

PREPARED BY:

Name: Pulaski Properties, LLC  
Jon Weglarz – President



Address: 6500 West 65<sup>th</sup> Street  
Chicago, IL 60638

RETURN TO:

Name: ~~Pulaski Properties, LLC~~  
~~Jon Weglarz – President~~

Address: ~~6500 West 65<sup>th</sup> Street~~  
~~Chicago, IL 60638~~

THOMAS P. RUSSIAW  
875 MCLINTOCK  
SUITE 200  
MURR RIDGE, IL 60521

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: 0316585199

Pulaski Properties, LLC / Jon Weglarz – President, the Remediation Applicant, whose address is 6500 West 65<sup>th</sup> Street, Chicago, Illinois 60638 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:

Parcel 1: All of Lot 17, that part of Lot 18, lying West of a line 50 feet West of and parallel with the East line of Section 10, that part of Lot 19, lying West of a line 50 feet West of and parallel with the East line of Section 10, that part of Lot 20, lying West of a line 50 feet West of and parallel with the East line of Section 10, that part of Lot 21, lying West of a line 50 feet West of and parallel with the East line of Section 10, (except that part of the aforementioned Lots taken for widening of Crawford Avenue) all in Block 1 in Hinkamp and Co's Archer and Crawford Avenues Subdivision of that part of the East half of the Northeast Quarter of Section 10, township 38 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2: A triangular shaped parcel of land situated in the Southeast Quarter of the Northeast Quarter of Section 10, Township 38 North, Range 13 East of the Third Principal Meridian, in the City of Chicago, Cook County, Illinois, to wit: beginning at the intersection of the North line of West 51<sup>st</sup> Street and a line 50 feet West of and parallel to the East line of said Section 10; thence West along the North line of West 51<sup>st</sup> Street a distance of 108.64 feet more or less to its intersection with a line parallel to and 150 feet Northwesterly by rectangular measurement from the Northwesterly line of the 100 foot strip of land across the Northeast Quarter of the Southeast Quarter of said Section 10, deeded by the Chicago Union Transfer RY. Company of the Chicago and Western Indiana Railroad Company by Warranty Deed dated September 30,

(Illinois EPA Site Remediation Program Environmental Notice)

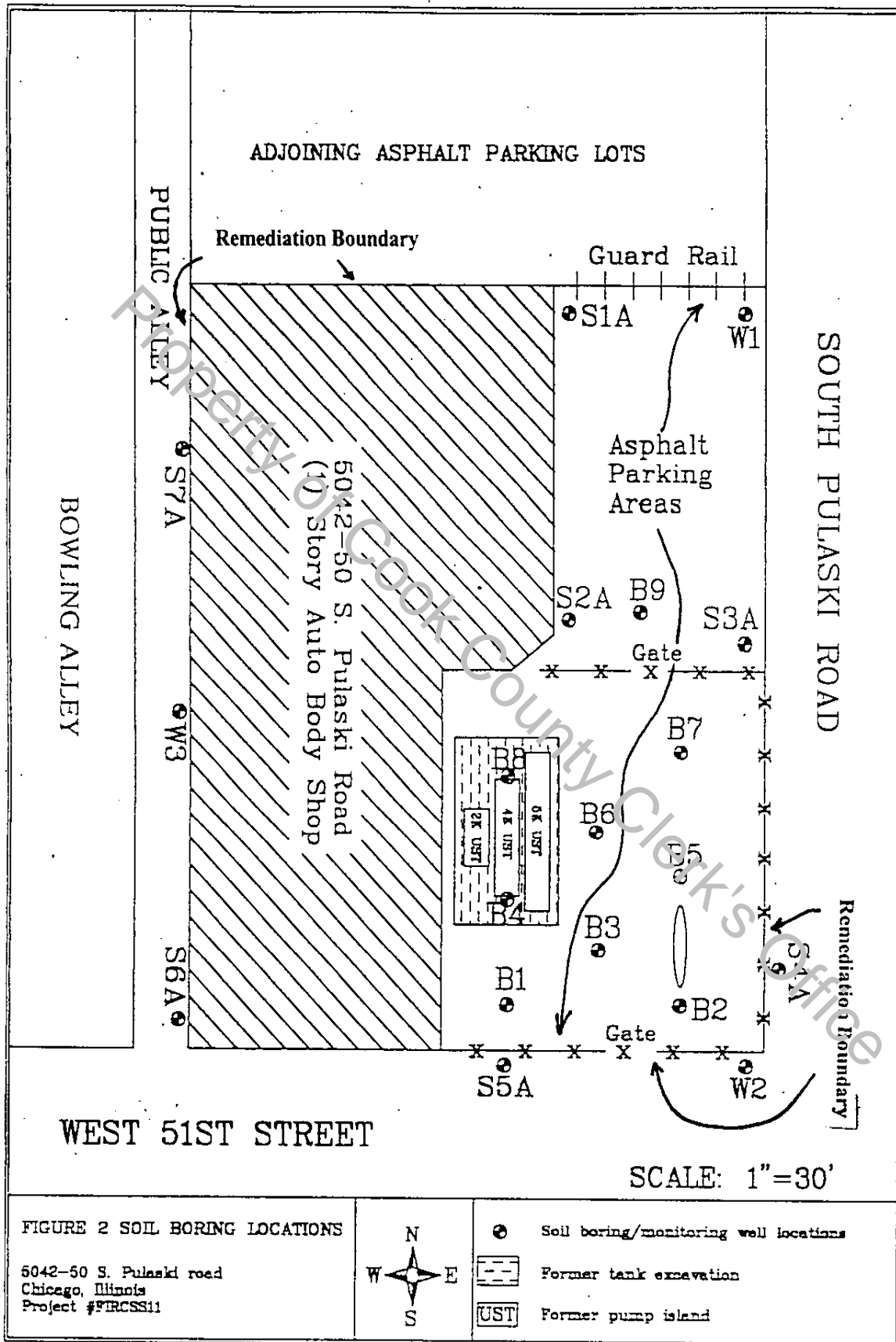
1912 and recorded October 1, 1912 as Document No. 5054474, in Book 12106, at page 15, in Cook County Records; thence Northeasterly along said parallel line to its intersection of a line 50 feet West of and parallel to the East line of said Section 10; thence South along last described line to the point of beginning, in Cook County, Illinois.

2. Common Address: 5042 – 5056 South Pulaski Road, Chicago, Illinois 60632
3. Real Estate Tax Index/Parcel Index Number: 19-10-236-024, 19-10-236-025, 19-10-236-026, 19-10-236-027, 19-10-236-028, and 19-10-236-030.
4. Remediation Site Owner: Pulaski Properties, LLC / Jon Weglarz - President
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused

See NFR letter for other terms

Property of Cook County Clerk's Office

Site Base Map  
0316585199 - Cook County  
Chicago / Midway Auto Magic  
Site Remediation Program





## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

(217) 782-6761

THOMAS V. SKINNER, DIRECTOR

April 16, 2001

CERTIFIED MAIL

7099 3400 0016 0133 5515

Pulaski Properties, LLC.  
c/o Mr. Jon Weglarz - President  
6500 West 65<sup>th</sup> Street  
Chicago, IL 60638

Re: 0316585199 / Cook County  
Chicago / Midway Auto Magic  
Site Remediation Program / Technical Reports

Dear Mr. Weglarz:

The *Focused Risk-Based Corrective Action Completion Report* (dated January 30, 2001/Log No. 01-0527) as prepared by Aspen Environmental for the Midway Auto Magic property has been reviewed by the Illinois Environmental Protection Agency (Illinois EPA) and demonstrates that the remediation objectives at the Site are equal to or are above the existing levels of regulated substances. This document (received February 13, 2001) shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.3719 acres, is located at 5042 - 5056 South Pulaski Road, Chicago, 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 Site Remediation Program DRM-1 Form (received February 13, 2001/Log No. 01-0527), is Jon Weglarz / President of Pulaski Properties, LLC.

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 Illinois EPA 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

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## Conditions and Terms of Approval

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### Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following:
  - a) Regulated substances of concern that have been successfully addressed are detailed in the attached Table A.
- 2) The Remediation Site is restricted to Industrial/Commercial use.
- 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.

### Other Terms

- 4) 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.
- 5) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

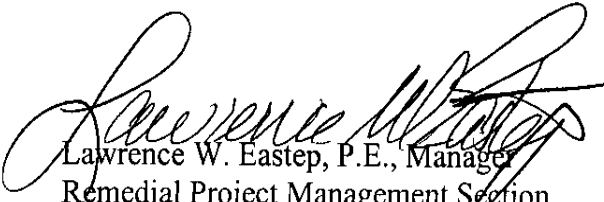
Illinois Environmental Protection Agency  
Attn: Freedom of Information Act Officer  
Bureau of Land-#24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276
- 6) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, 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 the 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) 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 forty-five (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 forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 7) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Pulaski Properties, LLC / Mr. Jon Weglarz – President;
  - 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.
- 8) This letter, including all attachments, must be recorded as a single instrument within forty-five (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 Midway Auto Magic property.
- 9) Within thirty (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:
- Robert E. O'Hara  
Illinois Environmental Protection Agency  
Bureau of Land/RPMS Section  
1021 North Grand Avenue East  
Post Office 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, James L. Baldwin at 217-525-7207.

Sincerely,

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

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Attachments(3): 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: Matthew Nowak  
Aspen Environmental, Inc.  
6607 West Archer Avenue  
Chicago, IL 60638

Property of Cook County Clerk's Office



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SITE REMEDIATION PROGRAM

10419824

**TABLE A: REGULATED SUBSTANCES OF CONCERN**  
**0316585199 – MIDWAY AUTO MAGIC.**

CAS No.	Compound Name
83-32-9	Acenaphthene
208-96-8	Acenaphthylene
120-12-7	Anthracene
71-43-2	Benzene
56-55-3	Benzo(a)anthracene
50-32-8	Benzo(a)pyrene
205-99-2	Benzo(b)fluoranthene
191-24-2	Benzo(g,h,i)perylene
207-08-9	Benzo(k)fluoranthene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
100-41-4	Ethylbenzene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
7439-92-1	Lead
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene
108-88-3	Toluene
1330-20-7	Xylenes (total)

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

10419824

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>Pulaski Properties, LLC, an Illinois limited liability company</u>
Title:	<u>Jon Weglarz, Manager (President)</u>
Company:	<u>Pulaski Properties, LLC, an Illinois limited liability company</u>
Street Address:	<u>6500 West 65th Street, Suite 202</u>
City:	<u>Chicago</u> State: <u>IL</u> Zip Code: <u>60638</u> Phone: <u>708-594-7900</u>

Site Information	
Site Name:	<u>Chicago/Midway Auto Magic</u>
Site Address:	<u>5042-5056 South Pulaski</u>
City:	<u>Chicago</u> State: <u>IL</u> Zip Code: <u>60632</u> County: <u>Cook</u>
Illinois inventory identification number:	<u>0316585199</u>
Real Estate Tax Index/Parcel Index No.	<u>19-10-236-024, 025, 026, 027, 028 and 030</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: By: *Jon Weglarz* Mgr. Date: May 9, 2001  
Jon Weglarz, Manager

SUBSCRIBED AND SWORN TO BEFORE ME  
this 9th day of May, 2001

**"OFFICIAL SEAL"**  
**SANDRA J. KAWA**  
Notary Public, State of Illinois  
My Commission Expires March 16, 2002

*Sandra J. Kawa*  
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.