02 seconds East along the North line of said Lot 6, 4.05 feet to the point of intersection with the Southerly extension of the West line of South La Salle Street (said West line of La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence North 0 degrees 00 minutes 27 seconds East along said Southerly extension 381.35 feet to the South line of the aforesaid West Taylor Street; thence South 89 degrees 56 minutes 02 seconds East along said South line 255.91 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-006
17-16-416-007

Volume: 511

(AFFECT THIS PARCEL 4 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 8 HEREIN)

PARCEL 5:

The undivided one-half interest in the following described property vested in the Insured:

That part of Block 109 in School Section Addition to Chicago, and all of Lots 23, 25 and 29 and that part of Lots 19, 20, 24, 25 and 30, and part of the North and South 10 foot alley lying West of and adjoining said Lots 19, 24, 25 and 30 in Block 110 in Adams and Parker's Subdivision of Blocks 103 and 110 in said School Section Addition to Chicago in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the North line of West Taylor Street (being the South line of said Block 109) with the East line of South La Salle Street (being a line 40.00 feet East of and parallel with the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition) thence North 0 degrees 00 minutes 27 seconds East, 537.78 feet along said East line of South La Salle Street and the West line of the aforesaid Lots 29, 25, 23 and 20 (in Adams and Parker's Subdivision) to the South line of the North 1/2 of said Lot 20; thence South 89 degrees 54 minutes 18 seconds East along said South line and its extension, 125.83 feet to the point of intersection with a line drawn 90.00 feet West of and parallel with the West line of South Clark Street as widened, said West line being 20.00 feet West of the East line of the aforesaid Block 109; thence South 0 degrees 00 minutes 00 seconds West along said line drawn 90.00 feet West and parallel, 139.60 feet to the South line of said Lot 30; thence South 89 degrees 54 minutes 45 seconds East along said South line 90.00 feet to the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened, 398.08 feet to the aforesaid North line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along said North line 215.90 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-008-6001
17-16-412-008-6002

Volume: 511

BLOCK 109 OUTSIDE GURNEE'S SUB

Permanent Tax Number: 17-16-412-006-6001

Volume: 511

17-16-412-006-6002

(AFFECTS ONLY PARCEL 5)

PARCEL 6:

The undivided one-half interest in the following described property vested in the Insured:

That part of Lots 3, 4, 9, 10, 15, 16, 21, 22, 27 and 28 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, also that part of Lots 1 to 16, both inclusive in Block 109 of W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in said School Section Addition to Chicago, also that part of West Taylor Street vacated per ordinance passed February 11, 1901, all taken as a tract; bounded and described as follows:

Beginning at the Northeast corner of the aforesaid Lot 3 in Adam's and Parker's Subdivision; thence South 0 degrees 00 minutes 27 seconds West along the West line of South La Salle Street and its extension, being also the East line of the aforesaid Lots and their extension, 836.35 feet to the South line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along the South line of vacated West T or Street per ordinance passed February 11, 1901, 70.46 feet; thence Northwesterly 126.25 feet along the arc of a circle convex Westerly having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.25 feet to a point on the South line of West Polk Street (being the North line of the aforesaid Lot 3 in Adam's and Parker's Subdivision) said point being 50.54 feet West of the hereinabove designate point of beginning; thence South 89 degrees 53 minutes 28 seconds East along said South line, 50.54 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-009-6001

Volume: 511

17-16-412-009-6002

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-411-002-6001

Volume: 511

17-16-411-002-6002

17-16-411-002-6001

(AFFECT ONLY PARCEL 6)

PARCEL 7:

Lots 2, 5, 8, 11, 14, 17, 20, 23, 25 and 29 in Block 103 of Adams and Parker's Subdivision of Blocks 103 and 111 in School Section Addition to Chicago in Section 1 Township 39 North, Range 14 East of the Third Principal Meridian, also Lots 4 to 32, both inclusive in Block 104 of Gurnee's Subdivision of Blocks 104 and the West 1/2 of Block 109 in School Section Addition to Chicago in Section 16, in Cook County, Illinois.

MS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001 Volume: 511
17-16-410-016-6002
17-16-410-017-6001
17-16-410-017-6002
17-16-410-018-6001
17-16-410-018-6002
17-16-410-012
17-16-410-014

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-410-009 Volume: 511
17-16-410-015

(ALL PINS EXCEPT 17-16-410-012 AFFECT THIS PARCEL 7 AND OTHER PROPERTY BEING PART OF PARCEL 3 HEREIN)

(PERMANENT INDEX NUMBER 17-16-410-012 AFFECTS ONLY PARCEL 7)

PARCEL 8:

That part of Blocks 105 and 106 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, and of Lots 9 to 15 in Stowell's Subdivision of Blocks 106 and 107 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

inning at a point on the North line of West Roosevelt Road, 400 feet West of the West line of South Clark Street; thence North along a line parallel with and 400 feet West of said West line of Clark Street, a distance of 141 feet more or less to the center of a canal slip; thence East along a line parallel with and 141 feet North of the North line of said Roosevelt Road a distance of 88 feet; thence Northwesterly along a straight line to a point in the North line of Lot 15 in said Stowell's Subdivision, 334 feet West of the West line of South Clark Street; thence Northwesterly to a point in the South line of Lot 9 in said Stowell's Subdivision, 25 feet West of the East line of said Lot 9; thence Northwesterly to a point in the North line of said Lot 9, 40 feet West of the East line of said Lot 9; thence Westerly along the North line of said Lot 9 to a point in the East line, extended Southerly, of Sherman Street; thence North along said East line extended to a point in the North line of Block 105 aforesaid; thence West along the North line of said Block 105 to a point on the West line of South Wells Street, as same now exists North of Taylor Street, produced South, running thence South along said West line of South Wells Street, produced South, a distance of 100.90 feet; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet, a distance of 180.16 feet to the point of tangency, said point being 280.8 feet South from the South line of Taylor Street, produced East, measured parallel with the West line of South Clark Street, and 787.91 feet West of the West line of South Clark Street, as now established, measured parallel with the South line of Taylor Street; thence running Southerly along a straight line, a distance of 508.47 feet to a point of curve, said point of curve being 57.23 feet North from the North line of West Roosevelt Road, as now widened, measured parallel to the West line of South Clark Street and 739.73 feet West from the West line of Clark Street, as now established, measured parallel with the North line of West Roosevelt Road; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet a distance of 57.64 feet to a point on the North line of West Roosevelt Road, as now widened, said point

being 733.41 feet West of the West line of South Clark Street, as now established, as
measured along the North line of West Roosevelt Street as now widened; thence East
along the North line of West Roosevelt Road to the point of beginning, in Cook
County, Illinois.

BLOCK 105 TO 108 INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005

Volume: 511

.17-16-416-006

17-16-416-007

(ALL PINS AFFECT THIS PARCEL 8 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 4
HEREIN)

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), 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.*

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

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 EDS. For example, with respect to a City loan or grant, the individual or entity applying for 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.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

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; and (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: _____
W/H Limited Partnership No. 17

B. Business address: 101 E. Erie, Suite 800 Chicago, IL 60611

C. Telephone: (312) 943-4999

D. Fax: (312) 943-9768

E. Name of contact person: John W. Higgins

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

G. Type of action requested: Tax Increment Financing via two (2) City notes

H. Project location: 24-acre property bounded generally by Polk Street on the north side, Clark Street on the east side, Roosevelt on the south side and Wells Street on the west side.

I. Brief project description: See Attached Exhibit A.

J. Description and purpose of requested City assistance:

Various infrastructure improvements for the purpose of making our site and adjacent sites marketable.

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 proprietorship
- 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?

- Yes No

B. ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

a. List below the names and titles of the executive officers and directors, of the corporation.

Name	Title
------	-------

<u>N/A</u>	

b. For business corporations with 100 or more shareholders, list below the name, business address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 7.5 percent of the total issued and outstanding shares.

Name	Business Address	Percentage Interest
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<u>N/A</u>		

c. For business corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder.

Name	Business Address	Percentage Interest
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<u>N/A</u>		

d. For not-for-profit corporations, list below the name, business address and percentage of control of each member. If there are no members, write "no members."

Name	Business Address	Percentage Control
N/A		

2. FOR PARTNERSHIPS:

For general or limited partnerships: list below the name, business 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 / Business Address	Percentage Interest
<u>W/H Development Corp.</u> <u>101 E. Erie Suite 800 Chicago, IL 60611</u>	<u>3% General Partner</u>
<u>Matthew M. Walsh, Jr.</u> <u>929 W. Adams Chicago, IL 60607</u>	<u>30% Limited Partner</u>
<u>Daniel J. Walsh</u> <u>929 W. Adams Chicago, IL 60607</u>	<u>30% Limited Partner</u>
<u>John W. Higgins</u> <u>101 E. Erie Suite 800 Chicago, IL 60611</u>	<u>30% Limited Partner</u>
<u>Gerald A. Pientka</u> <u>101 E. Erie Suite 800 Chicago, IL 60611</u>	<u>3.5% Limited Partner</u>
<u>Thomas Samuels</u> <u>101 E. Erie Suite 800 Chicago, IL 60611</u>	<u>3.5% Limited Partner</u>

3. FOR LIMITED LIABILITY COMPANIES:

- a. List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers."

Name	Title
<u>N/A</u>	

- b. List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers."

Name	Business Address	Percentage Interest
<u>N/A</u>		

4. FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:

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

<u>N/A</u>

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

Name Business Address Percentage Interest

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 the name, business 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

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 (i) the name of each individual or legal entity whose ownership interest is constructively controlled, (ii) the name, business 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

III. OTHER PROJECT INFORMATION

A. List below the name and business address of each individual or legal entity currently holding legal title to the property for which City assistance is being requested (the "Property"):

Clark/Taylor L.L.C. (100% of Parcels 2,3,4,7 & 8)

101 E. Erie Suite 800 (50% of Parcels 5 & 6)

Chicago, IL 60611

Devon Trust No. 4764 (50% of Parcels 5 & 6)

6445 North Western Ave.

Chicago, IL 60645

B. If title to the Property is held in a land trust, list below the name, business 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:

Devon Trust No. 4764 Beneficiary:

Allright Realty Company Wholly Owned Subsidiary 100%

Of CPS Parking

221 N. LaSalle St. Suite 626 Chicago, IL 60601

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

See attached Exhibit B

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 may halt any requested City action.

N/A

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

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

Yes No

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

Yes No

C. ever had a judgment entered against him/her/it?

Yes No

D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?

Yes No (See Attached Exhibit D)

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 hereof:

- (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 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 or any other Environmental Restriction; or
- (3) been subject to any fine or penalty of any nature for failure to comply with 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 or any other Environmental Restriction.

B. If the undersigned is unable to certify to any of the above statements in this Section V, the undersigned shall identify all exceptions and indicate whether any such exceptions occurred within the City or otherwise pertain to the City:

B. ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

a. List below the names and titles of the executive officers and directors, of the corporation.

Name	Title
<u>John W. Higgins</u>	<u>President</u>
<u>Gerald A. Pientka</u>	<u>Secretary/Treasurer</u>
<u>Fredric G. Hogan</u>	<u>Asst. Secretary</u>

b. For business corporations with 100 or more shareholders, list below the name, business address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 7.5 percent of the total issued and outstanding shares.

Name	Business Address	Percentage Interest
<u>N/A</u>		

C. For business corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder.

Name	Business Address	Percentage Interest
<u>John W. Higgins</u>	<u>101 E. Erie Suite 800</u>	<u>33.33%</u>
	<u>Chicago, IL 60611</u>	
<u>Matthew M. Walsh, Jr.</u>	<u>929 W. Adams</u>	<u>33.33%</u>
	<u>Chicago, IL 60607</u>	
<u>Daniel J. Walsh</u>	<u>929 W. Adams</u>	<u>33.33%</u>
	<u>Chicago, IL 60607</u>	

d. For not-for-profit corporations, list below the name, business address

Name	Business Address	Percentage Control
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N/A

2. FOR PARTNERSHIPS:

For general or limited partnerships: list below the name, business 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 / Business Address	Percentage	Interest
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N/A

3. FOR LIMITED LIABILITY COMPANIES:

a. List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers."

Name	Title
------	-------

N/A

b. List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers."

Name	Business Address	Percentage Interest
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N/A

4. FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:

a. List below 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 the name, business address and percentage of beneficial interest of each beneficiary on whose behalf title is held:

Name	Business 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 the name, business 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
N/A			
<hr/>			
<hr/>			
<hr/>			

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 (i) the name of each individual or legal entity whose ownership interest is constructively controlled, (ii) the name, business 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

III. OTHER PROJECT INFORMATION

A. List below the name and business address of each individual or legal entity currently holding legal title to the property for which City assistance is being requested (the "Property"):

Clark/Taylor L.L.C. (100% of Parcels 2,3,4,7 & 8)

101 E. Erie Suite 800 (50% of Parcels 5 & 6)

Chicago, IL 60611

Devon Trust No. 4764 (50% of Parcels 5 & 6)

6445 North Western Ave.

Chicago, IL 60645

B. If title to the Property is held in a land trust, list below the name, business 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:

Devon Trust No. 4764 Beneficiary:

Allright Realty Company Wholly Owned Subsidiary 100%

Of CPS Parking

221 N. LaSalle St. Suite 626 Chicago, IL 60601

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

See attached Exhibit B

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 may halt any requested City action.

N/A

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

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

Yes No

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

Yes No

C. ever had a judgment entered against him/her/it?

Yes No

D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?

Yes No (See Attached Exhibit D)

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 hereof:

(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 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 or any other Environmental Restriction; or
- (3) been subject to any fine or penalty of any nature for failure to comply with 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 or any other Environmental Restriction.

B. If the undersigned is unable to certify to any of the above statements in this Section V, the undersigned shall identify all exceptions and indicate whether any such exceptions occurred within the City or otherwise pertain to the City:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

C. The undersigned covenants and agrees that the undersigned shall:

- (1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision 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 or any other Environmental Restriction;

- (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
 - (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.
- D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.
- E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has reason to believe that such contractor or subcontractor has, within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.
- F. Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or subcontractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A)-

(B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.

G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.

H. Definitions:

- (1) 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.
- (2) "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directly 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: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 *et seq.*); (b) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 *et seq.*); (c) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 *et seq.*); (d) the Clean Water Act (33 U.S.C. § 1251 *et seq.*); (e) the Clean Air Act (42 U.S.C. § 7401 *et seq.*); (f) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 *et seq.*); (g) the Safe Drinking Water Act (42 U.S.C. § 300f *et seq.*); (h) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 *et seq.*); (i)

the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 et seq.); and (j) 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. If the undersigned is an individual or sole proprietorship, the "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 has a 50 percent percentage of interest in Corporation B, then such individual indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. 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.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) below constitutes an event of default.

Check one:

- A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by

another Illinois court of competent jurisdiction.

- _____B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, 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.
- _____ C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction 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 a 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) .
- _____ D. There are no Substantial Owners.

VII. CERTIFICATION

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

- A. 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.

- B. Except as described in Section III (D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges 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; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.
- C. 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.
- D. 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.
- E. The undersigned and its principals:

- (1) 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;
- (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense 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;
- (3) are not 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; and
- (4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.

F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or 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 of America, in that officer's or employee's official capacity;
 - (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or 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
 - (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.
- G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).
- H. Neither the undersigned nor any employee, official, agent or partner of the undersigned 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, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time; or (3) any similar offense of any state or of the United States of America which contains the same elements as the offense of bid-rigging or bid-rotating.
- I. If the undersigned is unable to certify to any of the above statements in this Section VII, the undersigned shall explain below:

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.
- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's certification or any other information known or obtained by the undersigned, has reason to believe that:
- (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made an admission of guilt of any of the conduct listed in Section VII(F) above;
 - (2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United

States of America which contains the same elements as bid-rigging or bid-rotating; or

(3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.

- C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq. (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."
None

B. The undersigned certifies that it has not and shall not expend any Federal appropriated funds to pay any person for influencing or attempting 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 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. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section IX(A) above for his/her lobbying activities in connection with the Transaction.

- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. 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 Transaction, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.
- F. The undersigned shall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned shall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

- A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.

- B. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.

- C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor will be subject to the equal opportunity clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity clause. See 41 C.F.R. Part 60 for further information regarding the equal opportunity clause.

- D. The undersigned shall forward or cause to be forwarded the following notice to proposed contractors and subcontractors:

**NOTICE TO PROSPECTIVE CONTRACTORS/SUBCONTRACTORS OF
REQUIREMENTS FOR CERTIFICATIONS OF NONSEGREGATED
FACILITIES**

each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.

2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.

3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B. Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Business Name/Address	Relationship (Attorney, Contractor, etc.)	Fee (indicated whether paid or estimated)
--------------------------	---	--

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED:

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

A. Definitions and Disclosure Requirement

1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a

"business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.

2. A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. Certification

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

[] Yes [X] No

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

N/A

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.

B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

C. 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 undersigned 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.

W/H Development Corp.

By: _____

Title of signatory: President

Print or type
name of signatory: John W. Higgins

Date: _____, 2000

Subscribed to before me this _____ day of _____ ,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

(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.

W/H Development Corp.

By: _____

Title of signatory: President

Print or type
name of signatory: John W. Higgins

Date: _____, 2000

Subscribed to before me this day of _____,
2000 at Cook County, Illinois.

Notary Public

Commission expires: _____

EXHIBIT A

PHASE I IMPROVEMENTS

- Construction and dedication of a 70-foot public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities on South Wells Street between West Taylor Street and West Roosevelt Road.
- Construction of a temporary bus turnaround at the south end of the South Wells Street extension; provided, however, that Developer will not be obligated to construct the turnaround unless and until the Chicago Transit Authority provides service down South Wells Street and notifies Developer of its intention to provide such service.
- Construction of improvements at the southern intersection of West Polk and South LaSalle Streets, including a sidewalk, curb and gutter (to close South LaSalle Street following its vacation).
- Construction and dedication of a 20-foot alley between South Wells Street and the alley next east of South Wells Street (in a location as depicted in Exhibit C).
- Construction and dedication of a 5-foot strip of land (in a location as depicted on Exhibit C) between the aforementioned 20-foot alley and the north line of West Taylor Street.
- Construction of improvements to South Wells Street from the north line of West Taylor Street to a point approximately 500 feet north of West Taylor Street, including curbs, gutters, additional pavement to meet existing pavement, sidewalks (on the east side of South Wells Street only) and landscaping.

Note: The Phase I Improvements are fully described on plans entitled "LaSalle Park Development Phase I" consisting of sheets G-1 - G-2, C-1 - C-26, L-1 and E-1 - E-11. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated March 1, 2000.

PHASE II IMPROVEMENTS

- Construction and dedication of a public right of way, including curbs, gutters, sidewalks, parkways, street lights and utilities for a relocated South Financial Place between West Polk Street and West Taylor Street; said relocated South Financial Place right of way to be 60 feet wide from the south line of West Polk Street and then narrowing to 50 feet at a line approximately 198.75 feet south of and parallel to the south line of West Polk Street (in a location as depicted on Exhibit C).
- Construction of improvements to West Polk Street between the Metra Tracks and South Wells Street, including construction and installations of curbs, gutters, sidewalks, parkways and landscaping.

- Installation of traffic signals at the Wells/Taylor, Polk/Wells and Polk/Financial Place intersections, if warranted.
- To the extent necessary, construction and dedication of improvements to West Taylor Street, including curbs, gutters, sidewalks, parkways, street lights and utilities between the relocated South Financial Place and South Wells Street.

Note: The Phase II Improvements are fully described on plans entitled "LaSalle Park Development Phase II" consisting of sheets G-1 - G-2, C-1 - C-26, S-1 and E-1 - E-9. These plans, which are attached hereto and incorporated by reference, were prepared by McDonough Associates, Inc. and dated August 13, 1999.

RIGHTS OF WAY TO BE VACATED

- South LaSalle Street between West Polk Street and West Taylor Street;
- West Stowell Street between South Clark Street and the Metra Right-of-Way;
- The alley next west of South Clark Street between West Polk Street and a line approximately 398 feet north of West Taylor Street;
- West Taylor Street between South Clark Street and the Metra Right-of-Way;
- South Financial Place between West Polk Street and West Taylor Street;
- The alley next west of South Wells Street from a line approximately 393 feet south of West Polk Street and West Taylor Street; and
- A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

RIGHTS OF WAY TO BE DEDICATED

1. An extension of South Wells Street beginning at the south line of West Taylor Street and extending to a point on the north line of West Roosevelt Road;
2. An approximately 5 foot x 283 foot strip of land to the east of the east line of South Wells Street and north of the north line of West Taylor Street;
3. A 20 foot east-west alley (to be located approximately 283 feet north of West Taylor Street) to allow for ingress/egress of the alley next east of South Wells Street;
4. A relocated South Financial Place (the east edge of which will be located approximately 10 feet to the west of the Metra Right-of-Way) to replace the vacated South Financial Place; and
5. A part or all of West Taylor Street between the Metra Right-of-Way and South Wells Street (to the extent necessary based on development of adjacent property).

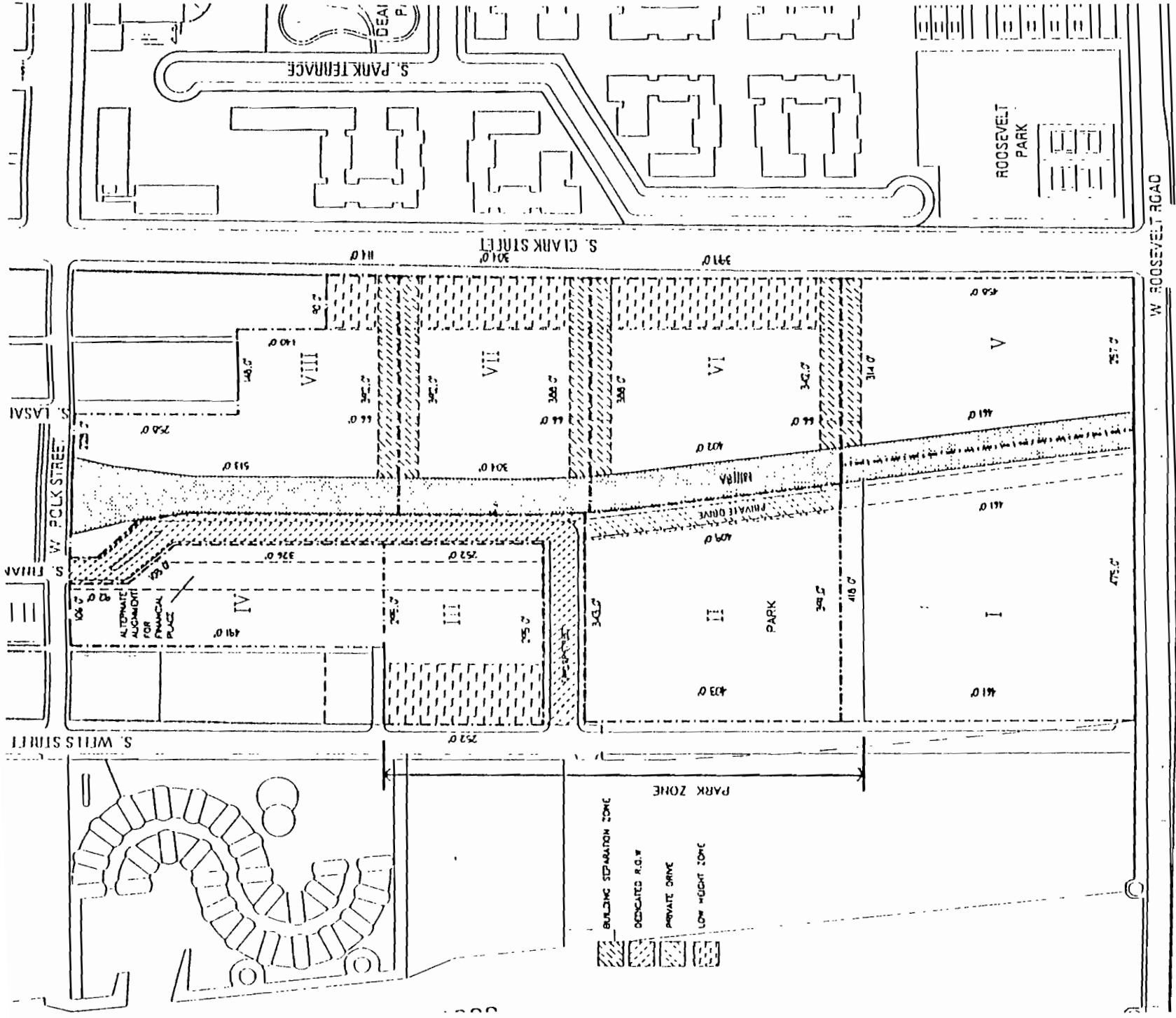
EXHIBIT B

REAL ESTATE TAX INDEX NUMBERS

17-16-410-009
17-16-410-012
17-16-410-014
17-16-410-015
17-16-410-019
17-16-410-020
17-16-410-021
17-16-411-003
17-16-411-004
17-16-412-010
17-16-412-011
17-16-412-012
17-16-412-013
17-16-416-005
17-16-416-006
17-16-416-007

EXHIBIT C

SITE PLAN & LEGAL DESCRIPTION OF PROJECT



BUILDING SEPARATION ZONES SHOWN IN CONCEPTUAL LOCATIONS. ACTUAL LOCATIONS MAY VARY DEPENDING UPON DEVELOPMENT. THE PARK LOCATION MAY BE ADJUSTED BY APPLICANT WITHIN THE PARK ZONE PER THE REQUIREMENTS OF THIS P.D.



LUCIEN LARRABEE AND ASSOCIATES
 885 N MICHIGAN AVE
 CHICAGO
 ILLINOIS 60611
 USA
 ARCHITECTS

LaSalle Park
 Chicago, IL

Sub-Area Plan

Walsh Higgins & Company
 Developers
 11 DEC 1998

LEGAL DESCRIPTION OF PROJECT

PARCEL 2:

That part of Blocks 107 and 108 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various Lots and Street in Stowell's Subdivision of Block 106 and 107 in said School Addition to Chicago and part of Stowell Slip or canal in said Block 107, all taken as a tract bounded and described as follows:

Beginning at the point of intersection of the West line of South Clark Street as widened (said West line being, 20.00 feet West of and parallel with the East line of said Block 107) with the North line of Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet; thence Northwesterly, 127.55 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 127.35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 32.10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.45 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence South 89 degrees 56 minutes 02 seconds East along said South line 70.45 feet to the Southerly extension of the West line of the aforesaid South La Salle Street; thence South 0 degrees 00 minutes 27 seconds West along said Southerly extension, 381.35 feet to the North line of Lot 6 in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West along said North line of Lot 6, 4.05 feet to the Northwest corner of said Lot 6; thence South 0 degrees 00 minutes 00 seconds West along the West line of said Lot 6 and its extension, 108.00 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence South 89 degrees 56 minutes 02 seconds East along said center line, 138.00 feet to a line 122.00 feet West of and parallel with the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said parallel line, 213.60 feet to the point of intersection with a line drawn 141.00 feet North of and parallel with the North line of the aforesaid Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East along said parallel line 122.00 feet to the West line of the aforesaid South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line, 141.00 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

CK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005

Volume: 511

17-16-416-006

17-16-416-007

(ALL AFFECT THIS PARCELL 2 AND OTHER PROPERTY BEING PARTS OF PARCELS 3, 4 AND 8
HEREIN)

PARCEL 3:

That part of Blocks 103 through 110, both inclusive, in the School Section Addition to Chicago in the Southeast 1/4 of Section 16, Township 39 North, Range 14 East of the Third Principal Meridian; together with that part of various streets, alley and Stowell Slip (or Canal) all taken as a tract bounded and described as follows:

Commencing at the point of intersection of the West line of South Clark Street as widened (said West line being 20.00 feet West of and parallel with the East line of said Block 107) with the North line of West Roosevelt Road (being the South line of said Block 107); thence North 89 degrees 57 minutes 15 seconds West along said North line of West Roosevelt Road, 218.95 feet to the point of beginning of the tract herein, described; thence Northwesterly, 127.56 feet along the arc of a circle convex Westerly, having a radius of 1878.24 feet and whose chord of 127.53 feet bears North 8 degrees 55 minutes 58 seconds West to a point; thence North 6 degrees 59 minutes 14 seconds West along a line tangent to the last described arc, 691.35 feet to a point; thence Northwesterly, 32.10 feet along the arc of a circle tangent to the last described course, convex Westerly having a radius of 1309.05 feet and whose chord of 10 feet bears North 6 degrees 17 minutes 04 seconds West to the point of intersection with the South line of West Taylor Street as vacated per ordinance passed February 11, 1901 said point being 70.46 feet West of the Southerly extension of the West line of South La Salle Street (said West line of South La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence continuing Northwesterly 126.25 feet along a continuation of the last described arc, being convex Westerly, having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.26 feet to a point on the South line of West Polk Street, said point being 50.54 feet West of the Northeast corner of Lot 3 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in the aforesaid School Section Addition to Chicago; thence North 89 degrees 53 minutes 28 seconds West along the South line of West Polk Street, 168.57 feet to the Northwest corner of Lot 1 in Block 103 in aforesaid Adam's and Parker's Subdivision; thence South 0 degrees 02 minutes 09 seconds East, along the East line of South Sherman Street and its Southerly extension, 1217.87 feet to the South line of Block 105 in the aforesaid School Section Addition to Chicago (being also, the North line of Stowell's Subdivision of Blocks 106 and 107 in the aforesaid school Section Addition to Chicago); thence South 89 degrees 55 minutes 02 seconds East 122.14 feet to a point on the North line of Lot 9 in Stowell's Subdivision, said point being 40.00 feet West of the Northeast corner thereof; thence South 9 degrees 27 minutes 37 seconds East 91.26 feet to a point on the North line of West Stowell Street, said point being 25.00 feet West of the Southeast corner of the aforesaid Lot 9; thence South 4 degrees 45 minutes 47 seconds East 36.13 feet to a point on the South line of West Stowell Street (being also the North line of Lot 15 in the aforesaid Stowell's

bdivision) said point being 334.00 feet West of the aforesaid West line of South Clark Street as widened (being also 334.00 feet West of the Northeast corner of Lot 17 in Stowell's Subdivision); thence South 6 degrees 24 minutes 51 seconds East 196.93 feet to a point on the center line of Stowell Slip (or Canal) said point being on a line drawn 141.00 feet North of and parallel with the North line of West Roosevelt Road; thence North 89 degrees 57 minutes 15 seconds West, along the aforesaid line drawn 141.00 feet North and parallel, 88.00 feet; thence South 0 degrees 00 minutes 00 seconds East, along a line drawn parallel with the West line of South Clark Street, 141.00 feet to the aforesaid North line of West Roosevelt Road; thence South 89 degrees 57 minutes 15 seconds East, along said North line, 181.05 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001 Volume: 511
 17-16-410-016-6002
 17-16-410-017-6001
 17-16-410-017-6002
 17-16-410-018-6001
 17-16-410-018-6002
 17-16-410-014

(ABOVE PINS AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-416-009 Volume: 511
 17-16-416-015

AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PART OF PARCEL 7 HEREIN)

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005 Volume: 511
 17-16-416-006
 17-16-416-007

(AFFECT PART OF PARCEL 3 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 4 AND 8 HEREIN)

PARCEL 4:

That part of Block 108 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian and that part of various lots, street and vacated alley in Stowell's Subdivision of Blocks 106 and 107 in said School Section Addition and part of Stowell Slip or Canal in said Block 107, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the South line of West Taylor Street (being also the North line of said Block 108) with the West line of South Clark Street as widened, said West line being 20.00 feet West of and parallel with the East line of the aforesaid Blocks 108 and 109; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened 702.91 feet to a line drawn 141.00 feet North of and parallel with the North line of Roosevelt Road (said North line being the South line of the aforesaid Block 107); thence North 89 degrees 57 minutes 15 seconds West, along said parallel line 122.00 feet; thence North 0 degrees 00 minutes 00 seconds East along a line parallel with said West line of South Clark Street as widened, 213.60 feet to the center line of West Stowell Street in the aforesaid Stowell's Subdivision; thence North 89 degrees 56 minutes 02 seconds West

along said center line, 138.00 feet to the Southerly extension of the West line of Lot 6 in said Stowell's Subdivision; thence North 0 degrees 00 minutes 00 seconds East, 108.00 feet along the West line of said Lot 6, thence South 89 degrees 56 minutes 02 seconds East along the North line of said Lot 6, 4.05 feet to the point of intersection with the Southerly extension of the West line of South La Salle Street (said West line of La Salle Street being the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition); thence North 0 degrees 00 minutes 27 seconds East along said Southerly extension 381.35 feet to the South line of the aforesaid West Taylor Street; thence South 89 degrees 56 minutes 02 seconds East along said South line 255.91 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

BLOCK 105 TO 108, INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-006

Volume: 511

17-16-416-007

(AFFECT THIS PARCEL 4 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 8 HEREIN)

PARCEL 5:

The undivided one-half interest in the following described property vested in the Insured:

That part of Block 109 in School Section Addition to Chicago, and all of Lots 23, 26 and 29 and that part of Lots 19, 20, 24, 25 and 30, and part of the North and South 10 foot alley lying West of and adjoining said Lots 19, 24, 25 and 30 in Block 110 in Adams's and Parker's Subdivision of Blocks 103 and 110 in said School Section Addition to Chicago in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, all taken as a tract, bounded and described as follows:

Beginning at the point of intersection of the North line of West Taylor Street (being the South line of said Block 109) with the East line of South La Salle Street (being a line 40.00 feet East of and parallel with the East line of Lots 1 through 16 in W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in the aforesaid School Section Addition) thence North 0 degrees 00 minutes 27 seconds East, 537.78 feet along said East line of South La Salle Street and the West line of the aforesaid Lots 29, 26, 23 and 20 (in Adams's and Parker's Subdivision) to the South line of the North 1/2 of said Lot 20; thence South 89 degrees 54 minutes 18 seconds East along said South line and its extension, 125.83 feet to the point of intersection with a line drawn 90.00 feet West of and parallel with the West line of South Clark Street as widened, said West line being 20.00 feet West of the East line of the aforesaid Block 109; thence South 0 degrees 00 minutes 00 seconds West along said line drawn 90.00 feet West and parallel, 139.60 feet to the South line of said Lot 30; thence South 89 degrees 54 minutes 45 seconds East along said South line 90.00 feet to the aforesaid West line of South Clark Street as widened; thence South 0 degrees 00 minutes 00 seconds West along said West line of South Clark Street as widened, 398.08 feet to the aforesaid North line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along said North line 215.90 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-008-6001

Volume: 511

17-16-412-008-6002

BLOCK 109 OUTSIDE GURNEE'S SUB

Permanent Tax Number: 17-16-412-006-6001
17-16-412-006-6002

Volume: 511

(AFFECTS ONLY PARCEL 5)

PARCEL 6:

The undivided one-half interest in the following described property vested in the Insured:

That part of Lots 3, 4, 9, 10, 15, 16, 21, 22, 27 and 28 in Block 110 in Adam's and Parker's Subdivision of Blocks 103 and 110 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, also that part of Lots 1 to 16, both inclusive in Block 109 of W.S. Gurnee's Subdivision of Block 104 and the West 1/2 of Block 109 in said School Section Addition to Chicago, also that part of West Taylor Street vacated per ordinance passed February 11, 1901, all taken as a tract; bounded and described as follows:

Beginning at the Northeast corner of the aforesaid Lot 3 in Adam's and Parker's Subdivision; thence South 0 degrees 00 minutes 27 seconds West along the West line of South La Salle Street and its extension, being also the East line of the aforesaid Lots and their extension, 836.35 feet to the South line of West Taylor Street; thence North 89 degrees 56 minutes 02 seconds West along the South line of vacated West 1st or Street per ordinance passed February 11, 1901, 70.46 feet; thence Northwesterly 126.25 feet along the arc of a circle convex Westerly having a radius of 1309.05 feet and whose chord of 126.20 feet bears North 2 degrees 49 minutes 09 seconds West to a point; thence North 0 degrees 03 minutes 23 seconds West along a line tangent to the last described arc, 517.91 feet; thence North 7 degrees 54 minutes 48 seconds East, 194.25 feet to a point on the South line of West Polk Street (being the North line of the aforesaid Lot 3 in Adam's and Parker's Subdivision) said point being 50.54 feet West of the hereinabove designate point of beginning; thence South 89 degrees 53 minutes 28 seconds East along said South line, 50.54 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

ADAMS PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-412-009-6001 Volume: 511
17-16-412-009-6002

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-411-002-6001 Volume: 511
17-16-411-002-6002
17-16-411-002-8001

(AFFECT ONLY PARCEL 6)

PARCEL 7:

Lots 2, 5, 8, 11, 14, 17, 20, 23, 26 and 29 in Block 103 of Adams and Parker's Subdivision of Blocks 103 and 111 in School Section Addition to Chicago in Section 1st Township 39 North, Range 14 East of the Third Principal Meridian, also Lots 4 to 3rd, both inclusive in Block 104 of Gurnee's Subdivision of Blocks 104 and the West 1/2 of Block 109 in School Section Addition to Chicago in Section 16, in Cook County, Illinois.

MS & PARKER'S SUB OF BLOCKS 103 AND 110

Permanent Tax Number: 17-16-410-016-6001
17-16-410-016-6002
17-16-410-017-6001
17-16-410-017-6002
17-16-410-018-6001
17-16-410-018-6002
17-16-410-012
17-16-410-014

Volume: 511

GURNEE'S SUB OF BLOCK 104 AND WEST 1/2 OF BLOCK 109

Permanent Tax Number: 17-16-410-009
17-16-410-015

Volume: 511

(ALL PINS EXCEPT 17-16-410-012 AFFECT THIS PARCEL 7 AND OTHER PROPERTY BEING PART OF PARCEL 3 HEREIN)

(PERMANENT INDEX NUMBER 17-16-410-012 AFFECTS ONLY PARCEL 7)

PARCEL 8:

That part of Blocks 105 and 106 in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, and of Lots 9 to 15 in Stowell's Subdivision of Blocks 106 and 107 in School Section Addition to Chicago in Section 16, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

Inning at a point on the North line of West Roosevelt Road, 400 feet West of the West line of South Clark Street; thence North along a line parallel with and 400 feet West of said West line of Clark Street, a distance of 141 feet more or less to the center of a canal slip; thence East along a line parallel with and 141 feet North of the North line of said Roosevelt Road a distance of 88 feet; thence Northwesterly along a straight line to a point in the North line of Lot 15 in said Stowell's Subdivision, 334 feet West of the West line of South Clark Street; thence Northwesterly to a point in the South line of Lot 9 in said Stowell's Subdivision, 25 feet West of the East line of said Lot 9; thence Northwesterly to a point in the North line of said Lot 9, 40 feet West of the East line of said Lot 9; thence Westerly along the North line of said Lot 9 to a point in the East line, extended Southerly, of Sherman Street; thence North along said East line extended to a point in the North line of Block 105 aforesaid; thence West along the North line of said Block 105 to a point on the West line of South Wells Street, as same now exists North of Taylor Street, produced South, running thence South along said West line of South Wells Street, produced South, a distance of 100.90 feet; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet, a distance of 180.16 feet to the point of tangency, said point being 280.8 feet South from the South line of Taylor Street, produced East, measured parallel with the West line of South Clark Street, and 787.91 feet West of the West line of South Clark Street, as now established, measured parallel with the South line of Taylor Street; thence running Southerly along a straight line, a distance of 508.47 feet to a point of curve, said point of curve being 57.28 feet North from the North line of West Roosevelt Road, as now widened, measured parallel to the West line of South Clark Street and 739.73 feet West from the West line of Clark Street, as now established, measured parallel with the North line of West Roosevelt Road; thence Southerly along a curved line tangential to the last described course, convex to the West, and having a radius of 1910.08 feet a distance of 57.64 feet to a point on the North line of West Roosevelt Road, as now widened, said point

being 733.41 feet West of the West line of South Clark Street, as now established, as
asured along the North line of West Roosevelt Street as now widened; thence East
along the North line of West Roosevelt Road to the point of beginning, in Cook
County, Illinois.

BLOCK 105 TO 108 INCLUDING STOWELL'S SUB

Permanent Tax Number: 17-16-416-005

Volume: 511

.17-16-416-006

17-16-416-007

(ALL PINS AFFECT THIS PARCEL 8 AND OTHER PROPERTY BEING PARTS OF PARCELS 2, 3 AND 4
HEREIN)

EXHIBIT D

DESCRIPTION OF FORECLOSURE PROCEEDINGS

200 Park Plaza Naperville, Illinois

On November 8, 1995, Plaintiff Teachers Insurance and Annuity Association (“Teachers”) filed a verified complaint in the Circuit Court of Dupage County, Illinois, Eighteenth Judicial Circuit, against defendants, LaSalle National Bank, as Trustee under Trust Agreement dated September 4, 1984 (Trust No. 108920), 200 Park Plaza Associates, W/H Partnership No.2, Matthew M. Walsh, Jr., Daniel J. Walsh, John W. Higgins, Christopher Noon and Walsh, Higgins & Co. Teacher’s complaint sought a judgement of foreclosure and other relief, including a judicial sale of the 200 Park Plaza (the “Property”). Defendants answered and set forth various affirmative defenses and counterclaims.

On November 1, 1996, the circuit court entered an order granting plaintiff’s renewed motion for summary judgement as to defendants’ affirmative defenses. On December 2, 1996, the circuit court entered a judgement of foreclosure and sale ordering the judicial sale of the Property. On December 6, 1996, defendants’ filed a notice of appeal from the judgement of foreclosure and sale.

On April 10, 1997, the trial court entered an order granting plaintiff’s motion for summary judgement as to defendants’ counterclaims. Defendants appealed from the order on that day, April 10, 1997.

On April 29, 1997, Teachers purchased the Property at the judicial sale. On May 13, 1997, the circuit court entered an Order confirming and approving the sale of the Property to Teachers (“Confirmation Order”). On June 11, 1997, one of the defendants, Walsh, Higgins & Company, filed a motion to vacate the May 13, 1997 order. In response to the motion, the circuit court entered an order on August 18, 1997, providing, *inter alia*, that the Confirmation Order shall remain in full force and effect (the “Modified Confirmation Order”). Defendants appealed from the Confirmation Order and the Modified Confirmation Order on June 11, 1997 and August 28, 1997, respectively.

The appeals were consolidated in the Illinois Appellate Court, Second District. On March 6, 1998, The Appellate Court affirmed the circuit court. The Appellate Court denied defendants’ Petition for Rehearing on April 2, 1998. On October 26, 1998, The Supreme Court of Illinois denied defendants Petition for Leave to Appeal. On February 22, 1999, the Supreme Court of the United States denied defendants’ Petition for Writ of Certiorari, thus ending all avenues of appeal.

LaSalle Park (Location Described in Section I.H)

Lumbermens Mutual Casualty Company commenced a mortgage foreclosure action concerning LaSalle Park in the Circuit Court of Cook County on August 10, 1998, entitled Lumbermens Mutual Casualty Company vs. American National Bank and Trust Company of Chicago, et.al. No. 98CH10604. The beneficiary of the trust at that time was W/H Limited Partnership No. 17. This action was dismissed several months later.