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2002-12-23 15:18:08

Cook County Recorder 38.50



02-17706

PREPARED BY:

Name: John Sabuco, Trustee
c/o Ravenswood Hospital

Address: 1921 West Wilson
Chicago, IL 60613



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RETURN TO:

Name: John Sabuco, Trustee
c/o Ravenswood Hospital

Address: 1921 West Wilson
Chicago, IL 60613



(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF COOK COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA Number: 0316006026

LUST Incident No.: 911581

John Sabuco, Trustee, c/o Ravenswood Hospital, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1921 West Wilson, Chicago, IL, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attached.
2. Common Address: 1921 West Wilson, Chicago, IL
3. Real Estate Tax Index/Parcel Index Number: 14-18-212-006-0000
4. Site Owner: As Agent, John Sabuco, Trustee, c/o Ravenswood Hospital, Trust #1110319, 1921 West Wilson, Chicago, IL 60613
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

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Leaking Underground Storage Tank Environmental Notice

8/23/03

Lawyers Title Insurance Corporation

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

RENEE CIPRIANO, DIRECTOR

217/782-6762

CERTIFIED MAIL

DEC 19 2002

7002 2030 0001 1875 0561

Chicago Title Land Trust Company
c/o Ravenswood Hospital
Attention: John Sabuco, Trustee
10269 West Lincoln Highway
Frankfort, IL 60423

Re: LPC #0316006026 - Cook County
Chicago/Ravenswood Hospital
1921 West Wilson
LUST Incident No. 911581
LUST Technical File

Dear Mr. Sabuco:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report and Addendum submitted for the above-referenced incident. This information is dated April 12, 2002 and December 11, 2002 and was received by the Illinois EPA on April 26, 2002 and December 12, 2002. Citations in this letter are from 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Ill. Adm. Code 731 indicate remediation has been successfully completed.

Based upon the certification by Shahzad Niaki, a Licensed Professional Engineer, and based upon other information in the Illinois EPA's possession, your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. This Letter shall apply in favor of the following parties:

1. Ravenswood Hospital, John Sabuco, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.

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3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, a copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA by certified mail. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL**LEVEL OF REMEDIATION AND LAND USE LIMITATIONS**

1. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.
2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: There are no land use limitations.
3. The land use limitation 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

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- b) A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.
- Engineering: None.
- Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.
5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved Corrective Action Plan may, if applicable, result in voidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Bureau of Land - #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

8. Should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the owner or operator of the leaking underground storage tank(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance of this Letter include, but shall not be limited to:
- a) Any violation of institutional controls or industrial/commercial land use restrictions;
- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;

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- c) The disturbance or removal of contamination that has been left in place in accordance with the Corrective Action Plan or Completion Report;
- d) The failure to comply with the recording requirements for the Letter;
- e) Obtaining the Letter by fraud or misrepresentation; or
- 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.

Submit the copy of this Letter, as recorded, by certified mail to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Sam Hale III, at 217/782-6762.

Sincerely,



Clifford L. Wheeler
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

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Attachments: Leaking Underground Storage Tank Environmental Notice
Legal Description

c: GSG Environmental, Inc.
Division File

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

RENEE CIPRIANO, DIRECTOR

RECORDING REQUIREMENTS FOR NO FURTHER REMEDIATION LETTERS

Introduction

The Illinois EPA's Bureau of Land (BOL) issues a No Further Remediation (NFR) Letter at the completion of site remediation activities under the LUST Program and the SRP. The letter signifies that 1) the person conducting remediation has satisfied the respective BOL laws and regulations, and 2) that no further remediation is necessary to protect human health and the environment for the property described in the letter, so long as the site is used in accordance with the terms of the NFR letter.

Significance

When properly recorded, the NFR Letter holds legal significance for all applicable parties outlined in the Illinois Environmental Protection Act for the program in question. (See 415 ILCS 5/57.10(d) and 58.10(d).) However, if not properly recorded, the NFR Letter *holds no legal significance for anyone*. Furthermore, if not properly recorded, the Illinois EPA will take steps to void the NFR letter in accordance with the regulations pertaining to the program under which the remediation was performed.

Duty to Record

The duty to record the NFR Letter is *mandatory*. You *must* submit the letter and Environmental Notice to the Office of the Recorder or the Registrar of Titles of the county where the site is located *within 45 days after receipt of the letter*. You must record both the NFR Letter and the Environmental Notice. Both must be recorded in accordance with Illinois law so that it forms a permanent part of the chain of title to ensure current and future users of the property will be informed of the conditions of the institutional controls. A certified copy of the letter and Environmental Notice as recorded must be sent to the Illinois EPA. Failure to record the NFR Letter and the Environmental Notice in accordance with the regulations will make the letter voidable.

For More Information

Please refer to Tiered Approach to Corrective Action Objectives (TACO) Fact Sheet 3 available from the Illinois EPA by calling 1-888-299-9533 or by accessing it on our Agency's website directly at <http://www.epa.state.il.us/land/taco/3-no-further-remediation-letters.html>.

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House Bill 4471 is now Public Act 92-0554

Governor George Ryan signed House Bill 4471 into law as Public Act 92-0554 on June 24, 2002. Public Act 92-0554 amends the Environmental Protection Act Sections 57.1, 57.2, 57.5, 57.6, 57.7, 57.8, 57.10, and 57.13 and adds Section 57.14A. The Act includes some significant changes to the handling of underground storage tank releases. Owners or operators who report a release on or after June 24, 2002 will no longer be able to perform Site Classification, pursuant to 35 Ill. Adm. Code 732.307 and 35 Ill. Adm. Code 732.312 and must now perform Site Investigation. However, if a release was reported prior to June 24, 2002, owners or operators may elect to perform Site Investigation.

Public Act 92-0554 also raised the maximum amount that may be reimbursed from the Underground Storage Tank Fund. The Illinois EPA will request that the Illinois Pollution Control Board change the Illinois Administrative Code to reflect Public Act 92-0554. This change is expected to occur in 2003.

Public Act 92-0554 may be viewed at:

<http://www.legis.state.il.us/publicacts/pubact92/acts/92-0554.html>

The effective date of Public Act 92-0554 was June 24, 2002.

For additional information, please call the Illinois EPA, Leaking Underground Storage Tank Section at (217) 782-6762.

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Appendix D Legal Description of the Property

The Legal Description of the subject property, as provided by Advocate, is as follows:

Parcel 1: Lots 1, 2, and 3 of Samuel Brown Jr's Subdivision of Lots 13 and 14 in Block 14 in Ravenswood, being a Subdivision of Part of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 18, and Part of Section 17, Township 40 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

Parcel 2: Lots 1 and 2 in Felix J. Canda's Resubdivision of Lot 15 in Block 14 in Ravenswood, being a Subdivision of Part of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 18, and Part of Section 17, Township 40 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

Parcel 3: Lots 16 through 24, both inclusive, in Block 14 in Ravenswood, being a Subdivision of Part of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 18, and Part of Section 17, Township 40 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

Parcel 4: Lots 1 through 10, both inclusive, and Lots 13 through 24, both inclusive, in Block 15 in Ravenswood, being a Subdivision of Part of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 18, and Part of Section 17, Township 40 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

Lot 4
→

Parcel 5: All that part of North Winchester Avenue lying west of and adjoining the west line of Lots 17 to 24, both inclusive, in Block 14, lying East of and adjoining the East line of Lots 1 to 2, both inclusive, in Block 15, and lying North of and adjoining a line drawn from the southwest corner of said lot 17 in Block 14 to the southeast corner of said lot 8 in Block 15 all in Ravenswood aforesaid, said part of public street being further described as all that part on North Winchester Avenue lying between West Wilson Avenue and a line drawn 392 feet, more or less, south of and parallel hereto, in Cook County, Illinois.

Parcel 6: That part of the North and South vacated alley per document 24015075, lying west of and adjoining Lots 1 to 10 and lying East of and adjoining Lots 15 to 24 in Block 15 in Ravenswood aforesaid, and lying North of a line drawn from the southwest corner of Lot 10 to the southeast corner of Lot 15 aforesaid, also that part of the west half of the north and south vacated alley per document 24015075 lying east of and adjoining Lots 13 and 14 in Ravenswood aforesaid, and lying south of a line drawn from the southwest corner of Lot 10 to the southeast corner of Lot 15 aforesaid all in Cook County, Illinois.

PIN: 14-18-212-006-0000

4501 N Winchester
4501 N Damen
Chicago, IL 60640