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EXHIBIT

ATTACHED TO

0020650668

DOCUMENT NUMBER

06-11-02

SEE PLAT BOOK

PREPARED BY:

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RETURN TO:

Name: Daniel S. Wiemerslage
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THE ABOVE SPACE FOR RECORDER'S OFFICE

Environmental Land Use Control

THIS ENVIRONMENTAL LAND USE CONTROL ("ELUC") is made this 10th day of April, 2002, by and between Parkway Bank and Trust Company as Trustee under Trust Agreement dated February 9, 1998 and known as Trust Number 11902, owner of the real property located at 1245 Roselle Road, Schaumburg, Illinois ("Property Owner"), and BP Products North America Inc. f/k/a Amoco Oil Company, a Maryland corporation, ("BP").

WHEREAS, 35 Ill. Admin. Code 742 and 415 ILCS 5/58.17 provides for the use of an ELUC as an institutional control in order to achieve risk-based site specific soil and groundwater remediation objectives to obtain a No Further Remediation determination from the Illinois Environmental Protection Agency. The reason for an ELUC is to ensure protection of human health and the environment by restricting or limiting land uses on property. The restrictions or limitations are necessary in order to protect against exposure to contaminated soil or groundwater or both that may be present on the property as a result of underground storage tank activities. Under these rules, the use of risk-based site specific remediation objectives of the incident may require the use of an ELUC on real property and the ELUC may apply to certain physical features (e.g., engineered barriers, monitoring wells, caps, etc.).

WHEREAS, BP intends to request risk-based, site specific soil and groundwater remediation objectives from Illinois Environmental Protection Agency ("IEPA") under 35 Ill. Admin. Code Part 742 to obtain risk-based closure of Bureau of Land LPC # 0312825205 utilizing an ELUC.

NOW, THEREFORE, for the mutual agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the parties hereto agree as follows:

The recitals set forth above are incorporated by reference as if fully set forth herein.

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Property Owner does hereby grant to BP, its parents, subsidiaries, affiliates, successors and assigns, an ELUC on the real estate, situated in the County of Cook, State of Illinois and further described in Exhibit A attached hereto and incorporated herein by reference (the "Property").

Attached as Exhibit B are site maps that show the legal boundary of the Property, any physical features to which the ELUC applies; the horizontal and vertical extent of the contaminants of concern above applicable remediation objectives for soil and/or groundwater and the nature, location of the source and direction of movement of contaminants of concern under 35 Ill. Admin. Code Part 742.

Property Owner represents and warrants it is the current fee simple owner of the Property and authorizes BP to record this ELUC in the Office of the Recorder or Registrar of Titles in Cook County, Illinois.

The Property Owner hereby agrees, for itself, and its heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessees, possessor or user of the Property or any portion thereof or interest therein: (1) that the groundwater under the Property shall not be used as a potable supply of water; (2) that any contaminated groundwater and/or soil that is removed, excavated, or disturbed from the Property described in Exhibit A herein must be handled in accordance with all applicable laws and regulations; (3) that a safety plan for this Property must be implemented in accordance with the Occupational Safety Health Administration to address possible worker exposure should any further excavation and construction activities occur within the contaminated soil; (4) that a barrier of asphalt concrete that is sufficient in thickness to inhibit the inhalation and ingestion of the contaminated media as well as to impede contaminant migration to the groundwater shall remain over the contaminated soils in the area depicted in Figure 3 of Exhibit B and (5) that a barrier of clean soil or fill that is sufficient in thickness to inhibit the inhalation and ingestion of the contaminated media as well as to impede contaminant migration to the groundwater shall remain over the contaminated soils in the area depicted in Figure 3 of Exhibit B. The barriers are to be properly maintained as engineered barriers to inhibit inhalation and ingestion of the contaminated media as well as impede contaminant migration to the groundwater.

This ELUC is binding on the Property Owner, its heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property or any portion thereof or interest therein. This ELUC shall apply in perpetuity against the Property and shall not be released until the Property is demonstrated to be suitable for unrestricted use; until there is no longer a need for this ELUC as an institutional control; and until the IEPA, issues a new no further remediation determination approving modification or removal of the limitation(s) or requirement(s) and a release or modification of the land use limitation or requirement is filed on the chain of title for the Property pursuant to the procedures outlined in 35 IAC 742.1010 (c)(2).

Any information regarding the remediation performed on the Property may be obtained from the IEPA through a request under the Freedom of Information Act (5 ILCS 140) and rules promulgated thereunder by providing the IEPA with the 10-digit LPC number listed above.

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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, Debra D. Scifers the undersigned, a Notary Public for said County and State, DO HEREBY CERTIFY, that D. A. Piotrowski and Joan Donnelly, personally known to me to be the Environmental Business Manager and (Assistant) Secretary, respectively of **BP Products North America Inc. f/k/a Amoco Oil Company**, a Maryland corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that in said capacities they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 10th day of April, 2002.

Debra D. Scifers
Notary Public

OFFICIAL SEAL
DEBRA D SCIFERS

Notary Public, State of Illinois

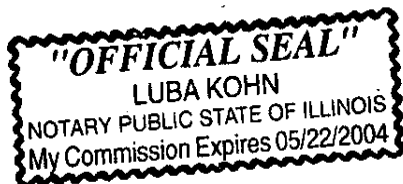
NO. 491235

My Commission Expires 06-28-03

State of Ill)
) S.S.
County of Cook)

I, LUBA KOHN, the undersigned, a Notary Public for said County and State, do hereby certify that DIANE Y PESZYNSKI, personally known to me to be the Vice President Trust Officer of Parkway Bank and Trust Company as Trustee under Trust Agreement dated February 9, 1998 and known as Trust Number 11902, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that in said capacity he/she signed and delivered the foregoing instrument, pursuant to authority given under said Trust Agreement, as the free and voluntary act and deed of said Trust and its beneficiaries, and as their own free and voluntary act, for the uses and purposes herein set forth.

Given under my hand and seal this 15th day of MARCH, 2002.



Luba Kohn
Notary Public

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PIN NO. 07-10-400-017-0000

Exhibit A

The subject property is located in the Village of Schaumburg, Cook County, State of Illinois, commonly known as 1245 Roselle Road, Schaumburg, Illinois and more particularly described as:

THE WEST 163.00 FEET OF THE SOUTH 168.00 FEET (ALL MEASURED ALONG THE EAST LINE OF ROSELLE ROAD AND THE NORTH LINE OF GOLF ROAD) OF THAT PART OF THE SOUTHEAST 1/4 SECTION 10, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES NORTH OF THE NORTH LINE OF GOLF ROAD, AS DEDICATED UNDER DOCUMENT 10488002 AND WHICH LIES EAST OF THE EAST LINE OF ROSELLE ROAD AS RECORDED IN TOWNSHIP DEDICATION DATED MAY 28, 1850

(EXCEPT THAT PART TAKEN FOR WIDENING OF ROSELLE ROAD AS SHOWN ON PLAT RECORDED MAY 15, 1968, AS DOCUMENT NO. 20430983;

ALSO EXCEPT THAT PART DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID ROSELLE ROAD WITH THE NORTH LINE OF GOLF ROAD AFORESAID; THENCE EAST ON SAID NORTH LINE 40 FEET; THENCE NORTHWESTERLY TO THE INTERSECTION WITH A LINE 50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4 (AS MEASURED AT RIGHT ANGLES TO SAID WEST LINE) SAID INTERSECTION BEING 40 FEET NORTH OF THE NORTH LINE OF GOLF ROAD, (AS MEASURED ON SAID PARALLEL LINE), THENCE NORTH ON SAID PARALLEL LINE TO THE NORTH LINE OF THE SOUTH 268 FEET AFORESAID; THENCE WEST ON SAID NORTH LINE TO THE EAST LINE OF ROSELLE ROAD AFORESAID; THENCE SOUTH TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PART THEREOF TAKEN IN CASE NO. 96L50324 BEING DESCRIBED AS COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 10; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES, 15 MINUTES, 26 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 10, A DISTANCE OF 229.37 FEET; THENCE NORTH 86 DEGREES, 31 MINUTES, 02 SECONDS EAST, 50.11 FEET TO SAID EAST LINE OF SAID ROSELLE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 86 DEGREES, 31 MINUTES, 02 SECONDS EAST 11.02 FEET TO A POINT ON A LINE THAT IS 11.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID ROSELLE ROAD; THENCE SOUTH 00 DEGREES, 15 MINUTES, 26 SECONDS WEST ALONG SAID PARALLEL LINE, 91.07 FEET; THENCE SOUTH 46 DEGREES, 26 MINUTES, 46 SECONDS EAST, 57.24 FEET TO A POINT ON A LINE THAT IS 35.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID GOLF ROAD; THENCE NORTH 86 DEGREES, 31 MINUTES, 02 SECONDS EAST ALONG SAID PARALLEL LINE, 93.08 FEET; THENCE SOUTH 00 DEGREES, 15 MINUTES, 26 SECONDS WEST, 35.07 FEET TO A POINT ON THE NORTH LINE OF SAID GOLF ROAD; THENCE SOUTH 86 DEGREES, 31 MINUTES, 02 SECONDS WEST, 54.69 FEET TO A POINT ON THE EAST LINE OF SAID ROSELLE ROAD; THENCE NORTH 00 DEGREES, 15 MINUTES, 26 SECONDS EAST ALONG SAID PARALLEL LINE, 128.00 FEET TO THE POINT OF BEGINNING), ALL IN COOK COUNTY, ILLINOIS.

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PIN NO. 07-10-400-017-0000

Exhibit B

Scaled Maps and tables showing:

- A) The legal boundary of the Property to which the ELUC applies;
- B) The horizontal and vertical extent of contaminants of concern above applicable remediation objectives for soil and groundwater to which the ELUC applies;
- C) Any physical features to which the ELUC applies (e.g. engineered barriers, monitoring wells, caps)
- D) The nature, location of the source, and direction of movement of the contaminants of concern.

Property of Cook County Clerk's Office

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SOIL BTEX ANALYTICAL DATA
AMOCO SERVICE STATION NO. 15050
10 EAST GOLF ROAD
SCHAUMBURG, COOK COUNTY, ILLINOIS

SOIL ID	DATE SAMPLED	DEPTH (FEET)	BENZENE	TOLUENE	ETHYL-BENZENE	TOTAL XYLENES
MW-1	05/01/91	6-8	< 0.005	0.007	0.007	0.139
MW-2	05/02/91	6-8	0.005	0.011	< 0.005	0.006
MW-3	05/02/91	10-12	0.005	0.008	< 0.005	< 0.005
SB-1	05/02/91	0-2	0.005	0.010	< 0.005	< 0.005
SB-2	05/02/91	2-4	7.760 ^{1,5,6,8}	69.100 ^{1,8}	22.200 ¹	116.000
SB-3	05/02/91	12-14	0.005	0.006	< 0.005	< 0.005
SB-4	05/03/91	8-10	0.020	0.098	0.020	0.103
SB-5	05/03/91	4-6	0.043 ¹	0.009	0.080	0.034
SB-6	07/11/91	7-9	< 0.005	< 0.005	< 0.005	0.0056
SB-7	07/11/91	11-13	0.0082	0.015	< 0.005	< 0.005
SB-8	07/15/91	5-7	0.550 ¹	0.990	3.000	14.100
SB-9	07/15/91	8-10	0.246 ¹	0.132	0.520	0.954
SB-10	07/15/91	3-5	< 0.005	< 0.005	0.010	0.012
SB-11	07/10/91	13-15	< 0.005	0.033	0.0071	0.039
SB-13	07/12/91	5-7	0.190 ¹	0.300	2.300	10.000
SB-14	07/11/91	3-5	1.000 ^{1,5}	28.000 ¹	11.000	54.000
SB-15	07/12/91	5-7	1.600 ^{1,5,6}	7.800	3.300	16.000
GP-1	05/06/97	0-2	8.300 ^{1,5,6,8}	1.500	5.300	13.000
GP-1	05/06/97	2-4	7.000 ^{1,5,6,8}	68.000 ^{1,8}	37.000 ¹	230.000 ¹
SB-17	11/18/97	0-2	0.990 ^{1,5}	4.000	1.600	8.800
SB-17	11/18/97	2-4	57.000 ^{1,3,5,6,8}	250.000 ^{1,8}	120.000 ^{1,8}	510.000 ^{1,5,6,8}
SB-18	11/18/97	2-4	< 0.002	< 0.002	< 0.002	< 0.002
B-1	05/08/98	6	< 0.002	< 0.002	0.018	0.096
B-2	05/08/98	4	0.950 ^{1,5}	2.400	5.200	11.000
B-3	05/08/98	4	24.000 ^{1,3,5,6,8}	120.000 ^{1,8}	29.000 ¹	130.000
B-4	05/08/98	8	19.000 ^{1,5,6,8}	16.000 ¹	12.000	41.000
SOIL COMPONENT TO GROUNDWATER INGESTION	CLASS I*		0.03	12	2.7	150
	CLASS II		0.17	29	15	150
INGESTION REMEDIATION OBJECTIVES	RESIDENTIAL		22	16,000	7,800	160,000
	COMMERCIAL		200	410,000	200,000	1,000,000
INHALATION REMEDIATION OBJECTIVES	RESIDENTIAL		0.8	650	400	410
	COMMERCIAL		1.5	650	400	410
CONSTRUCTION WORKER REMEDIATION OBJECTIVES	INGESTION		4,300	410,000	20,000	410,000
	INHALATION		2.1	42	58	410

- 1-Class I Soil Component to Groundwater Remediation Objective exceeded
- 2-Class II Soil Component to Groundwater Remediation Objective exceeded
- 3-Residential Ingestion Remediation Objective exceeded
- 4-Commercial Ingestion Remediation Objective exceeded
- 5-Residential Inhalation Remediation Objective exceeded
- * This site has been evaluated based on Class I criteria

- 6-Commercial Inhalation Rem Obj exceeded
 - 7-Construction Worker Ingestion Rem Obj exceeded
 - 8-Construction Worker Inhalation Rem Obj exceeded
- Results in milligrams per kilogram (mg/kg)
 Analyzed using USEPA Method 8020

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SOIL BTEX ANALYTICAL DATA
AMOCO SERVICE STATION NO. 15050
10 EAST GOLF ROAD
SCHAUMBURG, COOK COUNTY, ILLINOIS

SOIL ID	DATE SAMPLED	DEPTH (FEET)	BENZENE	TOLUENE	ETHYL-BENZENE	TOTAL XYLENES
B-5	05/08/98	4	48.000 ^{1,3,5,6,8}	260.000 ^{1,8}	95.000 ^{1,8}	450.000 ^{1,5,6,8}
B-6	05/08/98	10	5.800 ^{1,5,6,8}	8.000	40.000 ¹	170.000 ¹
B-7	05/08/98	2	< 0.002	< 0.002	< 0.002	< 0.002
B-8	05/08/98	10	7.400 ^{1,5,6,8}	46.000 ^{1,8}	46.000 ¹	190.000 ¹
B-9	05/22/00	6-8	<0.002	<0.002	<0.002	<0.006
B-10	05/22/00	6-8	<0.002	<0.002	<0.002	<0.006
B-11	02/28/00	2	0.021	0.018	0.028	0.058
B-12	02/28/00	2	<0.002	<0.002	0.0027	0.014
B-13	02/28/00	4	0.750 ¹	0.990	23.000 ¹	64.000
B-14	02/28/00	2-4	0.240 ¹	0.014	0.280	0.097
B-15	09/21/00	4-6	0.029	<0.002	<0.002	<0.006
B-16	09/21/00	2-4	<0.002	<0.002	<0.002	<0.006
SOIL COMPONENT TO GROUNDWATER INGESTION	CLASS I*		0.03	12	13	150
	CLASS II		0.17	29	19	150
INGESTION REMEDIATION OBJECTIVES	RESIDENTIAL		22	16,000	7,800	160,000
	COMMERCIAL		200	410,000	200,000	1,000,000
INHALATION REMEDIATION OBJECTIVES	RESIDENTIAL		1.5	650	400	410
	COMMERCIAL		15	650	400	410
CONSTRUCTION WORKER REMEDIATION OBJECTIVES	INGESTION		4.300	410,000	20,000	410,000
	INHALATION		2.1	42	58	410

- 1-Class I Soil Component to Groundwater Remediation Objective exceeded
- 2-Class II Soil Component to Groundwater Remediation Objective exceeded
- 3-Residential Ingestion Remediation Objective exceeded
- 4-Commercial Ingestion Remediation Objective exceeded
- 5-Residential Inhalation Remediation Objective exceeded
- * This site has been evaluated based on Class 1 criteria

- 6-Commercial Inhalation Rem Obj exceeded
 - 7-Construction Worker Ingestion Rem Obj exceeded
 - 8-Construction Worker Inhalation Rem Obj exceeded
- Results in milligrams per kilogram (mg/kg)
 Analyzed using USEPA Method 8020

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TABLE 2

GROUNDWATER BTEX ANALYTICAL DATA
AMOCO SERVICE STATION NO. 15050
10 EAST GOLF ROAD
SCHAUMBURG, COOK COUNTY, ILLINOIS

SAMPLE ID	DATE SAMPLED	BENZENE	TOLUENE	ETHYL-BENZENE	TOTAL XYLENES
MW-1	10/11/93	<0.0005	<0.0005	<0.0005	<0.0005
	01/31/94	<0.0005	<0.0005	<0.0005	<0.0005
	07/08/94	<0.0005	<0.0005	<0.0005	<0.0005
	06/21/96	<0.001	<0.002	<0.002	<0.002
		DESTROYED	DESTROYED	DESTROYED	DESTROYED
MW-2	10/11/93	<0.0005	<0.0005	<0.0005	0.00074
	01/31/94	<0.0005	<0.0005	<0.0005	<0.0005
	07/08/94	<0.0005	<0.0005	<0.0005	<0.0005
	05/21/96	<0.001	<0.002	<0.002	<0.002
		DESTROYED	DESTROYED	DESTROYED	DESTROYED
MW-3	10/11/93	<0.0005	<0.0005	<0.0005	0.00082
	01/31/94	<0.0005	<0.0005	<0.0005	<0.0005
	07/08/94	<0.0005	<0.0005	<0.0005	<0.0005
	06/21/96	<0.001	<0.002	<0.002	<0.002
		DESTROYED	DESTROYED	DESTROYED	DESTROYED
GROUNDWATER REMEDIATION OBJECTIVES	CLASS I	0.005	1.0	0.5	10
	CLASS II	0.02	25	1.0	10

1 = Class I criteria exceeded

2 = Class II criteria exceeded

* This site has been evaluated based on Class I criteria

E = Concentration exceeded the calibration range of the laboratory instrument

NS = Not Sampled

Results in milligrams per liter (mg/l)

Analytical Method: EPA 8020