

Return to: William D. Provan
American National Bank
120 S. LaSalle St
Chicago, IL 60603



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2000-01-27 14:35:07
Cook County Recorder 33.50



ENVIRONMENTAL DISCLOSURE
DOCUMENT FOR TRANSFER OF
REAL PROPERTY

The following information is
provided pursuant to the Responsible
Property Transfer Act of 1988

American National Bank t/u/t/n 46537 dated 5/18/79

Seller: _____

Buyer: Racine Associates, L.L.C., an Illinois limited liability company

Document No.: _____

I. PROPERTY IDENTIFICATION

A. Address of property: 1200-1215 W. Fulton St., Chicago
Street City or Village Township

Permanent Real Estate Index No.: 17-08-314-022; 17-08-314-023; 17-08-314-025
17-08-314-026; 17-08-314-027

B. Legal Description:

Section 8 Township 39N Range 14

Enter or attach current legal description in this area:

SEE LEGAL DESCRIPTION ATTACHED

Prepared by: Gregory F. Smith, Esq.
Lillig & Thorsness, Ltd.
1900 Spring Road, Suite 200
Oak Brook, IL 60523
name address

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1900 Spring Road, Suite 200
Oak Brook, IL 60523
name address

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.

C. Property Characteristics:

Lot Size approx. 186' x 141' Acreage .6 ±

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

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

Handwritten signature and initials: SVE, P, M, Y, D

II. NATURE OF TRANSFER:

- | | YES | NO |
|--|---------------|---------------|
| A. (1) Is this a transfer by deed or other instrument of conveyance? | <u> X </u> | <u> </u> |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? | <u> </u> | <u> X </u> |
| (3) A lease exceeding a term of 40 years? | <u> </u> | <u> X </u> |
| (4) A mortgage or collateral assignment of beneficial interest? | <u> </u> | <u> X </u> |

B. (1) Identify Transferor:

CFI Partnership, 300 N. Elizabeth St., Suite 6N, Chicago, IL 60607

Name and Current Address of Transferor

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust.

Trust No.

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

Thomas E. Comforte 300 N. Elizabeth St., Suite 6N, Chicago, IL 60607

Name, Position (if any), and address

312.226.6200

Telephone No.

C. Identify Transferee: Racine Associates, L.L.C., 300 N. Elizabeth St., Suite 6N

Name and Current Address of Transferee Chicago, IL 60607

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:

"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 as a result of a release or substantial threat of a release of a hazardous substance:

(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;

(2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance 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;

(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 owned, controlled or possessed by such person at a facility there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substances 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."

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. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(f) of the Act states:

"If any person who is liable for a release or substantial threat of release of a hazardous substance 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 damage 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 22.18(a) of the Act states:

"Notwithstanding any other provision or rule of law, except as provided otherwise in subsection (b), the owner or operator, or both, of an underground storage tank shall be liable for all costs of preventive action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of release of petroleum 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.

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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 X

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 usage?

Yes _____ No X

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 _____ No X

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

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.

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

- | | YES | NO |
|--|-------|------------|
| a. Permits for discharges of wastewater to waters of the State. | _____ | <u> X </u> |
| b. Permits for emissions to the atmosphere. | _____ | <u> X </u> |
| c. Permits for any waste storage, waste treatment or waste disposal operation. | _____ | <u> X </u> |

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

_____ X

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. | _____ | <u> X </u> |
| b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. | _____ | <u> X </u> |
| c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-To-Know Act of 1986. | _____ | <u> X </u> |

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. | _____ | <u> X </u> |
| b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. | _____ | <u> X </u> |
| 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. N/A | _____ | _____ |

9. Environmental Releases During Transferor's Ownership

- a. Has any situation occurred at this site which resulted in a reportable "release" on 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? _____ 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? N/A
- _____ Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials
 - _____ Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials
 - _____ Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act
 - _____ Sampling and analysis of soils
 - _____ Temporary or more long-term monitoring of groundwater at or near the site
 - _____ Impaired usage of an on-site or nearby water well because of offensive characteristics of the water
 - _____ Coping with fumes from subsurface storm drains or inside basements, etc.
 - _____ 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

10. In 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? No _____

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:

Name: Transferor purchased the property on or about June 26, 1979 from Robert W. Collins, as successor trustee under Trust Agreement dated June 1, 1967 known as Trust #778 (owner of 1 parcel) and Robert W. Collins and B.C. Collins as trustee under Trust Agreement dated September 9, 1971 known as Trust #C (owners of the second parcel)

Type of business/ vehicle/truck storage

or property usage _____

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: *

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

*Transferor has no knowledge except that transferor did not install or use the underground storage tanks.

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V. 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.

AMERICAN NATIONAL BANK AND TRUST COMPANY
T/U/T #46537
BY: CFI PARTNERSHIP

BY: Thomas E. Comforte
Signature
Printed name: THOMAS E. COMFORTE
TRANSFEREE OR TRANSFEREES (or on behalf of Transferee)

B. This form was delivered to me with all elements completed on

10/28, 19 99

RACINE ASSOCIATES, L.L.C.
BY: COMCO, L.L.C.

BY: Thomas E. Comforte
Signature
Printed name: THOMAS E. COMFORTE
TRANSFEREE OR TRANSFEREES (or on behalf of Transferee)

C. This form was delivered to me with all elements completed on

12/31, 19 99

AMERICAN NATIONAL BANK AND TRUST COMPANY
OF CHICAGO

BY: William D. Brown
Signature
Printed name: William D. Brown

LENDER

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**LEGAL DESCRIPTION
1200 W. FULTON, CHICAGO, ILLINOIS**

LOTS 29, 30, 31 AND 32 IN BLOCK 3 IN MAGIE AND HIGH'S ADDITION TO CHICAGO IN THE SOUTH WEST $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

THE SOUTH $\frac{1}{2}$ OF LOT 4 AND ALL OF LOT 5 AND 6 IN BLOCK 10 IN CARPENTER'S ADDITION TO CHICAGO IN THE SOUTH EAST $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

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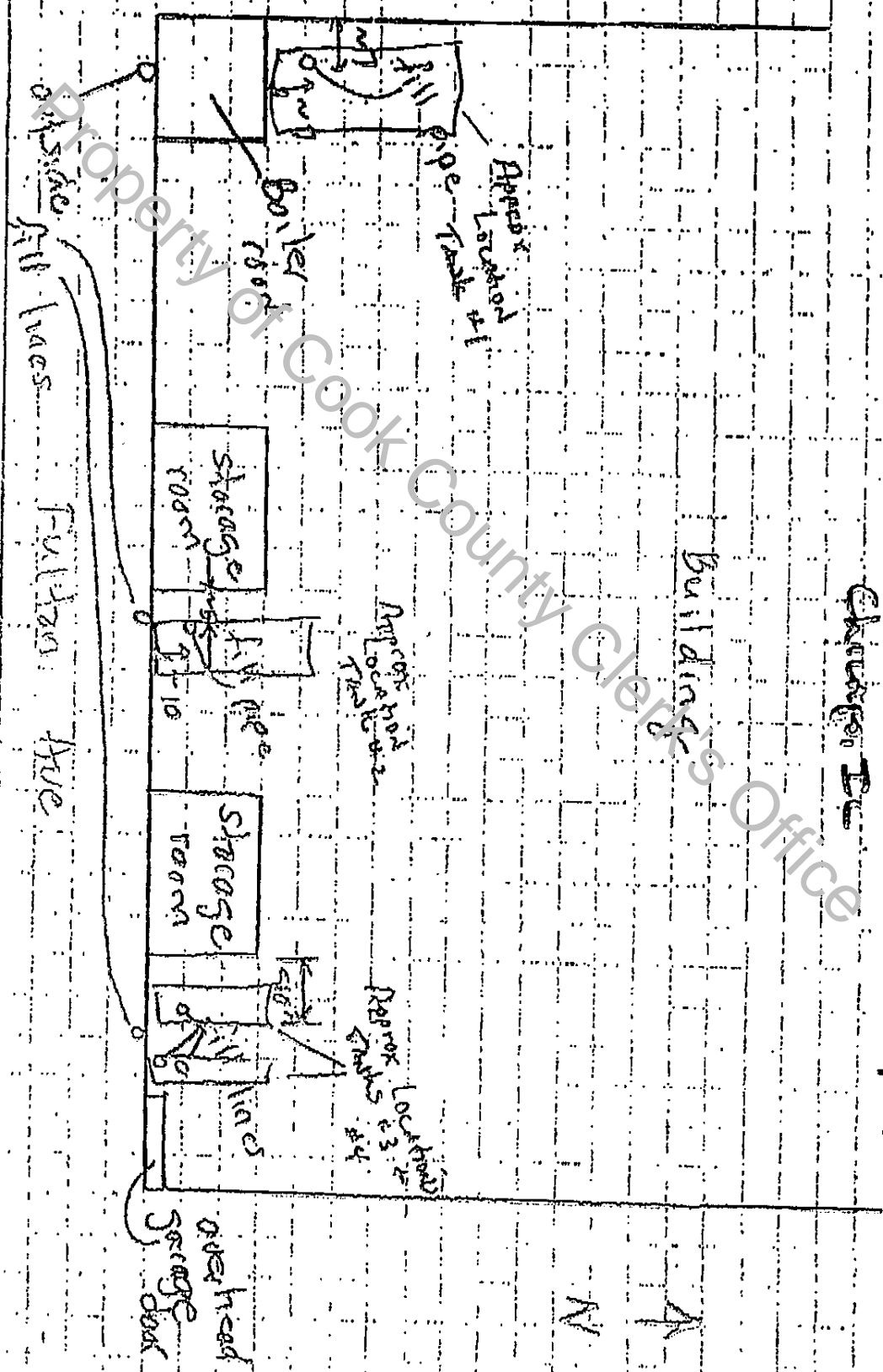
HUFF & HUFF, INC.
Environmental Consultants

00069639 CALCULATION SHEET

Project CFI-1200 Fulton Client *fax 562-829-5800*

Title Site Layout

Station LP Date 11-2-99 Sheet of



1200 W. Fulton

Chicago, IL

Building