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PREPARED BY:

Name: Joan Radovich
Attorney
Address: Sidley Austin Brown & Wood
Bank One Plaza
10 South Dearborn Street
Chicago, Illinois 60603

0030330748

5684/0259 54 001 Page 1 of 11
2003-03-10 15:42:23
Cook County Recorder 44.50



0030330748

RETURN TO:

Name: LUNG & ASSOCIATES, P.C.
33 NORTH DEARBORN STREET
Address: SUITE 1515
CHICAGO, IL 60602-3114

Chicago, Illinois 60603

THE ABOVE SPACE FOR RECORDER'S OFFICE

Environmental Land Use Control

THIS ENVIRONMENTAL LAND USE CONTROL ("ELUC") is made this 10th day of October, 2002, by and between Mohammed Rawoof, Owner of the real property located at 56-58 West 95th Street, Chicago, 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 provide 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 Number 0316490013 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.

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 he 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 himself and his heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property or any portion thereof or interest therein, that the groundwater under the Property shall not be used as a potable supply of water, and 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.

This ELUC is binding on the Property Owner, his 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 LPC Number 0316490013 listed above.

WITNESS the following signatures:

Mohammed Rawoof

By: Mohammed Rawoof

Printed: Mohammed Rawoof

Date: 6/20/02

BP Products North America Inc., f/k/a Amoco Oil Company, a Maryland corporation

By: D. A. Prohaska

Attest: Doreen Donnelly

Its: Environmental Business Manager

Its: Assistant Secretary

Date: 10.10.02

Property of Cook County Clerk's Office

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30330748

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 Soreen 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 October, 2002.

OFFICIAL SEAL
DEBRA D SCIFERS
Notary Public, State of Illinois
NO. 491235
My Commission Expires 06-28-03

Debra D. Scifers
Notary Public

State of IL)
) SS:
County of Cook)

I, Amy Myung the undersigned, a Notary Public for said County and State, DO HEREBY CERTIFY, that before me this day in person appeared **MOHAMMED RAWOOF**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 20 day of June, 2002.

Amy Myung An
Notary Public

OFFICIAL SEAL
AMY MYUNG AN
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. FEB. 5, 2005

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PIN NOS. 25-04-414-015 & 25-04-414-016

Exhibit A

The subject property is located in the City of Chicago, Cook County, State of Illinois, commonly known as 56-58 West 95th Street, Chicago, Illinois and more particularly described as:

LOT 13 IN BLOCK 9 IN FREDERICK H. BARTLETT'S WENTWORTH AVENUE AND 95TH STREET SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PORTION OF SAID LOTS LYING SOUTH OF A LINE 54 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 4), IN COOK COUNTY, ILLINOIS.

LOT 14 (EXCEPT THAT PART LYING SOUTH OF A LINE 54 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 4) IN BLOCK 9 IN FREDERICK H. BARTLETT'S WENTWORTH AVENUE AND 95TH STREET SUBDIVISION IN THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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PIN NOS. 25-04-414-015 & 25-04-414-016

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

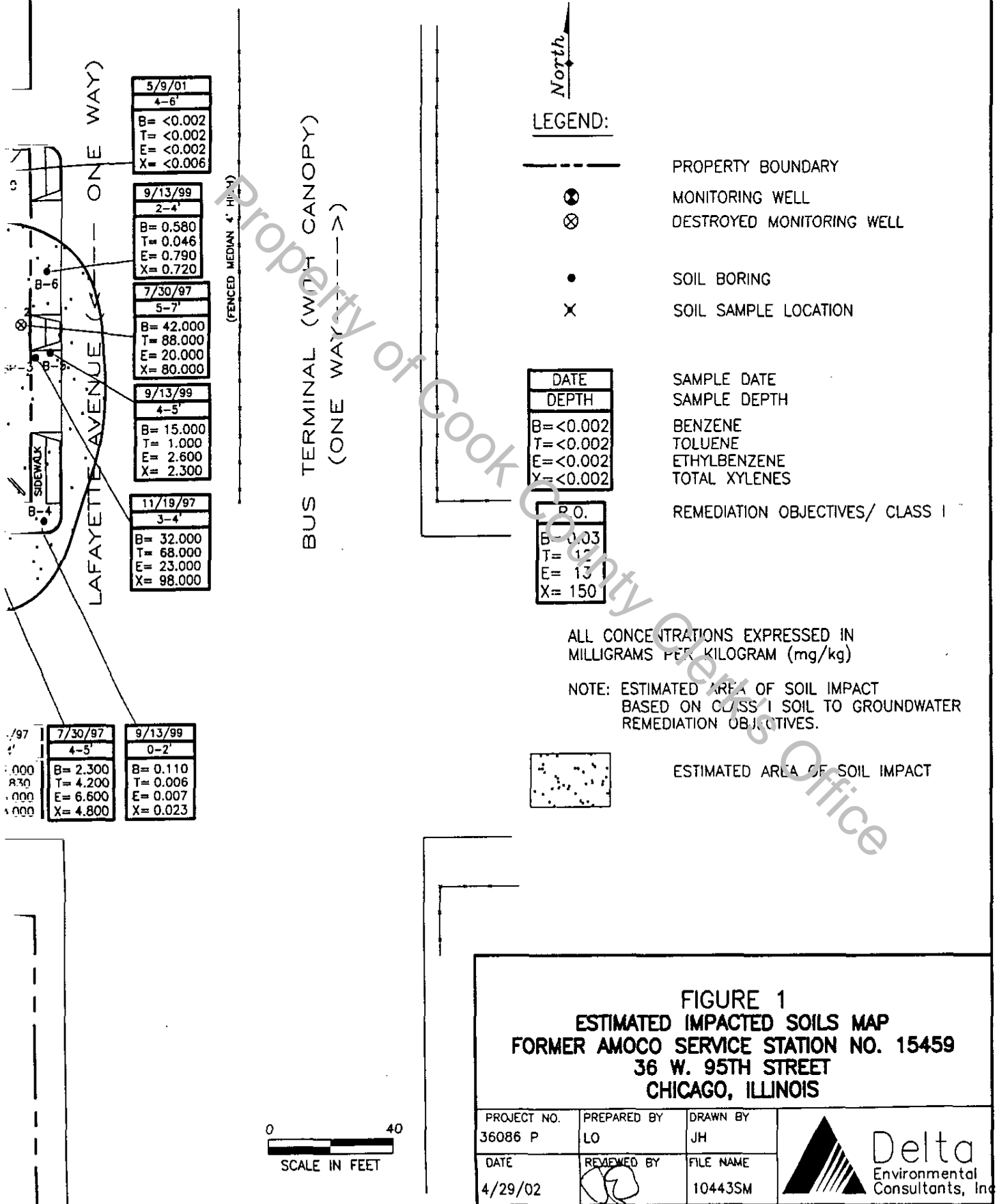
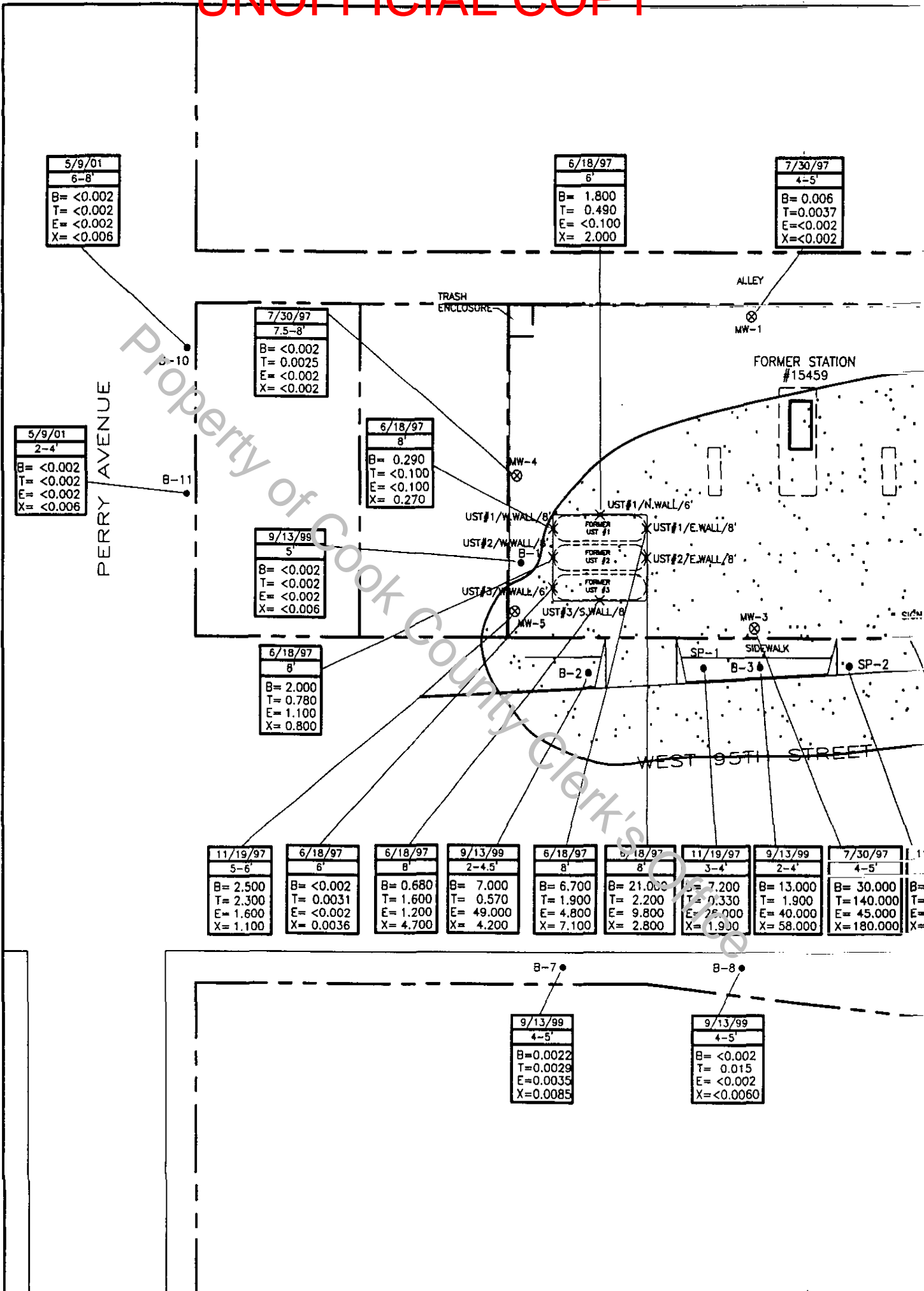


FIGURE 1
ESTIMATED IMPACTED SOILS MAP
FORMER AMOCO SERVICE STATION NO. 15459
36 W. 95TH STREET
CHICAGO, ILLINOIS

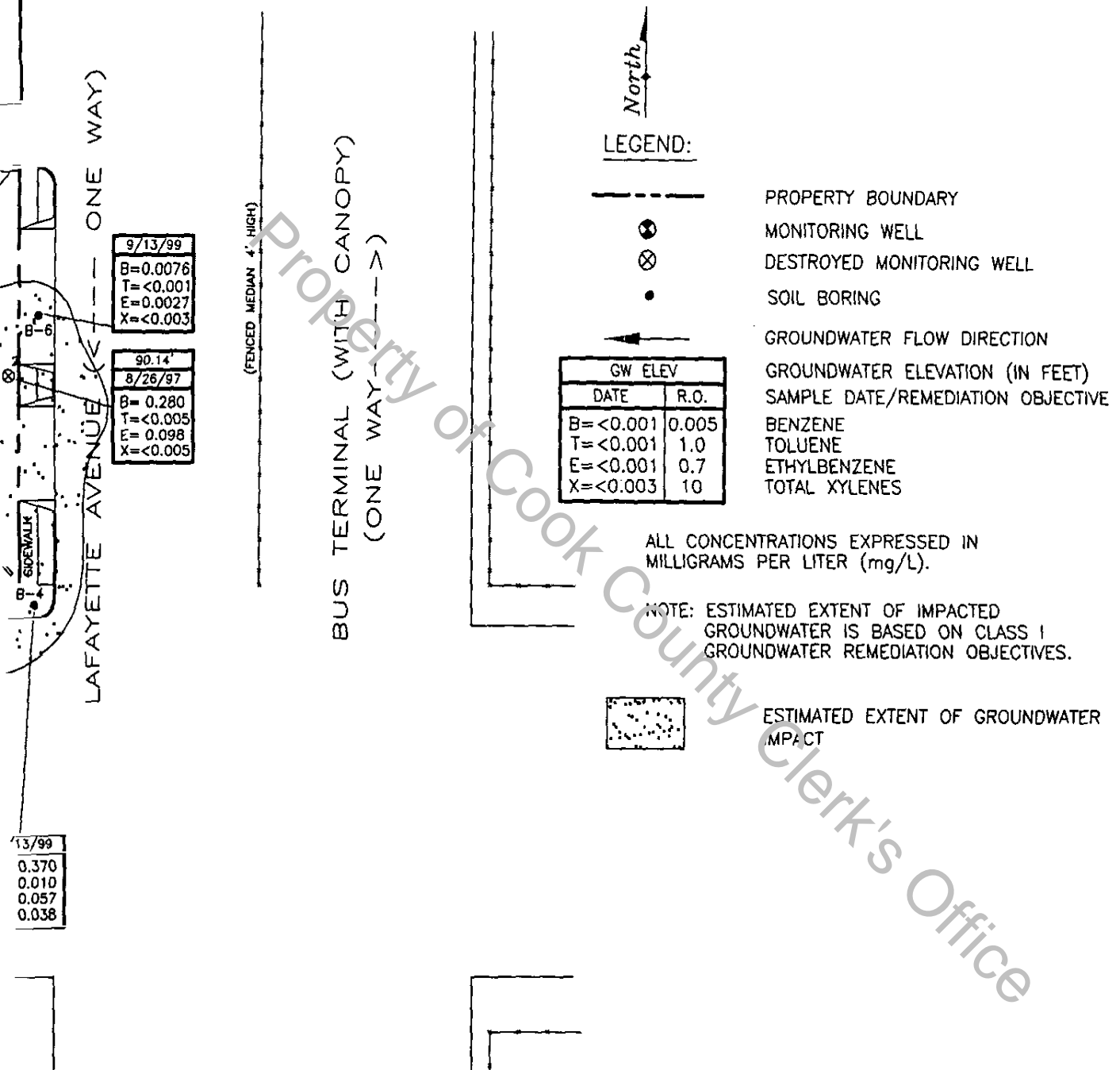
PROJECT NO. 36086 P	PREPARED BY LO	DRAWN BY JH	 Delta Environmental Consultants, Inc.
DATE 4/29/02	REVIEWED BY 	FILE NAME 10443SM	

0 40
SCALE IN FEET

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30330748



LAFAYETTE AVENUE (ONE WAY)

BUS TERMINAL (WITH CANOPY)
(ONE WAY)

(FENCED MEDIAN 4' HIGH)

9/13/99
B=0.0076
T=<0.001
E=0.0027
X=<0.003

90.14'
8/26/97
B= 0.280
T=<0.005
E= 0.098
X=<0.005

13/99
0.370
0.010
0.057
0.038



FIGURE 2
ESTIMATED IMPACTED GROUNDWATER MAP
FORMER AMOCO SERVICE STATION NO. 15459
36 W. 95TH STREET
CHICAGO, ILLINOIS

PROJECT NO. 36086 P	PREPARED BY LO	DRAWN BY JH	<p style="margin-top: 10px;">Delta Environmental Consultants, Inc.</p>
DATE 4/29/02	REVIEWED BY 	FILE NAME 10443SM	

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PERRY AVENUE

92.47'
8/26/97
B = <0.001
T = <0.001
E = <0.001
X = <0.002

ALLEY

MW-1

FORMER STATION #15459

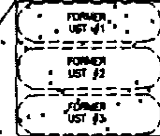
TRASH ENCLOSURE

89.48'
8/26/97
B = <0.001
T = <0.001
E = <0.001
X = <0.002

MW-4

2/23/98
B = 0.002
T = <0.001
E = <0.001
X = <0.002

MW-5



MW-3

SP-1

SP-2

SP-3

SP-4

SP-5

SP-6

SP-7

SP-8

SP-9

SP-10

SP-11

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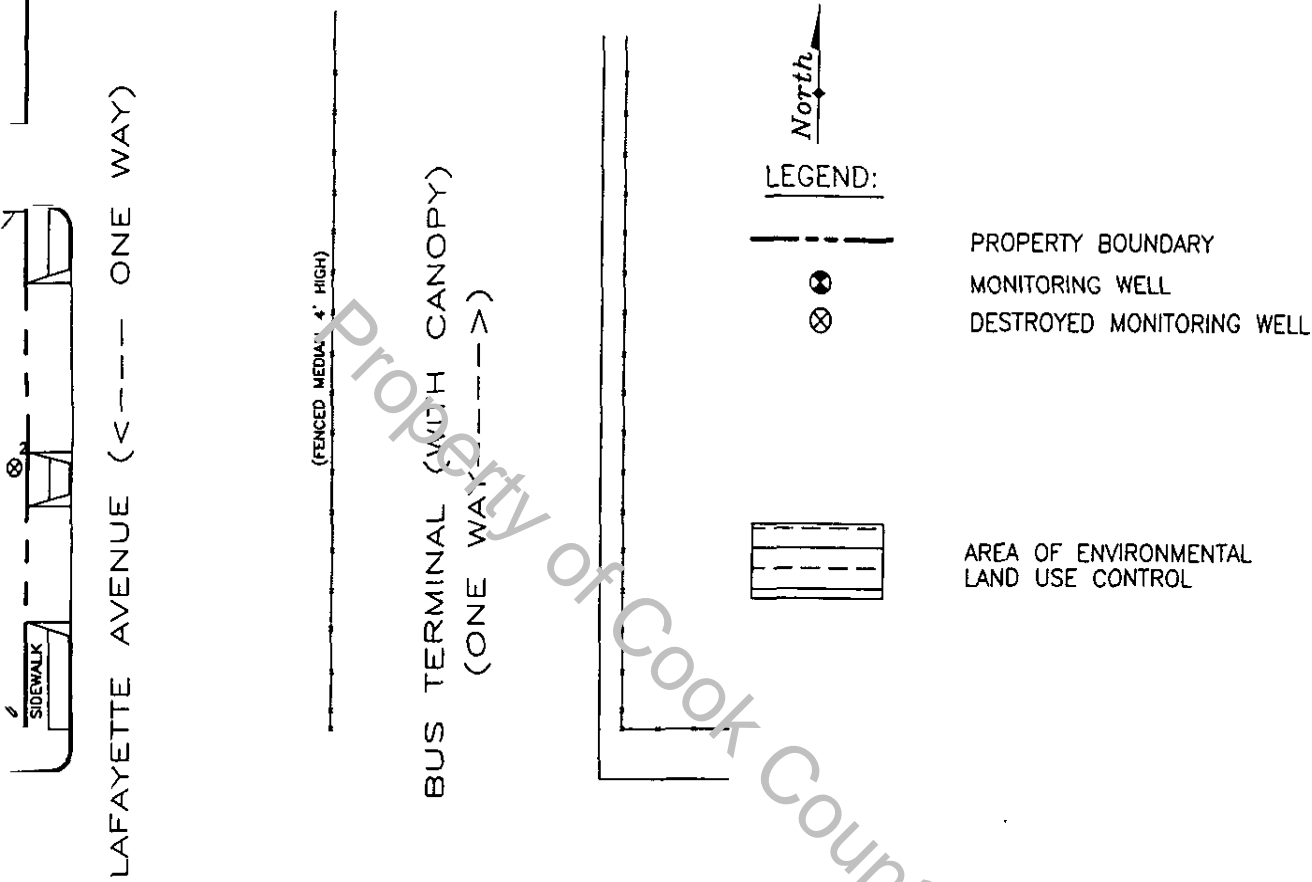


FIGURE 3
ENVIRONMENTAL LAND USE CONTROL MAP
FORMER AMOCO SERVICE STATION NO. 15459
36 W. 95TH STREET
CHICAGO, ILLINOIS

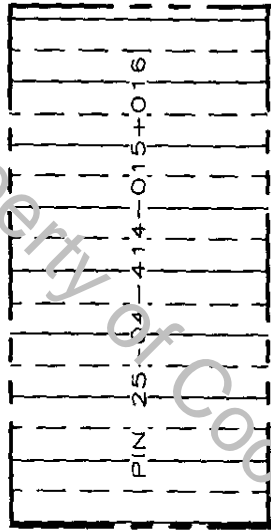
0 40
SCALE IN FEET

PROJECT NO. 36086 P	PREPARED BY LO	DRAWN BY JH
DATE 4/29/02	REVIEWED BY 	FILE NAME 10443SM



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PERRY AVENUE

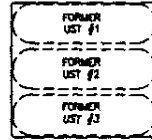


PIN 25-04-414-017+018

TRASH ENCLOSURE

MW-4

MW-5



ALLEY

MW-1

FORMER STATION #15459



PIN 25-04-414-042

MW-3

SIDEWALK

WEST 95TH STREET

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TABLE 1
SOIL BTEX ANALYTICAL RESULTS
AMOCO SERVICE STATION NO. 15459
36 WEST 95th STREET
CHICAGO, COOK COUNTY, ILLINOIS

30330748

SAMPLE ID	DATE	DEPTH (FEET)	BENZENE	TOLUENE	ETHYL-BENZENE	TOTAL XYLENES
MW-1	07/30/97	4-5	0.006	0.0037	< 0.002	< 0.002
MW-2	07/30/97	5-7	42.000 ^{1,2,3,5,6,8}	88.000 ^{1,2,8}	20.000 ^{1,2}	80.000
MW-3	07/30/97	4-5	30.000 ^{1,2,3,5,6,8}	140.000 ^{1,2,8}	45.000 ^{1,2}	180.000 ^{1,2}
MW-4	07/30/97	7.5-8	< 0.002	0.0025	< 0.002	< 0.002
MW-5	11/19/97	5-6	2.500 ^{1,2,5,6,8}	2.300	1.600	1.100
MPB-1	07/30/97	4-5	2.300 ^{1,2,5,6,8}	4.200	6.600	4.800
UST 1 West Wall	06/18/97	8	0.290 ^{1,2}	< 0.100	< 0.100	0.270
UST 1 East Wall	06/18/97	8	6.700 ^{1,2,5,6,8}	1.900	4.800	7.100
UST 1 North Wall	06/18/97	6	1.800 ^{1,2,5,6}	0.490	< 0.100	2.000
UST 2 East Wall	06/18/97	8	21.000 ^{1,2,3,5,6,8}	2.200	9.800	2.800
UST 2 West Wall	06/18/97	8	2.000 ^{1,2,5,6}	0.780	1.100	0.800
UST 3 West Wall	06/18/97	6	< 0.002	0.0031	< 0.002	0.0036
UST 3 South Wall	06/18/97	8	0.680 ^{1,2}	1.600	1.200	4.700
SP-1	11/19/97	3-4	7.200 ^{1,2,5,6,8}	0.330	26.000 ^{1,2}	1.900
SP-2	11/19/97	3-4	21.000 ^{1,2,3,5,6,8}	0.830	25.000 ^{1,2}	83.000
SP-3	11/19/97	3-4	32.000 ^{1,2,3,5,6,8}	68.000 ^{1,2,8}	23.000 ^{1,2}	98.000
B-1	09/13/99	5	< 0.002	< 0.002	< 0.002	< 0.006
B-2	09/13/99	2-4	7.000 ^{1,2,5,6,8}	0.570	49.000 ^{1,2}	4.200
B-3	09/13/99	2-4	13.000 ^{1,2,3,5,6,8}	1.900	40.000 ^{1,2}	58.000
B-4	09/13/99	0-2	0.110 ¹	0.0061	0.0071	0.023
B-5	09/13/99	4-5	15.000 ^{1,2,3,5,6,8}	1.000	2.600	2.300
B-6	09/13/99	2-4	0.580 ^{1,2}	0.046	0.790	0.720
B-7	09/13/99	4-5	0.0022	0.0029	0.0035	0.0085
B-8	09/13/99	4-5	< 0.002	0.015	< 0.002	< 0.006
B-9	05/09/01	4-6	< 0.002	< 0.002	< 0.002	< 0.006
B-10	05/09/01	6-8	< 0.002	< 0.002	0.002	< 0.006
B-11	05/09/01	2-4	< 0.002	< 0.002	< 0.002	< 0.006
SOIL COMPONENT TO GROUNDWATER INGESTION	CLASS I*	0.03	12	15	150	
	CLASS II	0.17	29	19	150	
INGESTION REMEDIATION OBJECTIVES	RESIDENTIAL	12	16,000	7,800	160,000	
	COMMERCIAL	100	410,000	200,000	1,000,000	
INHALATION REMEDIATION OBJECTIVES	RESIDENTIAL	0.8	650	400	320	
	COMMERCIAL	1.6	650	400	320	
CONSTRUCTION WORKER REMEDIATION OBJECTIVES	INGESTION	2,300	410,000	20,000	410,000	
	INHALATION	2.2	42	58	320	

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
 6-Commercial Inhalation Remediation Objective exceeded

7-Construction Worker Ingestion Remediation Objective exceeded
 8-Construction Worker Inhalation Remediation Objective exceeded
 Results in milligrams per kilogram (mg/kg)
 Analyzed using USEPA Method 8020
 * This site has been evaluated based on Class I Remediation Objectives

TABLE 2
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GROUNDWATER BTEX ANALYTICAL RESULTS

30330748

AMOCO SERVICE STATION NO. 15459

36 WEST 95th STREET

CHICAGO, COOK COUNTY, ILLINOIS

SAMPLE ID	DATE	BENZENE	TOLUENE	ETHYL BENZENE	TOTAL XYLENES
MW-1	08/26/97	< 0.001	< 0.001	< 0.001	< 0.002
MW-2	08/26/97	0.280 ^{1,2}	< 0.005	0.098	< 0.005
MW-3	08/26/97	0.560 ^{1,2}	0.072	0.350	0.340
MW-4	08/26/97	< 0.001	< 0.001	< 0.001	< 0.002
MW-5	11/19/97	2.500 ^{1,2}	2.300 ¹	1.600 ^{1,2}	1.100
	02/23/98	0.002	< 0.001	< 0.001	< 0.002
SP-1	11/19/97	0.046 ^{1,2}	0.005	0.009	0.002
SP-2	11/19/97	2.700 ^{1,2}	0.096	0.003	0.320
B-2	09/13/99	1.400 ^{1,2}	0.034	1.600 ^{1,2}	0.080
B-3	09/13/99	8.300 ^{1,2}	1.900 ¹	2.700 ^{1,2}	9.000
B-4	09/13/99	0.370 ^{1,2}	0.010	0.057	0.038
B-6	09/13/99	0.0076 ¹	< 0.001	0.0027	< 0.003
B-7	09/13/99	< 0.001	< 0.001	< 0.001	< 0.003
GROUNDWATER REMEDIALTION OBJECTIVES	CLASS I*	0.005	1	0.7	10
	CLASS II	0.015	2.5	1	10

1 = Class I Remediation Objectives exceeded*

NS = Not Sampled

2 = Class II Remediation Objectives exceeded

Results in milligrams per liter (mg/l)

* This site has been evaluated based on Class I Remediation Objectives

Analytical Method: EPA 8020