



(765 ILCS 90/5)

7024/0158 20 001 Page 1 of 20

Sec. 5. Form and content of Disclosure Document.

2000-10-30 13:11:58

Cook County Recorder

115.00

(a) The disclosure document required under Section 4 of this Act shall consist of the following form:

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

For Use By County Recorder's Office

The following information is provided pursuant to the Responsible Property Transfer Act of 1988 Seller: Buyer: Document No.: County Date Doc. No. Vol. Page Rec'd by:

I. PROPERTY IDENTIFICATION:

A. Address of property:

1840 North Clybourn Street Chicago, IL 60614

Permanent Real Estate Index Nos. See Exhibit 1¹

B. Legal Description:

Section 32 Township 40 North Range 14 East

¹ Exhibit 1 includes Permanent Real Estate Index Nos. for Parcels 1-3 (on the west side of North Clybourn Ave.) and Parcel 4 (on the east side of North Clybourn Ave.). This form is intended to cover all four of the afore-mentioned parcels, although all substantive information in this form pertains to Parcels 1-3, unless otherwise noted.

BOX 333-CT1

7868035, 657, D2 2014

P 20

Enter or attach current legal description in this area:

See Exhibit 2

Prepared by:

Carey S. Rosemarin
Law Offices of Carey S. Rosemarin, P.C.
707 Skokie Boulevard, Suite 505
Northbrook, IL 60062

Return to:

Carey S. Rosemarin
Law Offices of Carey S. Rosemarin, P.C.
707 Skokie Boulevard, Suite 505
Northbrook, IL 60062

LIABILITY DISCLOSURE

Transferors and transferees of real property are advised that their ownership or other control of such property may render them liable for any environmental clean-up costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

Property Characteristics:

Lot Size: Parcels 1-3 -- approximately 82,983 square feet
(aggregate)

Parcel 4 -- approximately 35,749 square feet

Acreage: Parcels 1-3 -- approximately 1.9050 acres (aggregate)

Parcel 4 -- approximately 0.8207 acres

Check all types of improvement and uses that pertain to the property:

- Apartment building (6 units or less)
- Commercial apartment (over 6 units)
- Store, office, commercial building
- Industrial building
- Farm, with buildings
- Other (specify)

II. NATURE OF TRANSFER:

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| A. (1) Is this a transfer by deed or other instrument of conveyance? | <input checked="" type="checkbox"/> | |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? | | <input checked="" type="checkbox"/> |
| (3) A lease exceeding a term of 40 years? | | <input checked="" type="checkbox"/> |
| (4) A mortgage or collateral assignment of beneficial interest? | | <input checked="" type="checkbox"/> |

B. (1) Identify Transferor:

Parcels 1, 2, 3 and a portion of Parcel 4 - LaSalle Bank National Association, f/k/a LaSalle National Bank, successor Trustee to LaSalle National Trust, N.A., not personally but as trustee under Trust Agreement dated July 20, 1982 and known as Trust No. 10-40092-09

A portion of Parcel 4 - LaSalle Bank National Association, f/k/a LaSalle National Bank, successor Trustee to LaSalle National Trust, N.A., not personally but as trustee under Trust Agreement dated February 3, 1989 and known as Trust No. 114143

Name and Current Address of Transferor

135 South LaSalle Street
Chicago, IL 60603²

Name and Address of Trustee if this is a Trust No. transfer of beneficial interest of a land trust.

NOT APPLICABLE

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

Robert Lozins
Richard Lozins
Artmark Chicago, Ltd.
4136 United Parkway
Schiller Park, IL 60176
847-671-1111

Michelle Lozins
c/o Artmark Chicago, Ltd.
4136 United Parkway
Schiller Park, IL 60176
847-671-1111

.....
Name, Position (if any), and address Telephone No.

² Information in this form relates to the knowledge of the trust beneficiary.

C. Identify Transferee:

TrizecHahn Clybourn Technology Center LLC
233 South Wacker Drive
Suite 4600
Chicago, Illinois 60606

.....
Name and Current Address of Transferee

III. NOTIFICATION

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act states in part:

"Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois or any unit of local government as a result of a release or substantial threat of a release of a hazardous substance or pesticide:

(1) the owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance or pesticide;

(2) any person who at the time of disposal, transport, storage or treatment of a hazardous substance or pesticide owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a

release of any such hazardous substance or pesticide;

(3) any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances or pesticides owned, controlled or possessed by such person at a facility owned or operated by another party or entity from which facility there is a release or substantial threat of a release of such hazardous substances or pesticides; and

(4) any person who accepts or accepted any hazardous substances or pesticides for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance or pesticide."

2. Section 4(q) of the Act states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance or pesticide. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(k) of the Act states in part:

"If any person who is liable for a release or substantial threat of release of a hazardous substance or pesticide fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the Agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as a result of such failure to take such removal or remedial action. The punitive damages imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 57.12(a) of the Act states in part:

"Notwithstanding any other provision or rule of law, the owner or operator, or both, of an underground storage tank shall be liable for all costs of investigation, preventive action, corrective action and enforcement action incurred by the State of Illinois resulting from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes in the text of the statutes cited, but no disclosure statement shall be invalid merely because it sets forth an obsolete or superseded version of such text.

IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage or handling of "hazardous substances", as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximate amount, concentration and manner as they are sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property.

Yes .

No .

2. Has the transferor ever conducted operations on the property which involved the processing, storage or handling of petroleum, other than that which was associated directly with the transferor's vehicle

³ Various substances used in the normal course of business (for such purposes as cleaning, and building and equipment maintenance) have been stored at the facility in small quantities. Such substances may have contained hazardous substances within the meaning of the Illinois Environmental Protection Act.

usage?

Yes .X⁴.
 No

3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment or disposal of "hazardous or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

Yes .X⁵.
 No

4. Are there any of the following specific units (operating or closed) at the property which are or were used by the transferor to manage waste, hazardous wastes, hazardous substances or petroleum?

	YES	NO
Landfill	.....	.X..
Surface Impoundment	.....	.X..
Land Treatment	.....	.X..
Waste Pile	.....	.X..
Incinerator	.X.	.....
Storage Tank (Above Ground)	.X.	.....
Storage Tank (Underground)	.X..	.....
Container Storage Area	.X..	.....
Injection Wells	.....	.X.
Wastewater Treatment Units	.....	.X..
Septic Tanks	.....	.X..
Transfer Stations	.....	.X..
Waste Recycling Operations	.....	.X..
Waste Treatment Detoxification	.....	.X.
Other Land Disposal Area	.....	.X..

⁴ Products such as kerosene and gasoline have been stored on the property in small quantities for use in space heaters, snowblowers and possibly for other purposes.

⁵ Maintenance of facilities on the property, such as furnaces, above-ground storage tanks, and incinerator, may have involved the handling of special wastes.

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, attach a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency along with this disclosure document.

See Exhibit 3

5. Has the transferor ever held any of the following in regard to this real property?

- a. Permits for discharges of wastewater to waters of the State. Yes No
- b. Permits for emissions to the atmosphere. Yes No
- c. Permits for any waste storage, waste treatment or waste disposal operation. Yes No

6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes
No

7. Has the transferor taken any of the following actions relative to this property?

- a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. Yes No
- b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant Yes No

to the federal Emergency Planning and Community Right-to-Know Act of 1986.

- c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes No .X.

8. Has the transferor or any facility on the property or the property been the subject of any of the following State or federal governmental actions?

- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. Yes No .X.
- b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. Yes No .X.
- c. If item b. was answered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property. Yes No .X.

9. Environmental Releases During Transferor's Ownership

a. Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under State or federal laws?

Yes
No .X.

b. Have any hazardous substances or petroleum, which were released,

come into direct contact with the ground at this site?

Yes

No .X.

c. If the answers to questions (a) and (b) are Yes, have any of the following actions or events been associated with a release on the property?

.... Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials

NOT APPLICABLE

.... Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials

NOT APPLICABLE

.... Designation, by the IEPA or the IEMA, of the release as "significant" under the Illinois Chemical Safety Act

NOT APPLICABLE

.... Sampling and analysis of soils

NOT APPLICABLE

.... Temporary or more long-term monitoring of groundwater at or near the site

NOT APPLICABLE

.... Impaired usage of an on-site or nearby water well because of offensive characteristics of the water

NOT APPLICABLE

.... Coping with fumes from subsurface storm drains or inside basements, etc.

NOT APPLICABLE

.... Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site

NOT APPLICABLE

10. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?

Yes

No .X..

11. Is there any explanation needed for clarification of any of the above answers or responses?

In producing, filing, and recording of this Disclosure Form, neither Transferor, nor the beneficiary of the Transferor makes any admission of the applicability of the Responsible Property Transfer Act, or otherwise. While no clarification is required, the beneficiary of Transferor has chosen to provide additional information in the footnotes included herein.

B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

1. Provide the following information about the previous owner or any entity or person the transferor leased the site to or otherwise contracted with for the management of the site or real property:

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Name: Intercraft Industries Corp.⁶

Type of business/
or property usage - Manufacturer of picture frames.

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, other contracts for management or use of the facilities or real property.⁷

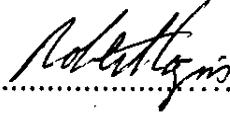
	YES	NO
Landfill
Surface Impoundment
Land Treatment
Waste Pile
Incinerator	.X..	.....
Storage Tank (Above Ground)	.X.	.....
Storage Tank (Underground)	.X..	.....
Container Storage Area
Injection Wells
Wastewater Treatment Units
Septic Tanks
Transfer Stations
Waste Recycling Operations
Waste Treatment Detoxification
Other Land Disposal Area

⁶ Intercraft Industries Corp. is the previous owner of Parcels 1-3, and Artmark Chicago, Ltd. was the tenant of Transferor. All information provided in this Section B (Site Information Under Other Ownership or Operation) relates to the previous ownership of the property.

⁷ Transferor has no knowledge with respect to items that are not marked.

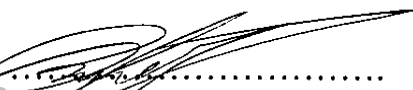
IV. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.


.....

signature

Robert Lozins


.....

signature

Richard Lozins


.....

signature

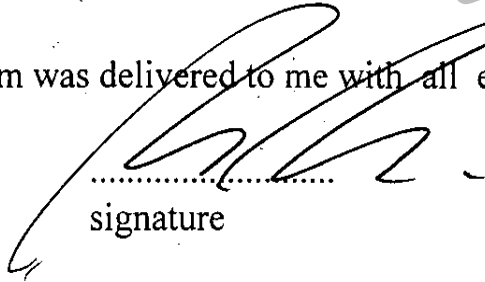
Michelle Lozins

type or print name

TRANSFEROR OR TRANSFERORS

(or on behalf of Transferor)

B. This form was delivered to me with all elements completed on (insert date).


.....

signature

Brian Lipson

C. This form was delivered to me with all elements completed on
(insert date).

.....
signature

.....
type or print name
LENDER

(Source: P.A. 90-655, eff. 7-30-98; 91-357, eff. 7-29-99.)

Property of Cook County Clerk's Office

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EXHIBIT 1

PERMANENT REAL ESTATE INDEX NOS.

14-32-416-011-0000, 14-32-416-012-0000
14-32-416-013-0000, 14-32-416-014-0000
14-32-416-015-0000, 14-32-416-016-0000
14-32-416-017-0000, 14-32-416-018-0000
14-32-416-019-0000, 14-32-416-020-0000
14-32-416-021-0000, 14-32-416-022-0000
14-32-416-023-0000,

14-32-418-001-0000
14-32-413-003-0000, 14-32-501-015-0000

Property of Cook County Clerk's Office

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EXHIBIT 2

LEGAL DESCRIPTION

PARCEL 1:

Lots 7 to 20, both inclusive, in Block 6 in the subdivision of Lots 1 and 2 in Block 8 in Sheffield's addition to Chicago in the South East $\frac{1}{4}$ of Section 32, Township 40 North, Range 14 East of the Third Principal Meridian (except therefrom that portion thereof conveyed to the Chicago, Milwaukee and St. Paul Railway Company by Deed dated May 7, 1909 and recorded June 2, 1909 as Document 4385296) in Cook County, Illinois.

PARCEL 2:

That part of the Southwesterly 15 feet of Lots 12 and 13 in Block 6 in the subdivision of Lots 1 and 2 in Block 8 in Sheffield's addition to Chicago in the South East $\frac{1}{4}$ of Section 32, Township 40 North, Range 14 East of the Third Principal Meridian, bounded and described as follows:

Beginning at a point on the Northwesterly line of Lot 13 which point is 15.0 feet Northeasterly of the Northwesterly corner of said Lot 13 and running thence Southeastwardly along a line 15.0 feet Northeasterly of and parallel with the Southwesterly line of said Lots 12 and 13, a distance of 91.12 feet; thence Northwestwardly along the arc of a circle, convex Northeasterly, having a radius of 694.42 feet, a distance of 66.40 feet, to a point 8.73 feet Northeasterly of said Southwesterly line of Lot 13; thence Northwestwardly along a straight line, tangent to the last described arc of a circle, a distance of 25.30 feet to its intersection with the Northwesterly line of Lot 13 aforesaid, at a point 5.14 feet Northeasterly of said Northwesterly corner of Lot 13; thence Northeastwardly along said Northwesterly line, a distance of 9.86 feet to the point of beginning, in Cook County, Illinois.

PARCEL 3:

The Southwesterly 15 feet of Lots 7, 8, 9, 10, 11, 12 and 13 in Block 6 in the subdivision of Lots 1 and 2 in Block 8 in Sheffield's addition to Chicago in the South East $\frac{1}{4}$ of Section 32, Township 40 North, Range 14 East of the Third Principal Meridian, excepting therefrom that part of said Lots 12 and 13, bounded and described as follows:

Beginning at a point on the Northwesterly line of Lot 13 which point 15.0 feet Northeasterly of the Northwesterly corner of said Lot 13, and running thence Southeastwardly along a line 15.0 feet Northeasterly of and parallel with the Southwesterly line of said Lots 12 and 13, a distance of 91.12 feet; thence Northwestwardly along the arc of a circle, convex Northeasterly, having a radius of 694.42 feet, a distance of 66.40 feet, to a point 8.73 feet Northeasterly of said Southwesterly line of Lot 13; thence Northwestwardly along a straight line, tangent to last described arc of a circle, a distance of 25.30 feet to its intersection with the Northwesterly line of Lot 13 aforesaid, at a point 5.14 feet Northeasterly of said Northwesterly corner of said Lot

UNOFFICIAL COPY

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13; thence Northeastwardly along said Northwesterly line, a distance of 9.86 feet to the point of beginning, in Cook County, Illinois.

PARCEL 4:

Lots 11 through 23 all in Clark and Thomas' Subdivision of Lot 4 in Block 9 in Sheffield's addition to Chicago, in Cook County, Illinois situated in the South East $\frac{1}{4}$ of Section 32, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Property of Cook County Clerk's Office

EXHIBIT 3

SITE PLAN

Page 1 of 2

The site plan on the following page ("Site Plan") is provided in response to Question 4 of that certain "Environmental Disclosure Document for Transfer of Real Property," pertaining to the transfer of 1840 North Clybourn Street, Chicago, IL, to Argent Technology, LLC from LaSalle Bank National Association, f/k/a LaSalle National Bank, successor Trustee to LaSalle National Trust, N.A., not personally but as trustee under Trust Agreement dated July 20, 1982 and known as Trust No. 10-40092-09, and LaSalle Bank National Association, f/k/a LaSalle National Bank, successor Trustee to LaSalle National Trust, N.A., not personally but as trustee under Trust Agreement dated February 3, 1989 and known as Trust No. 114113.

The Site Plan is premised on a pre-existing diagram that may contain features that no longer exist and/or may not contain features that do exist. It is used solely to display the approximate locations of units for which a "Yes" response was included in Question 4. Those units are designated by numbers as follows:

- 1 Storage Tank (Underground)
- 2 Storage Tank (Above Ground)
- 3 Incinerator
- 4 Container Storage Area (first floor, above basement and sub-basement)
- 5 Container Storage Area (basement)
- 6 Container Storage Area (street level)

#

