

PREPARED BY:

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Cook County Recorder 33.50



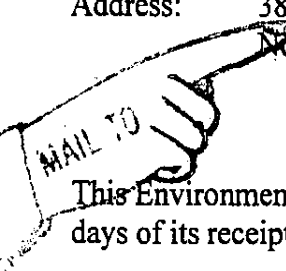
Name: Sheldon Salter Marital Trust
c/o Ms. Shirley Fredson

Address: 3810 Mission Hills Road
Northbrook, Illinois 60062

RETURN TO:

Name: Sheldon Salter Marital Trust
c/o Ms. Shirley Fredson

Address: 3810 Mission Hills Road
Northbrook, Illinois 60062



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: 0316286368

Sheldon Salter Marital Trust, the Remediation Applicant, whose address is 3810 Mission Hills Road, Northbrook, Illinois 60062 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: Legal description- ON LOT 3 AND THE NORTH 40 FEET OF LOT 4 AND ALL OF LOTS 5 TO 8 AND THE ALLEY NORTH OF AND ADJOINING SAID LOTS 6,7,8 AND WEST OF THE EAST LINE OF LOT 6, AFORESAID, EXTENDING NORTH, ALL IN THE ASSESSOR'S DIVISION OF LOTS 15 AND 16 IN BLOCK 1 IN SAWYER'S ADDITION TO CHICAGO IN SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE 3RD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF TAKEN FOR WIDENING OF RANDOLPH STREET).
Remediation Site: THE REMEDIATION SITE SHALL BEGIN 33' EAST OF THE WEST PROPERTY BOUNDARY AND 27' NORTH OF THE SOUTH PROPERTY BOUNDARY, THEN RUNNING NORTH AT A RIGHT ANGLE FOR 29', THEN RUNNING EAST AT A RIGHT ANGLE FOR 35', THEN RUNNING SOUTH AT A RIGHT ANGLE FOR 29', THEN RUNNING WEST AT A RIGHT ANGLE FOR 35', BACK TO THE POINT OF BEGINNING AND COMPRISING A RECTANGLE OF AN AREA OF 1015 SQUARE FEET.
2. Common Address: 1308 West Randolph Street, Chicago, Illinois 60607
3. Real Estate Tax Index/Parcel Index Number: 1708-325-023
4. Remediation Site Owner: Sheldon Salter Marital Trust
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused
See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

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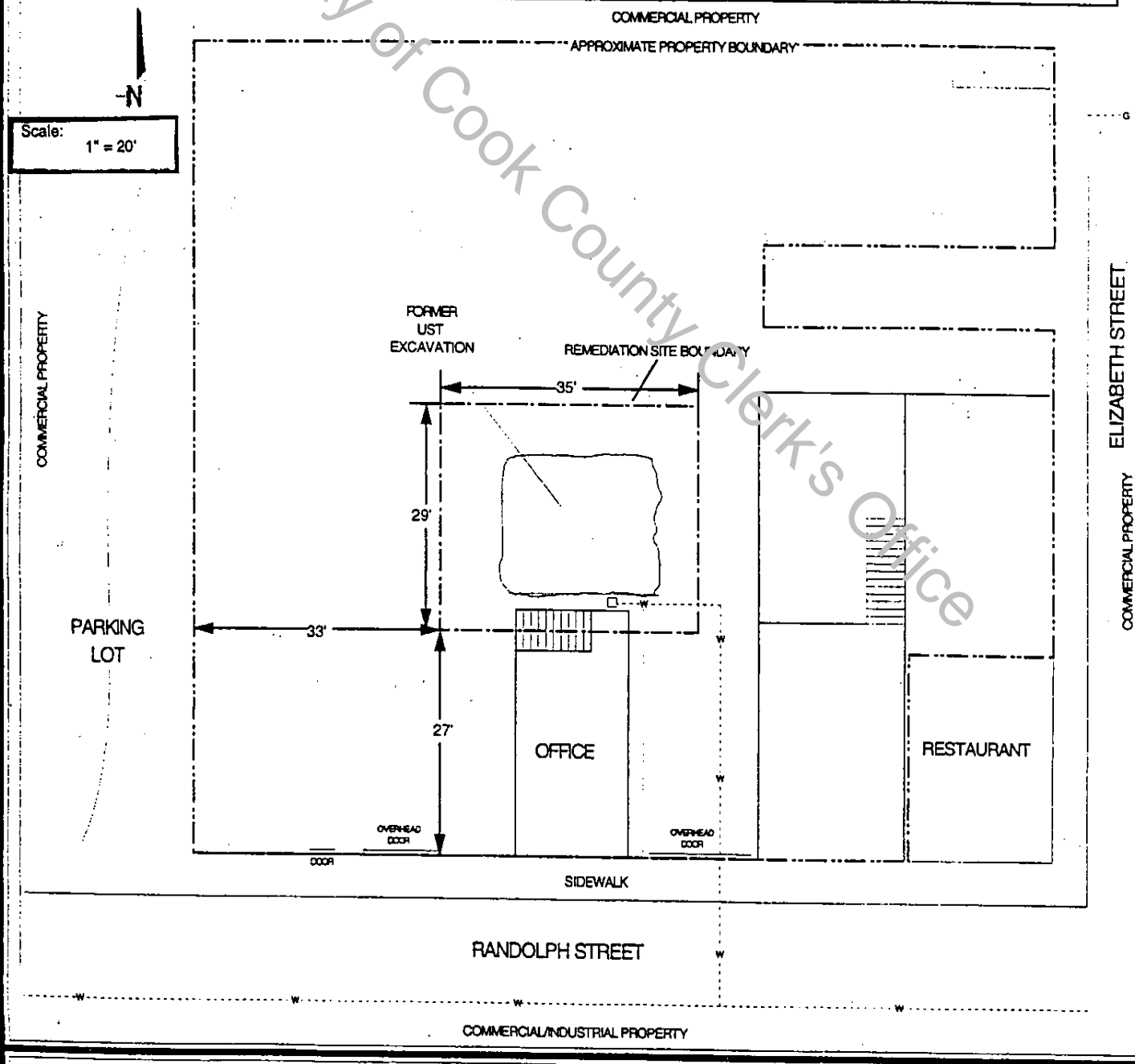
Chicago/Ecology & Environment
Site Remediation Program

Property Index Number:
1708-325-023

Legal Description of Subject Site:

ON LOT 3 AND THE NORTH 40 FEET OF LOT 4 AND ALL OF LOTS 5 TO 8 AND THE ALLEY NORTH OF AND ADJOINING SAID LOTS 6,7,8 AND WEST OF THE EAST LINE OF LOT 6, AFORESAID. EXTENDING NORTH, ALL IN THE ASSESSOR'S DIVISION OF LOTS 15 AND 16 IN BLOCK 1 IN SAWYER'S ADDITION TO CHICAGO IN SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE 3RD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF TAKEN FOR WIDENING OF RANDOLPH STREET).

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

(217) 782-6761

THOMAS V. SKINNER, DIRECTOR

May 17, 2001

CERTIFIED MAIL

7000 1670 0004 1553 3055

Sheldon Salter Marital Trust
c/o Ms. Shirley Fredson
3810 Mission Hills Road
Northbrook, Illinois 60062

Re: 0316286368/Cook County
Chicago/Ecology & Environment
1308 West Randolph Street
Site Remediation Program/Technical Reports

Dear Ms. Fredson:

The *Site Investigation Report-Focused & Remedial Action Completion Report* (February 6, 2001/01-0438) and the *Response Letter* (April 13, 2001/01-1404), as prepared by Pioneer Environmental, Inc. for the Ecology & Environment property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the Site are equal to or are above the existing levels of regulated substances and the *Site Investigation Report-Focused & Remedial Action Completion Report* and the *Response Letter* shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.023 acres, is located at 1308 West Randolph Street, Chicago, Illinois 60607. 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 (February 6, 2001/01-0438), is Sheldon Salter Marital Trust.

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

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following: Removal of the two 3,000 gallon gasoline underground storage tanks.
- 2) The recognized environmental conditions at the Remediation Site include contamination with the following compounds: benzene, toluene, ethylbenzene, xylenes (total) and lead (total).
- 3) The Remediation Site is restricted to Industrial/Commercial land use.
- 4) 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

- 5) Where an institutional control is used to assure long-term protection of human health (as identified under #3 of this Letter), the Remediation Applicant must record a copy of this legal mechanism (e.g., ordinance adopted and administered by a unit of local government; or agreement between a property owner and a highway authority) along with this Letter.
- 6) 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.
- 7) 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
- 8) 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:

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- 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.
- 9) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Sheldon Salter Marital Trust;
 - 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;

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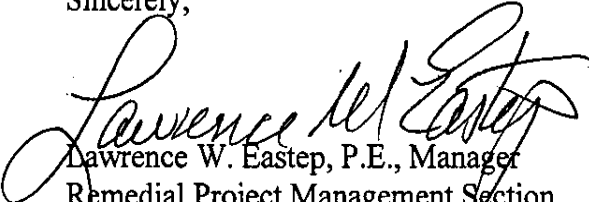
- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest 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.
- 10) 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 Ecology & Environment property.
- 11) 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
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 12) 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 billing statement.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Russell H. Irwin at (217) 524-2084.

Sincerely,


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

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: Ms. Lisa A. Bongiovanni, Pioneer Environmental, Inc.

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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>SHELDON SALTER MARITAL TRUST</u>
Title:	_____
Company:	_____
Street Address:	<u>3810 MISSION HILLS RD</u>
City:	<u>ARTHURDALE</u> State: <u>IL</u> Zip Code: <u>60062</u> Phone: <u>847-272-2268</u>
Site Information	
Site Name:	<u>1308 W. RANDOLPH ST.</u>
Site Address:	_____
City:	<u>CHICAGO</u> State: <u>IL</u> Zip Code: <u>60607</u> County: <u>COOK</u>
Illinois inventory identification number:	<u>60607</u>
Real Estate Tax Index/Parcel Index No.	<u>17-08-325-023</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>Shirley Salter Freder</u> Date: <u>7-1-01</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>1st</u> day of <u>JULY</u> , <u>2001</u>	
<u><i>Peter N. Well</i></u> Notary Public	<div style="border: 1px solid black; padding: 5px; text-align: center;">"OFFICIAL SEAL" Peter N. Well Notary Public, State of Illinois My Commission Expires July 17, 2004</div>

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.

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