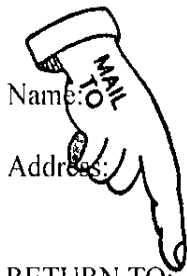


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PREPARED BY:

5/15/0181 90 001 Page 1 of 9
2000-08-25 15:42:40
Cook County Recorder 37.50



Name: Harry R. Walton
Address: 2510 Brooks Drive
Decatur, IL 62521



RETURN TO:

Name: Brian Clingen
Oak Lawn Partners, L.L.C.
Address: 2215 York Road, Suite 510
Oak Brook, IL 60523

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0312225011

Oak Lawn Partners, L.L.C., the Remediation Applicant, whose address is 2215 York Road, Suite 510, Oak Brook, IL 60523 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

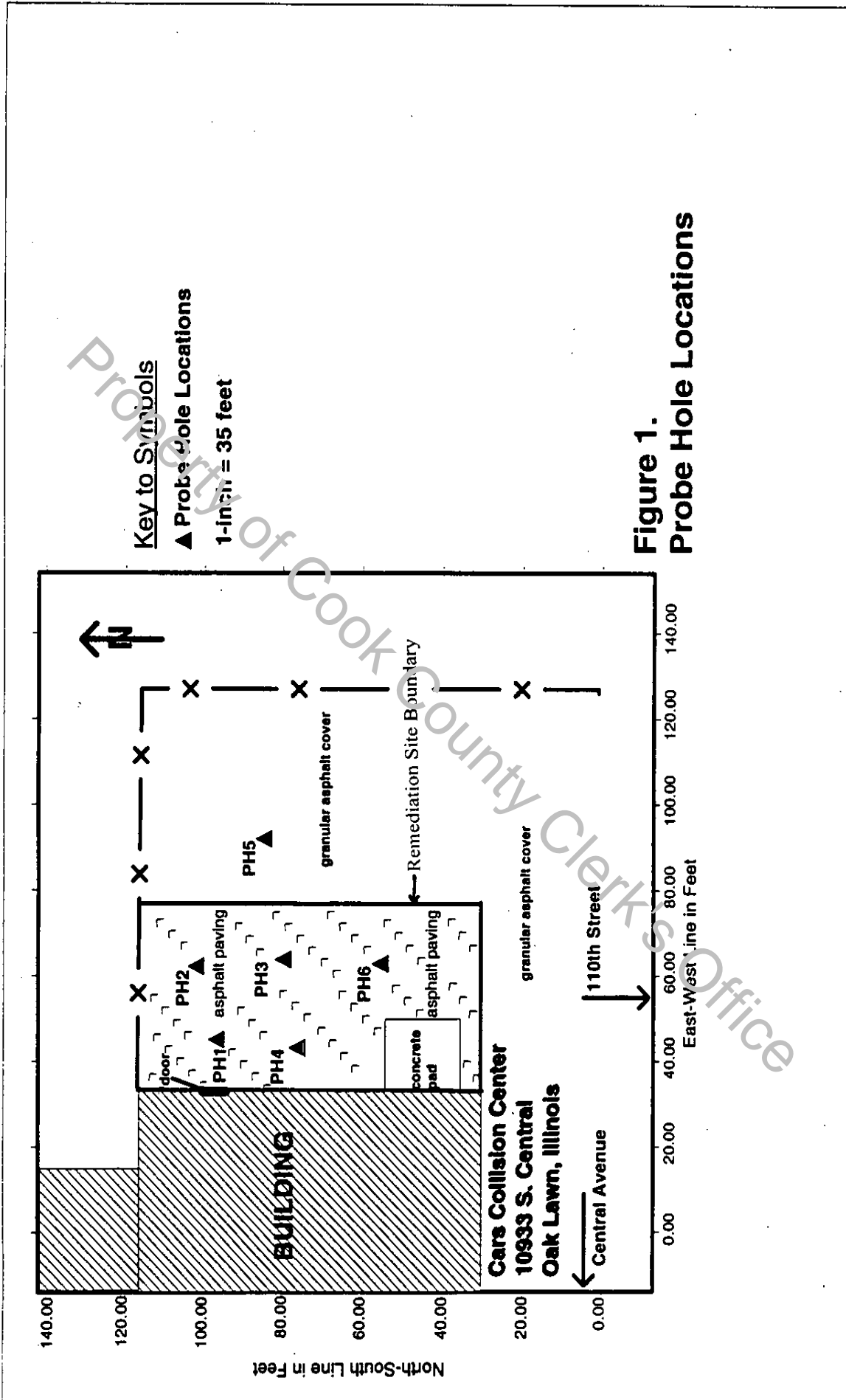
A TRACT OF LAND COMPRISING PART OF LOT 13 IN SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID TRACT OF LAND ALL THAT PART OF SAID LOT 13 AS LIES WITHIN THE FOLLOWING DESCRIBED TRACT:

THE NORTH 83 FEET OF THE SOUTH 869 FEET OF THE EAST 40 FEET OF THE WEST 290 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 16, IN COOK COUNTY, ILLINOIS.

- 2. Common Address: 10933 South Central Avenue, Oak Lawn, IL 60453
- 3. Real Estate Tax Index/Parcel Index Number: 24-16-300-009-0000
- 4. Remediation Site Owner: Brian Clingen, Oak Lawn Partners, L.L.C.
- 5. Land Use Limitation: Industrial/Commercial
- 6. Site Investigation: Focused

See NFR letter for other terms.

SITE BASE MAP
0312225011 -- COOK COUNTY
OAK LAWN/BRZUSKIEWICZ AUTO REBUILDERS
SITE REMEDIATION PROGRAM



**TABLE A:
REGULATED SUBSTANCES OF CONCERN
0312225011 -- COOK COUNTY
OAK LAWN/BRZUSZKIEWICZ AUTO REBUILDERS
SITE REMEDIATION PROGRAM**

Semivolatile Organic Compounds

<u>CAS No.</u>	<u>Compound Name</u>
91-20-3	Naphthalene

BTEX Indicator Contaminants

<u>CAS No.</u>	<u>Compound Name</u>
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)

Property of Cook County Clerk's Office



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

THOMAS V. SKINNER, DIRECTOR

217/782-6761

Certified # 7099 3400 0006 5938 0713

August 3, 2000

Brian Clingen
Oak Lawn Partners, L.L.C.
2215 York Road, Suite 510
Oak Brook, IL 60523

Re: 0312225011 -- Cook County
Oak Lawn/Brzuszkiewicz Auto Rebuilders
Site Remediation/Technical Reports

Dear Mr. Clingen:

The *Geoprobe Soil Sampling and Analysis and TACO/regulatory Closure Evaluation Report* and the April 3, 2000 response to Illinois EPA comments letter dated January 21, 2000 and April 3, 2000 respectively (Log Nos. 00-381 and 00-1240) as prepared by Harry R. Walton for the Brzuszkiewicz Auto Rebuilders property has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the site are equal to or above the existing levels of regulated substances and the response to Illinois EPA comments letter, dated January 21, 2000 shall serve as the approved Remedial Action Completion Report.

The remediation site, consisting of 0.076 acre(s), is located at 10933 South Central Avenue, Oak Lawn, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et. seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's DRM-1 Form (April 3, 2000), is Brian Clingen, Oak Lawn Partners, L.L.C.

This focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the remediation site described in the attached Site Remediation Program environmental notice and shown in the attached site base map does not constitute a threat to human health and the environment for the specified recognized environmental conditions so long as the site is utilized in accordance with the terms of this Letter.

GEORGE H. RYAN, GOVERNOR

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The recognized environmental conditions, as characterized by the focused site investigation, that have been successfully addressed are detailed in the attached Table A.
2. The remediation site is restricted to industrial/commercial uses.
3. The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this site.

Preventive Controls:

At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Institutional Controls:

No person shall construct, install, maintain, or operate a water system or well at the remediation site. All water supplies and water services for the remediation site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage including, but not limited to, domestic, commercial, and industrial uses and water for outdoor purposes.

OTHER TERMS

5. Where the Remediation Applicant is not the sole owner of the remediation site, the Remediation Applicant shall complete the attached property owner certification of the No Further Remediation Letter under the Site Remediation Program form. This certification

by original signature of each property owner, or the authorized agent of the owner(s), of the remediation site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.

6. Further information regarding this remediation site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Bureau of Land #24
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

7. Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of this Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:

- a) Any violation of institutional controls or the designated land use restrictions;
- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c) If applicable, the disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
- d) The failure to comply with the recording requirements for this Letter;
- e) Obtaining the Letter by fraud or misrepresentation;
- f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
- g) The failure to pay the No Further Remediation Assessment Fee within 45 days after receiving a request for payment from the Illinois EPA;
- h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within 45 days after receiving a request for payment from the Illinois EPA.

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8. Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Brian Clingen, Oak Lawn Partners, L.L.C.;
 - b) The owner and operator of the remediation site;
 - c) Any parent corporation or subsidiary of the owner of the remediation site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the remediation site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the remediation site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the remediation site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the remediation site;
 - h) Any transferee of the owner of the remediation site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the remediation site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the remediation site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor in interest thereto; or
 - k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
9. This Letter, including all attachments, must be recorded as a single instrument within 45 days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program environmental notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Bruszkiewicz Auto Rebuilders property.

Page 5

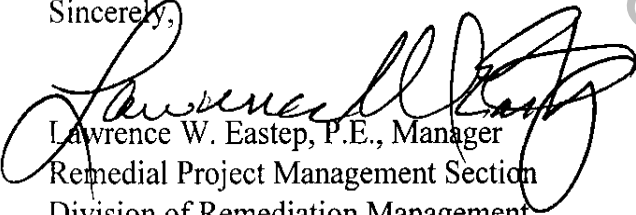
Within 30 days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Mr. Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS Section
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, IL 62794-9276

10. In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the remediation site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the final billing statement.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Andrew Catlin at 217/82-6761.

Sincerely,



Lawrence W. Eastep, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

Attachments: Illinois EPA Site Remediation Program environmental notice
Site base map
Property owner certification of No Further Remediation Letter under the Site
Remediation Program form

cc: Harry R. Walton
2510 Brooks Drive
Decatur, IL 62521

Bureau File
Bob O'Hara
Jan Zanetello

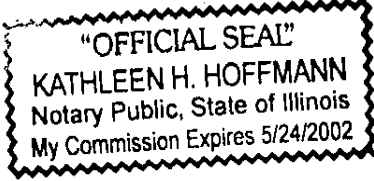
PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

If the Remediation Applicant is not the sole owner of the remediation site, include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name:	<u>Oak Lawn Partners</u>
Title:	_____
Company:	_____
Street Address:	<u>2215 York Road, Suite 510</u>
City:	<u>Oak Brook</u> State: <u>IL</u> Zip Code: <u>60523</u> Phone: <u>630-368-3700</u>
Site Information	
Site Name:	<u>Oak Lawn/Brzuszkiewicz Auto Rebuilders</u>
Site Address:	<u>10933 South Central Avenue</u>
City:	<u>Oak Lawn</u> State: <u>IL</u> Zip Code: <u>60453</u> County: <u>Cook</u>
Illinois inventory identification number:	<u>LPC 031225011</u>
Real Estate Tax Index/Parcel Index No.	<u>24-16-300-009-000</u>
I hereby certify that I have reviewed the attached No Further Remediation Letter, and that I accept the terms and conditions and any land use limitations set forth in the letter.	
Owner's Signature:	<u><i>[Signature]</i></u> Date: <u>8/21/00</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>21st</u> day of <u>Aug</u> , <u>19 2000</u>	
<u><i>[Signature]</i></u> Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.