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1. Mt. Greenwood Cemetery, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.
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. In addition, the Groundwater Ordinance must be filed as an attachment of this Letter with the Office of the Recorder or Registrar of Titles of the applicable county. 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 have been established in accordance with an industrial/commercial land use limitation. 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

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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: The land use shall be industrial/commercial.
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
 - 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: Prior to commencement of any future excavation and/or construction in or near the contaminated zone of the remediation site, a safety plan for this remediation site is required that is consistent with National Institute for Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities; Occupational Safety and Health Administration regulations, particularly in 29 CFR 1910 and 1926; state and local regulations; and other U.S. EPA guidance as provided. At a minimum, the plan should address possible worker exposure if any future excavation and construction activities occur within the contaminated soil.

Engineering: A building and concrete barrier 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, must remain over the contaminated soil as outlined in the attached Site Base Map. This building and concrete barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media and/or to impede contaminant migration to the groundwater.

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.

Groundwater Use Ordinance

Section 11-8-390 of the Municipal Code of Chicago effectively prohibits

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the installation of potable water supply wells (and the use of such wells) and is an acceptable institutional control under the following conditions:

Each affected or potentially affected (as shown through contaminant modeling) property owner and the City of Chicago must receive written notification from the owner or operator desiring to use the ordinance as an institutional control that groundwater remediation objectives have been approved by the Illinois EPA. Written proof of this notification shall be submitted to the Illinois EPA in accordance with 35 Ill. Adm. Code 742.1015(b) and (c) within 45 days from the date this Letter is recorded. The notification shall include:

- a) The name and address of the local unit of government;
- b) The citation of the ordinance used as an institutional control in this Letter;
- c) A description of the property being sent notice by adequate legal description or by reference to a plat showing the boundaries;
- d) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
- e) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
- f) A statement as to where more information may be obtained regarding the ordinance.

The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:

- a) Modification of the referenced ordinance to allow potable uses of groundwater.
- b) Approval of a site-specific request, such as a variance, to allow use of groundwater at the site.
- c) Violation of the terms of a recorded institutional control.

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As a part of its corrective action, the leaking underground storage tank site has relied upon Section 11-8-390 of the Municipal Code of Chicago that prohibits potable uses of groundwater as defined therein.

5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved Corrective Action Plan, if applicable, may result in avoidance 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. Pursuant to Section 57.10(e) of the Act (415 ILCS 5/57.10(e)) and 35 Ill. Adm. Code 732.704, 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 system(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 avoidance, explain the provisions for appeal, and describe the facts in support of the avoidance. Specific acts or omissions that may result in the avoidance 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;
 - c) The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;

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- 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.

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4)(D) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

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

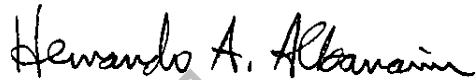
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If you have any questions or need further assistance, please contact the Illinois EPA project manager, Clayton Bloome, at 217/524-1288.

Sincerely,



Hernando A. Albarracin
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAA:CTB\

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Base Map
Legal Description
City of Chicago Groundwater Ordinance

cc: Robert E. Renguso, Marlin Environmental Inc.
Division File

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PREPARED BY:

Name: Mt. Greenwood Cemetery

Address: 2900 West 111th Street
Chicago, IL 60655

RETURN TO:

Name: Mt. Greenwood Cemetery

Address: 2900 West 111th Street
Chicago, IL 60655

(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: 0316745049

LUST Incident No.: 20001953

Mt. Greenwood Cemetery, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 2900 West 111th Street, Chicago, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

1. Legal Description or Reference to a Plat Showing the Boundaries: Attached
2. Common Address: 2900 West 111th Street, Chicago, IL 60655
3. Real Estate Tax Index/Parcel Index Number: 24-13-313-001-0000
4. Site Owner: The Mt. Greenwood Cemetery Assoc.
5. Land Use Limitation: The land use shall be industrial/commercial.
6. See the attached No Further Remediation Letter for other terms.

ctb

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QUIT CLAIM

Quit Claim (All Verbs)
Individual (Individual)

CAUTION: Consult a lawyer before using or acting under this form.
A. Warranties including merchantability and fitness are excluded.

THE GRANTOR, GEORGE NITSCHKE, son of HENRY D. NITSCHKE
DEC'd and CATHERINE H. NITSCHKE DEC'd

of the village of EVERGREEN PK County of COOK
State of ILLINOIS for the consideration of
ONE and 00/100 DOLLARS,
in hand paid,

CONVEY and QUIT CLAIMS to

LOUIS HUGUELET
15424 DAVID LN
OAK FOREST, IL 60452

(NAME AND ADDRESS OF GRANTEE)

(The Above Space For Recorder's Use Only)

all interest in the following described Real Estate situated in the County of COOK in the
State of Illinois, to wit:

the Whole of Lot Four hundred Nine (409), Section Twenty Nine (29)
of the First Division of Mount Greenwood Cemetery, being
a subdivision of the East half of the Southwest Quarter
of Section 13, T. 37 N., R. 13 E., in the Town of Worth:

Subject, however, to all limitation and restrictions
contained in Deed Number 7976, from the Mount Greenwood
Cemetery Association to Henry D.W. Nitsche and
Catherine H. Nitsche; and

Specifically does not transfer any part of the clause relating
to charges for the opening of graves on this lot.

(This deed is executed in duplicate.)

hereby releasing and waiving all right under and by virtue of the Homestead Exemption Laws of the State of
Illinois.

DATED this _____ day of _____ 19__

PLEASE PRINT OR TYPE NAME(S) BELOW SIGNATURE(S)
George H. Nitsche (SEAL) _____ (SEAL)
GEORGE NITSCHKE
_____ (SEAL)

State of Illinois, County of _____ ss. I, the undersigned, a Notary Public in and for
said County, in the State aforesaid, DO HEREBY CERTIFY that

OFFICIAL SEAL
DANIEL KREVERETT
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 02/26/02
personally known to me to be the same person whose name _____ subscribed
to the foregoing instrument, appeared before me this day _____ person, and acknowl-
edged that _____ signed, sealed and delivered the said instrument as
and voluntary act, for the uses and purposes therein set forth, including the
case and waiver of the right of homestead.

Given under my hand and official seal, this 20TH day of November 1999

Commission expires FEB 26, 2002 Daniel K. Kreverett NOTARY PUBLIC

This instrument was prepared by MT. GREENWOOD CEMETERY
(NAME AND ADDRESS)

ADDRESS OF PROPERTY

MAIL TO (Name) _____
(Address) _____
(City, State and Zip) _____

THE ABOVE ADDRESS IS FOR STATISTICAL PURPOSES
ONLY AND IS NOT A PART OF THIS DEED
SEND SUBSEQUENT TAX BILLS TO

OR RECORDER'S OFFICE BOX NO _____

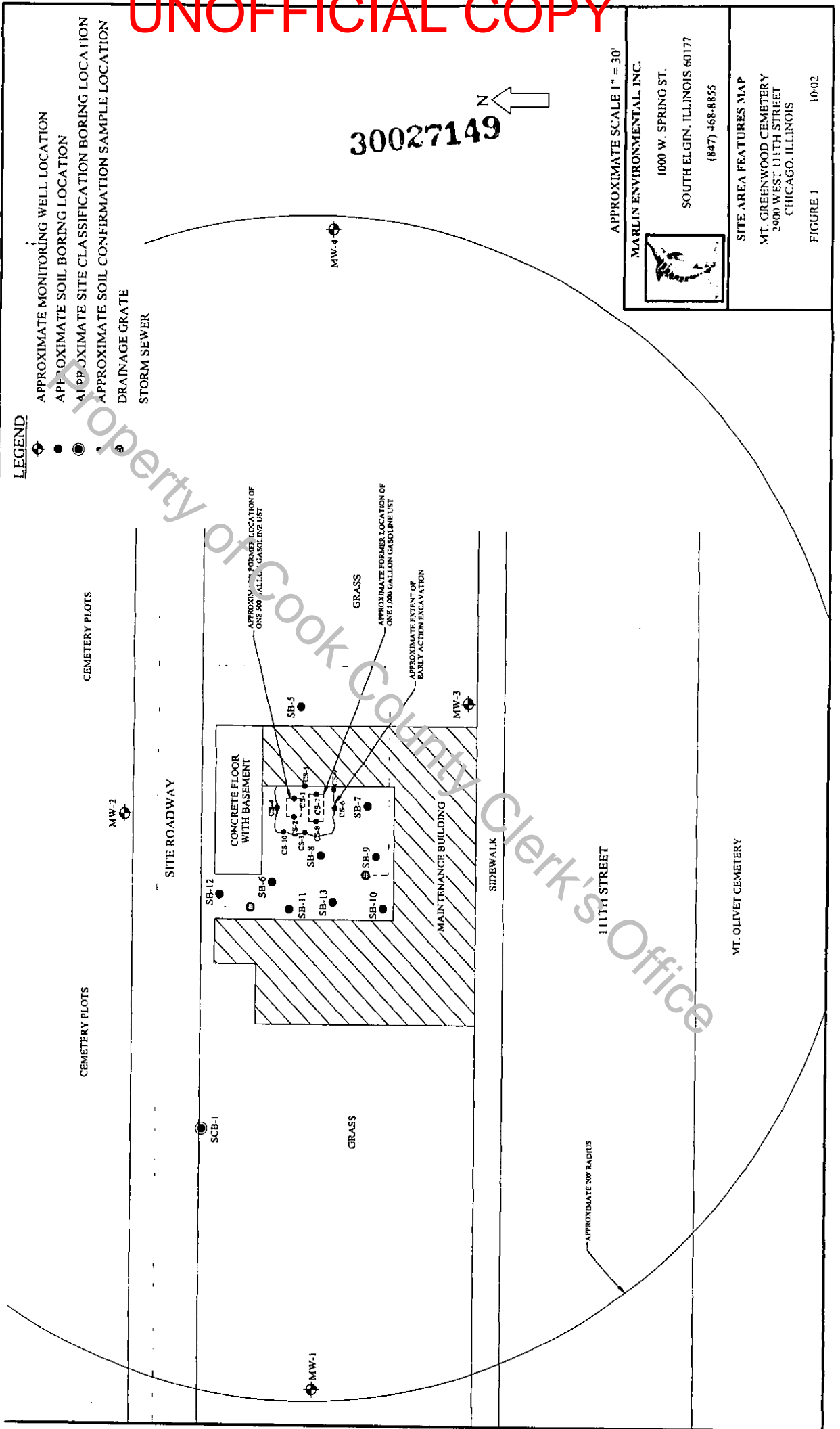
(Name) _____
(Address) _____

TRANSFER APPROVED:
THE MT. GREENWOOD CEMETERY ASSOC.
BY

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The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The Municipal Code of the City of Chicago is hereby amended by adding a new Section 11-8-390, as follows:

11-8-390 *Potable Water Wells.*

For purposes of this section, "potable water" is any water used for human consumption, including but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce

RECEIVED

Division of Legal Counsel

DEC 12 2001

Environmental Protection Agency

RELEASABLE

DEC 12 2001

REVIEWER MM

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11/28/2001

REPORTS OF COMMITTEES

72897

intended for human consumption is grown. No groundwater well, cistern or other groundwater collection device installed after May 14, 1997, may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by a unit of local government pursuant to intergovernmental agreement with the City of Chicago.

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

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STATE OF ILLINOIS,-

County of Cook. ss.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office for an amendment of Title 11, Chapter 8 of Municipal Code of Chicago by addition of new Section 390 defining potable water and prohibiting use of certain groundwater collection device to supply any potable water supply system.

I DO FURTHER CERTIFY that the said ordinance was adopted by the City Council of the said City of Chicago on the twenty-eighth (28th) day of November, A.D. 2001 and deposited in my office on the twenty-eighth (28th) day of November, A.D. 2001.

I DO FURTHER CERTIFY that the vote on the question of the adoption of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit:

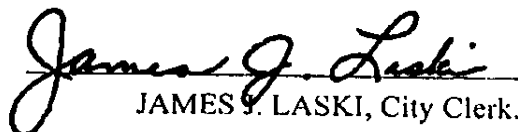
Yeas 47, Nays 0.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the adoption thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor failed to return the said ordinance to the said City Council with his written objections thereto at the next regular meeting of the said City Council occurring not less than five (5) days after the adoption of the said ordinance.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

[L.S.]

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the County and State aforesaid, this sixth (6th) day of December, A.D. 2001.


JAMES J. LASKI, City Clerk.

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