

UNOFFICIAL COPY

0020497571

PREPARED BY:

2004/0110 08 001 Page 1 of 18

2002-05-01 11:55:12

Cook County Recorder

55.00

Name: Karin Trenkenschau
Grot Tool & Manufacturing Company

Address: 7515 Linder Avenue
Skokie, Illinois 60077



0020497571

RETURN TO:

Name: Karin Trenkenschau
Grot Tool & Manufacturing Company

Address: 7515 Linder Avenue
Skokie, Illinois 60077

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: 0311950004

Grot Tool & Manufacturing Company, the Remediation Applicant, whose address is 7515 Linder Avenue, Skokie, Illinois 60077, 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:

8020 North Austin Avenue – Pin # 10-20-302-035 – Sko-Die Incorporated

Lot 32 (Except the North 384.9376 Feet) & (Except the South 158 Feet), of the East 4 Acres of the South ½ of the South ½ of the Southwest ¼ in County Clerk's Division of Sections 19 & 20, Township 41 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

6038 West Oakton Street – PIN # 10-20-302-017 – Sko-Die Incorporated

The West 1 ½ Acres of the East 5 ½ Acres (Except the North 310 Feet) of Lot 32 & (Except Oakton Street as Widened) in County Clerk's Division of Sections 19 & 20, Township 41 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

6004 West Oakton Street – PIN # 10-20-302-36 – Charhouse Grill

The South 158 Feet (Except the East 158 Feet) & (Except Oakton Street as Widened) of the East 4 Acres of the South ½ of the South ½ of the Southwest ¼ in County Clerk's Division of Sections 19 & 20, Township 41 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

(Illinois EPA Site Remediation Program Environmental Notice)

Page 1

Return to
Box 407

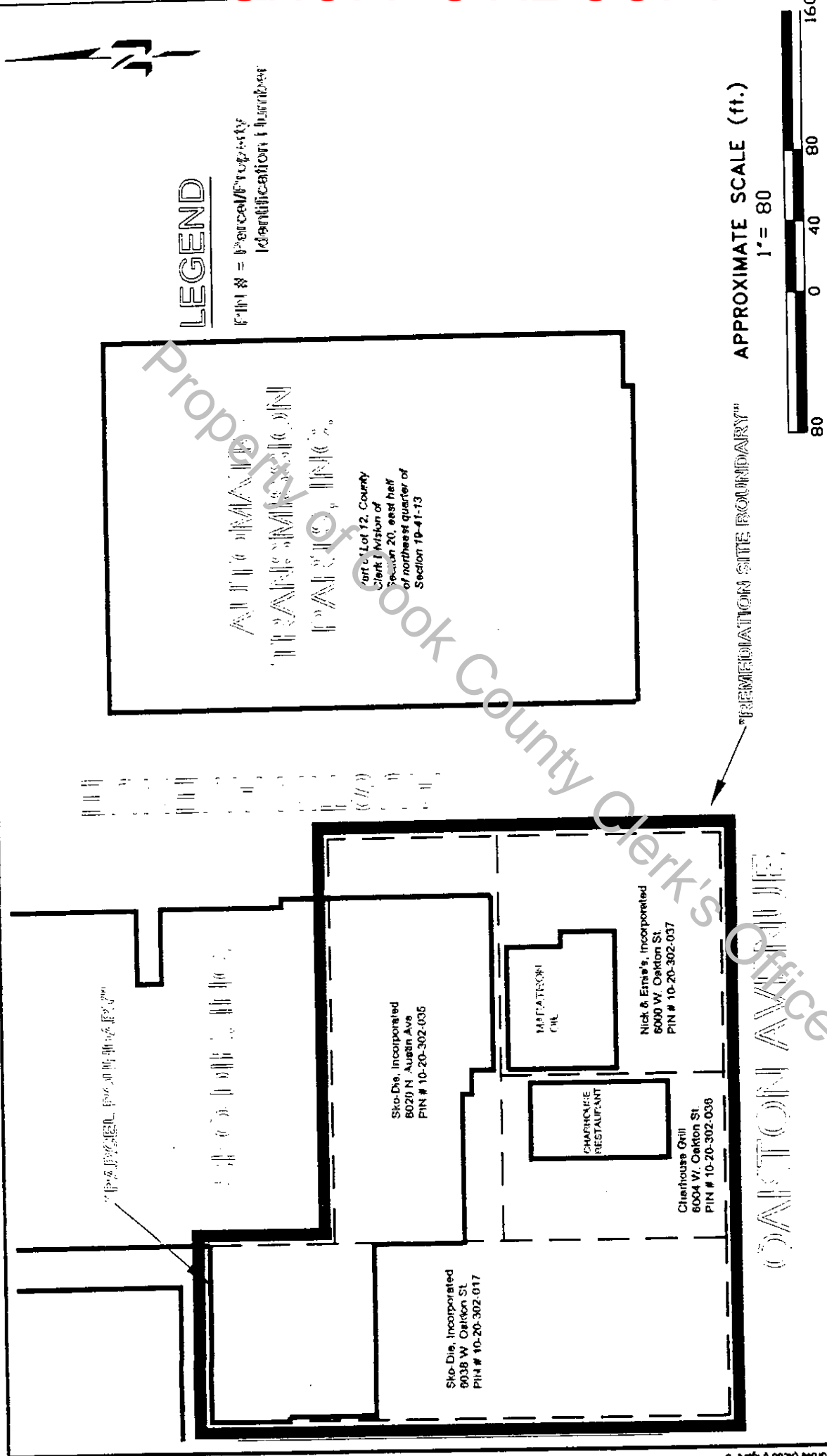
To: KEVIN DESHARNAIS

6000 West Oakton Street – PIN # 10-20-302-037 – Nick & Ernie's, Incorporated

The East 158 Feet of the South 158 Feet of the East 4 Acres of the South ½ of the South ½ of the Southwest ¼ in County Clerk's Division of Sections 19 & 20, Township 41 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

2. Common Address: 8020 North Austin Avenue, Morton Grove, Illinois
6038 West Oakton Street, Morton Grove, Illinois
6004 West Oakton Street, Morton Grove, Illinois
6000 West Oakton Street, Morton Grove, Illinois
3. Real Estate Tax Index/Parcel Index Number: 10-20-302-035, 10-20-302-017, 10-20-302-036,
10-20-302-037
4. Remediation Site Owner: Sko-Die, Incorporated, Nick & Ernie's Incorporated, and Charhouse Grill
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused

See NFR letter for other terms.



Approved: _____ Contract Number: 21-7984C Date: 02/11/2002

Drafted: JBP

Revised: _____

SITE REMEDIATION PROGRAM

TABLE A: REGULATED SUBSTANCES OF CONCERN

LPC # 0311950004 – GROT TOOL & MANUFACTURING COMPANY

Volatile Organic Compounds

<u>CAS No.</u>	<u>Compound Name</u>
75-01-4	Vinyl Chloride
75-34-3	1,1-Dichloroethane
156-59-2	cis-1,2-Dichloroethene
156-60-5	trans-1,2-Dichloroethene
67-66-3	Chloroform
71-55-6	1,1,1-Trichloroethane
79-01-6	Trichloroethene
79-00-5	1,1,2-Trichloroethane
127-18-4	Tetrachloroethene

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

20497571

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>PATRICK STEININGER</u>	
Title: <u>PRESIDENT</u>	
Company: <u>SKO-DIE, INC.</u>	
Street Address: <u>8050 Austin Ave</u>	
City: <u>MORTON GROVE</u>	State: <u>IL</u> Zip Code: <u>60053</u> Phone: <u>847-965-1130</u>
Site Information	
Site Name: <u>SKO-DIE, INC.</u>	
Site Address: <u>8020 Austin Ave</u>	
City: <u>MORTON GROVE</u>	State: <u>IL</u> Zip Code: <u>60053</u> County: <u>COOK</u>
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. <u>10-20-302-035</u>	
<p>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.</p>	
Owner's Signature: <u>Patrick J. Steinger</u>	Date: <u>4-12-02</u>
<p>SUBSCRIBED AND SWORN TO BEFORE ME this <u>12</u> day of <u>April</u>, 20<u>02</u></p>	
<p><u>Elaine Sack</u> Notary Public</p>	<div style="border: 1px solid black; border-radius: 15px; padding: 10px; text-align: center;"><p>OFFICIAL SEAL ELAINE SACK NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 09-27-2004</p></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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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER
UNDER THE SITE REMEDIATION PROGRAM

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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>PATRICK STEININGER</u>	
Title: <u>PRESIDENT</u>	
Company: <u>SKO-DIE, INC.</u>	
Street Address: <u>8050 AUSTIN AVE</u>	
City: <u>MORTON GROVE</u> State: <u>IL</u> Zip Code: <u>60053</u> Phone: <u>847-965-1130</u>	
Site Information	
Site Name: <u>SKO-DIE, INC.</u>	
Site Address: <u>6038 W. OAKTON ST.</u>	
City: <u>MORTON GROVE</u> State: <u>IL</u> Zip Code: <u>60053</u> County: <u>COOK</u>	
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. <u>10-20-302-017</u>	
<p>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.</p> <p>Owner's Signature: <u>Patrick J. Steininger</u> Date: <u>4-12-02</u></p> <p>SUBSCRIBED AND SWORN TO BEFORE ME this <u>12</u> day of <u>April</u>, 20<u>02</u></p> <p><u>Elaine Sack</u> Notary Public</p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;"><p>OFFICIAL SEAL ELAINE SACK NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 09-27-2004</p></div>	

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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>Nick Logothakis</u>	
Title: _____	
Company: <u>Nick & Ernie's Inc.</u>	
Street Address: <u>6000 W. OAKTON ST.</u>	
City: <u>MORTON GROVE</u>	State: <u>IL</u> Zip Code: <u>60053</u> Phone: <u>847-965-0666</u>
Site Information	
Site Name: <u>Nick & Ernie's Auto Wash</u>	
Site Address: <u>6000 W. OAKTON ST.</u>	
City: <u>MORTON GROVE</u>	State: <u>IL</u> Zip Code: <u>60053</u> County: <u>COOK</u>
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. <u>10-20-302-037</u>	
<p>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.</p>	
Owner's Signature: <u>Nick Logothakis</u> Date: <u>4-15-02</u>	
<p>SUBSCRIBED AND SWORN TO BEFORE ME this <u>15th</u> day of <u>April</u>, 2002</p>	
<p><u>Elaine Sack</u> Notary Public</p>	<div style="border: 1px solid black; padding: 5px; text-align: center;"><p>OFFICIAL SEAL ELAINE SACK NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 09-27-2004</p></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.

UNOFFICIAL COPY
PROPERTY OWNER CERTIFICATION OF THE NFR LETTER 20497571
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.

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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>Dimitra Loukis</u>	
Title: <u>lessor/owner</u>	
Company: <u>Char House Grill</u>	
Street Address: <u>6004 OAKTON ST.</u>	
City: <u>MORTON GROVE</u> State: <u>IL</u> Zip Code: <u>60053</u> Phone: <u>847-663-0400</u>	

Site Information	
Site Name: <u>CharHouse Grill</u>	
Site Address: <u>6004 OAKTON ST.</u>	
City: <u>MORTON GROVE</u> State: <u>IL</u> Zip Code: <u>60053</u> County: <u>COOK</u>	
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. <u>10-20-302-036</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: *Dimitra Loukis* Date: 4/25/02

SUBSCRIBED AND SWORN TO BEFORE ME
this 25 day of April, 2002

Angelo J. Leventis
Notary Public

"OFFICIAL SEAL"
Angelo J. Leventis
Notary Public, State of Illinois
My Commission Exp. 11/07/2005

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.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

RENEE CIPRIANO, DIRECTOR

(217) 782-6761

April 4, 2002

CERTIFIED MAIL

7099 3400 0014 9529 2956

Ms. Karin Trenkenschau
Grot Tool & Manufacturing Company
7515 Linder Avenue
Skokie, Illinois 60077

Re: LPC # 0311950004 -- Cook County
Morton Grove/Grot Tool & Manufacturing Company
8020 North Austin Avenue
Site Remediation Program/Technical Reports

Dear Ms. Trenkenschau:

The *Additional Site Investigation Report* (December 5, 2001/01-5446), as prepared by ENVIRON International Corporation for the Grot Tool & Manufacturing Company 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 *Additional Site Investigation Report* shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of four separate properties totaling approximately 2.13 acres, is located at 8020 North Austin Avenue, 6000 West Oakton Street, 6004 West Oakton Street, and 6038 West Oakton Street, Morton Grove, 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 (December 11, 2000/00-4769), is Grot Tool & Manufacturing Company.

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

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:
 - 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 land 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.

Preventive, Engineering, and Institutional Controls

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

Preventive Controls: None

Engineering Controls: None

Institutional Controls:

- 5) Ordinance No. 01-44 (September 10, 2001) adopted by the Village of Morton Grove effectively prohibits the installation and use of potable water supply wells in the Village of Morton Grove. This ordinance provides an acceptable institutional control under the following conditions:
 - a) The current owner or successor in interest of this Remediation Site who relies on this ordinance as an institutional control shall:
 - i) Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this Remediation Site; and
 - ii) Notify the Illinois EPA of any approved variance requests or ordinance changes within thirty (30) days after the date such action has been approved.

- b) The Remediation Applicant shall provide written notification to the Village of Morton Grove and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
- i) The name and address of the local unit of government;
 - ii) The citation of the ordinance used as an institutional control in this Letter;
 - iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
 - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
 - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
 - vi) A statement as to where more information may be obtained regarding the ordinance.
- c) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date of this Letter 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

- d) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
- i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
 - iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date of this Letter of written notification to the Village of Morton Grove and affected property owner(s) of the intent to use Ordinance No. 01-44 as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter

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 titleholder 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) Grot Tool & Manufacturing Company;
 - b) The owners and operators 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.

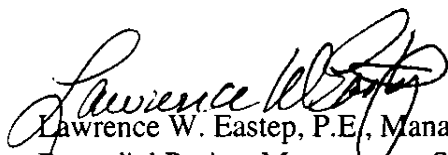
- 11) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first 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 Grot Tool & Manufacturing Company 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(r) 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, Ed Salch at (217) 557-8084.

Sincerely,


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

Attachments(6): Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Table A
Property Owner Certification of No Further Remediation Letter under the
Site Remediation Program Forms (3)

cc: Patrick Steininger
Sko-Die, Incorporated
8020 North Austin Avenue
Morton Grove, Illinois 60053

Nick Loggarakis
Nick & Ernie's, Incorporated
6000 Oakton Street
Morton Grove, Illinois 60053

Dimitra Loukis
Charhouse Grill
6004 Oakton Street
Morton Grove, Illinois 60053

Mary Jo Anzia
ENVIRON International Corporation
650 Dundee Road, Suite 150
Northbrook, Illinois 60062

Janine Landow-Esser
Querles & Brady
CitiCorp Center, Suite 3700
500 West Madison Street
Chicago, Illinois 60661-2511

Kevin Desharnais
Mayr, Brown, Rowe; Maw
190 South La Salle Street
Chicago, Illinois 60603-3441

bcc: Records Unit
Bob O'Hara
Ginger Miller

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Marilyn Snieder, the Acting Municipal Clerk for the Village of Morton Grove in the County of Cook, in the State of Illinois, do hereby certify that the following, hereinafter described, are true and correct copies of the original documents which are part of the records of my office as such Municipal Clerk:

Ordinance 01-44. . . Amending Title 7, Chapter 4, Entitled "Water Regulations", to Add a New paragraph 9C Entitled, "Use of Groundwater Prohibited"

I hereby subscribe my name as

Acting Municipal Clerk and affix the Official

Corporate Seal of the Village of

Morton Grove, this 11th day of

September 2001.

Marilyn Snider
MARILYN SNEIDER, Acting Village Clerk

ORDINANCE 01-44

AN ORDINANCE AMENDING TITLE 7 CHAPTER 4, ENTITLED,
"WATER REGULATIONS", TO ADD A NEW PARAGRAPH
9C ENTITLED, "USE OF GROUNDWATER PROHIBITED"

WHEREAS, the Village of Morton Grove (VILLAGE), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, certain properties in the VILLAGE have been used over a period of time for commercial and industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the VILLAGE may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier I residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the VILLAGE desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of possible chemical constituents in groundwater beneath the VILLAGE; and

WHEREAS, Municipal Code Sections 7-4-10, "Cross-Connection Control", and Section 10-3-2, "Plumbing Regulations - Amendments", currently require that all potable water used within the VILLAGE be supplied by the VILLAGE; and

WHEREAS, the VILLAGE currently purchases potable water from the City of Chicago and has no intention of using groundwater as a potable water source however, the IEPA has suggested that a section be added to the Municipal Code to clarify that no water from other sources (ground wells) will be allowed for potable use within the Corporate limits.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS-clauses into this Ordinance as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: Title 7, entitled, "STREETS AND PUBLIC PROPERTY", of the Municipal Code is hereby amended to add a new Title 7, Chapter 4, section 9, subsection C, entitled, "Use of Groundwater as a Potable Water Supply Prohibited", to read as follows:

7-4-9: PROHIBITED USES, ACTIONS

- C: Use Of Groundwater as a Potable Water Supply Prohibited: Except for such uses or methods in existence prior to September 10, 2001, the use or attempt to use by any person, including the Village of Morton Grove, as a potable water supply groundwater from any location within the corporate limits of the Village by the installation or drilling of wells or by any other method is hereby prohibited.

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For use in this subsection, the following terms shall be defined as noted:

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents, or assigns.
"potable water" is any water used for human or domestic consumption, including, but not limited to water used for drinking, bathing, swimming, washing dishes, or preparing food.

"groundwater" is any underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure (35 Ill. Adm. Code 742.200.)

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 10th day of September 2001.

Trustee DiMaria Aye

Trustee Gombert Aye

Trustee Karp Aye

Trustee Liston Aye

Trustee Moll Aye

Trustee Weiss Aye

APPROVED by me this 10th day of September 2001

Daniel D. Scanlon
Daniel D. Scanlon, Village President
Village of Morton Grove
Cook County, Illinois

APPROVED and filed in my
Office this 11th day of September 2001.

Marilyn Sneider
Marilyn Sneider, Acting Village Clerk
Village of Morton Grove
Cook County, Illinois