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2016/0125 21 001 Page 1 of 8

2002-02-21 15:17:59

Cook County Recorder

35.50

PREPARED BY:

Name: Chicago Public Schools
Mr. Timothy Martin

Address: 125 S. Clark, 17th Floor
Chicago, IL 60603



0020206587

RETURN TO:

Name: Chicago Public Schools
Mr. Timothy Martin

Address: 125 S. Clark, 17th Floor
Chicago, IL 60603

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.

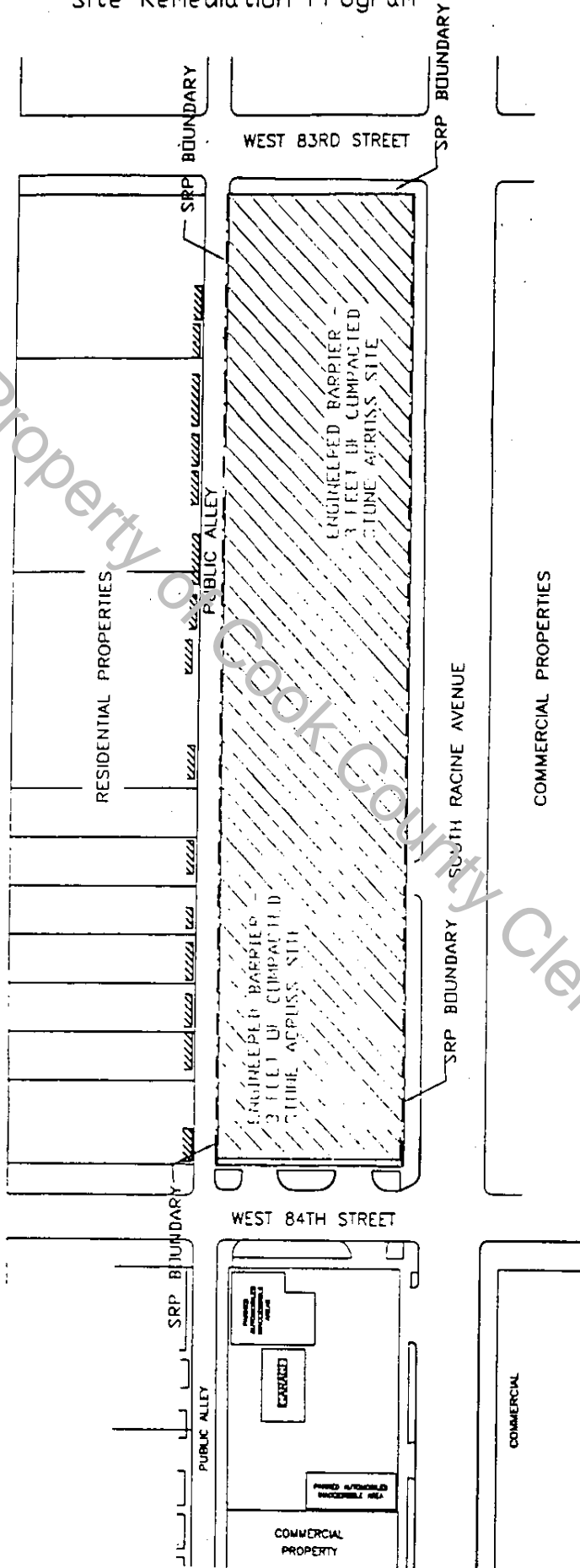
Illinois State EPA Number: 0316715027

Chicago Public Schools, the Remediation Applicant, whose address is 125 S. Clark, 17th Floor, Chicago, IL 60603 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: Sissons Subdivision East ½, NE ¼, SW ¼ (Ex West 8 feet); Sissons Subdivision East ½, NE ¼, SW ¼, North 25 Feet, South 50 Feet; Sissons Subdivision East ½, NE ¼, SW ¼, South 25 Feet, North 7 Feet; Sissons Subdivision East ½, NE ¼, SW ¼, South 50 Feet, North 57 Feet; and Sissons Subdivision South 75 Feet.
2. Common Address: 8300 to 8346 South Racine Avenue, Chicago, IL
3. Real Estate Tax Index/Parcel Index Number: 20-32-306-019; 20-32-306-022; 20-32-306-023; 20-32-306-024; and 20-32-306-033.
4. Remediation Site Owner: Chicago Public Schools
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

Chicago/Jewel - Proposed Cuffe School
Site Remediation Program



NOTE: THE SITE IS CURRENTLY COVERED BY AN ENGINEERED BARRIER CONSISTING OF THREE (3) FEET OF COMPACTED STONE.

LEGEND:

--- SRP BOUNDARY



CCA CARNOW, CONIBEAR & ASSOC., LTD.

CCA PROJECT # A13061 - E8022
333 West Wacker Dr. Suite 1400
PHONE (312)782-4486

EXHIBIT I - SITE MAP
JEWEL (PROPOSED CUFFE SCHOOL)
8300 to 8346 SOUTH RACINE AVENUE
CHICAGO, ILLINOIS

DRAWN BY : SAB
CHECKED BY : AES

DATE : 12/11/01
SCALE : 1" = 100'

Chicago, IL 60606
FAX # (312)782-5145

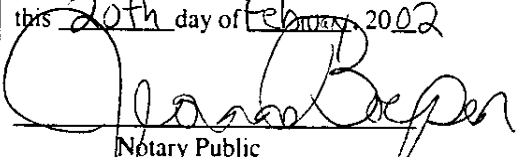
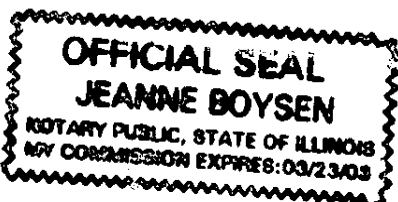
PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

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>Lynn Crivello</u>
Title:	<u>Environmental Services Manager</u>
Company:	<u>Chicago Public Schools</u>
Street Address:	<u>125 South Clark Street - 17th Floor</u>
City:	<u>Chicago</u> State: <u>IL</u> Zip Code: <u>60603</u> Phone: <u>773/553-3113</u>
Site Information	
Site Name:	<u>Jewel (Proposed Cuffe School)</u>
Site Address:	<u>8300 to 8346 South Racine Avenue</u>
City:	<u>Chicago</u> State: <u>IL</u> Zip Code: <u>60620</u> County: <u>Cook</u>
Illinois inventory identification number	<u>0316715027</u>
Real Estate Tax Index/Parcel Index No.	<u>20-32-306-019, 20-32-306-022 to 20-32-306-024, and 20-32-306-033</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>Lynn A. Crivello</u> Date: <u>2/20/02</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>20th</u> day of <u>February</u> , 2002	
 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.

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Property of Cook County Clerk's Office



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

RENEE CIPRIANO, DIRECTOR

(217) 782-6761

January 17, 2002

CERTIFIED MAIL

7999 3400 0014 0557 1005

Chicago Public Schools
Attn: Mr. Timothy Martin
125 S. Clark, 17th Floor
Chicago, IL 60603

Re: 0316715027/Cook County
Chicago/Jewel—Proposed Cuffe School
Site Remediation Program/Technical Reports

Dear Mr. Martin:

The *Remedial Action Completion Report* (May 18, 2001/Log No. 01/1898), as prepared by Carnow, Conibear & Associates, Ltd. for the Jewel—Proposed Cuffe School property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA") and demonstrates that the remedial action was completed in accordance with the *Remedial Action Plan* (October 5, 2000/Log No. 00/3781).

The Remediation Site, consisting of 1.7 acres, is located at 8300 to 8346 South Racine Avenue, 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 (July 11, 2000/Log No.00/2661), is Chicago Public Schools.

This comprehensive 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 and does not require further remediation under the Act if 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 Remediation Site is approved for Residential or Industrial/Commercial land use.
- 2) 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

- 3) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Engineering Controls:

- 4) The CA 6 gravel barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. This CA6 barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

Institutional Controls:

- 5) 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 (e.g., domestic, industrial/commercial uses and outdoor watering).

Other Terms

- 6) Where an institutional control is used to assure long-term protection of human health (as identified under Paragraph 5 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.
- 7) 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.

- 8) 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

- 9) 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.
- 10) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Chicago Public Schools;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;

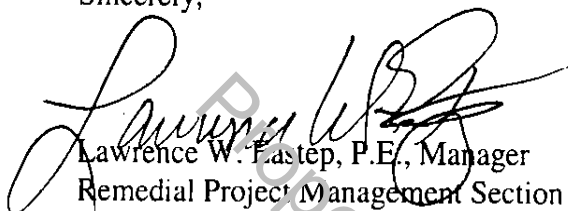
- d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) 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.
- 11) 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 Jewel—Proposed Cuffe School property.
- 12) 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

13) 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, Rhett M. Rossi at 217/ 782-9283.

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: Carnow, Conibear & associates, Ltd.
Attn: Mr. Ala Sassila
333 West Wacker Drive, Suite 1400
Chicago, IL 60606

bcc: Records Unit
Bob O'Hara
Ginger Miller

COOK County Clerk's Office