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3/7/00 34 001 Page 1 of 8
2000-05-12 12:09:31
Cook County Recorder 35.50

PREPARED BY:

Name: Chicago Transit Authority

Address: 4301-4401 West Chicago Avenue
Chicago, Illinois



00342617

RETURN TO:

Name: Chicago Transit Authority
Real Estate Department

Address: 120 North Racine
Chicago, Illinois 60607

THE ABOVE SPACE FOR RECORDER'S OFFICE

THIS ENVIRONMENTAL NO FURTHER REMEDIATION LETTER MUST BE SUBMITTED BY THE OWNER/OPERATOR, WITHIN 45 DAYS OF ITS RECEIPT, TO THE RECORDER OF DEEDS OF COOK COUNTY IN WHICH THE SITE (AS DESCRIBED BELOW) IS LOCATED.

Illinois State EPA Number: 0316685038

LUST Incident No.: 923534

Chicago Transit Authority, the owner and operator, whose address is 120 North Racine, Chicago, Illinois 60607, has performed investigative and/or remedial activities for the site that can be identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

Parcel 1

That part of the Northeast 1/4 of Section 10, Township 39 North, Range 13 East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Northeast corner of said Section 10, Township 39 North, Range 13 East of the Third Principal Meridian; thence North 89 degrees 59 minutes 25 seconds West along the North line of the aforesaid Northeast 1/4 of said Section 10 a distance of 2350.00 feet; thence South 0 degrees 13 minutes 54 seconds West parallel to the East line of the Northeast 1/4 of said Section 10 to the South line of the North 50 feet of the Northeast 1/4 of Section 10 (being the South line of West Chicago Avenue) and the point of beginning of the parcel of land herein described; thence continuing South 0 degrees 13 minutes 54 seconds West along said parallel line 90.64 feet; thence South 74 degrees 22 minutes 48 seconds East (along a line which is extended Southeasterly would intersect the West line of the East 1178.00 feet of said Northeast 1/4 of Section 10 at a point 467.74 feet South of the North line of said Northeast 1/4 of Section 10) 990.313 feet to the intersection of an arc of a circle, convex Northeasterly and having a radius of 800.00 feet; thence Southeasterly along said arc 210.40 feet (the chord of which bears south 63 degrees 54 minutes 23 seconds East for 209.81 feet) to a point of tangency on a line which intersects the West line of the East

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1178.00 feet of said Northeast 1/4 of said Section 10 at a point 518.20 feet South of the North line of said Northeast 1/4 of Section 10; thence South 56 degrees 22 minutes 17 seconds East along said tangent line 34.00 feet to said point of intersection; thence continue Southeasterly along said tangent line 264.20 feet; thence North 33 degrees 37 minutes 43 seconds East (at right angles thereto) 142.68 feet to the intersection of a line drawn from a point on the West line of the East 928 feet of said Northeast 1/4 of Section 10 and 490.00 feet South of the North line of said Northeast 1/4 of Section 10, to a point on the West line of the East 723.00 feet of said Northeast 1/4 of Section 10 and 688.17 feet South of the North line of said Northeast 1/4 of Section 10; thence South 47 degrees 27 minutes 23 seconds East along said line 210.80 feet to the aforesaid point on the West line of the East 723.00 feet of said Northeast 1/4 of Section 10; thence South 39 degrees 17 minutes 34 seconds East 402.98 feet to a point on the South line of the North 1000.00 feet of said Northeast 1/4 of Section 10 and 466.54 feet West of the East line of said Northeast 1/4 of Section 10; thence South 89 degrees 59 minutes 25 seconds East along the aforesaid South line of the North 1000.00 feet of said Northeast 1/4 of Section 10, a distance of 83.54 feet, to the west line of the East 383.00 feet of said Northeast 1/4 of Section 10; thence North 0 degrees 13 minutes 54 seconds East along said West line of the East 383.00 feet of said Northeast 1/4 of Section 10 a distance of 250.00 feet to the South line of the North 750.00 feet of said Section 10; thence South 89 degrees 59 minutes 25 seconds East along said line 17.00 feet, to the West line of the East 366.00 feet of the said Northeast 1/4 of Section 10; thence South 0 degrees 13 minutes 54 seconds West along said line, 250.00 feet to the aforesaid South line of the North 1000.00 feet of said Northeast 1/4 of Section 10; thence South 89 degrees 59 minutes 25 seconds East along said line 333.00 feet to the West line of the East 33 feet of the said Northeast 1/4 of Section 10 (being the West line of North Pulaski Road); thence South 0 degrees 13 minutes 54 seconds West along said line, 20.00 feet to a line drawn 970.00 feet South of and parallel with the South line of West Chicago Avenue (said South line of West Chicago Avenue being a line 50.00 feet South of and parallel with the North line of said Northeast 1/4 of Section 10); thence North 89 degrees 59 minutes 25 seconds West along said parallel line 313.92 feet; thence South 8 degrees 14 minutes 49 seconds West, 104.05 feet; thence South 6 degrees 33 minutes 01 seconds East, 257.53 feet to the South line of the North 1379.90 feet of the said Northeast 1/4 of Section 10; thence North 89 degrees 59 minutes 25 seconds West along said South line 335.22 feet to the intersection of a circle convex Northeasterly, having a radius of 566.44 feet and being 40.00 feet Northeasterly of and concentric with the Northeasterly line of Lot 2 in first addition to Northwestern Center Industrial District recorded May 31, 1984 as document no. 27109489; thence Northwesterly along the arc of said circle 188.32 feet (the chord of which bears North 73 degrees 59 minutes 08 seconds West for 187.45 feet) to the point of tangency thereof; thence North 83 degrees 30 minutes 35 seconds West parallel with the northerly line of said Lot 2 extended Northwesterly in aforesaid first addition to Northwestern Center Industrial District 625.11 feet to the point of intersection with a line drawn 42.00 feet Northeasterly of and parallel with the westerly most northerly line of Lot 1 in aforesaid first addition to Northwestern Center Industrial District; thence North 74 degrees 25 minutes 26 seconds West along said parallel line 229.02 feet to the intersection with a line drawn 42.00 feet

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Northeasterly of and parallel with the westerly most Northerly line of Lot 16 in Northwestern Center Industrial District recorded July 1, 1971 as document no. 21532046; thence North 74 degrees 22 minutes 11 seconds West along said parallel line 71.41 feet; thence North 0 degrees 13 minutes 54 seconds East, along a line drawn 1743.23 feet West of and parallel with the East line of the aforesaid Northeast 1/4 of Section 10, a distance of 711.97 feet to a point which is 465.01 feet South of the North line of the aforesaid Northeast 1/4 of Section 10 as measured along said parallel line; thence Northwesterly 130.22 feet along the arc of a circle, tangent to the last described line, convex Northeasterly, having a radius of 100.00 feet, and whose chord bears North 37 degrees 04 minutes 27 seconds West, 121.21 feet to a point of tangency; thence North 74 degrees 22 minutes 48 seconds West, 556.92 feet; thence Westerly 136.22 feet along the arc of a circle, tangent to the last described line, convex Northerly, having a radius of 500.00 feet, and whose chord bears North 82 degrees 11 minutes 06 seconds West, 135.80 feet to a point of tangency; thence North 89 degrees 59 minutes 25 seconds West, along a line drawn 200.00 feet South of and parallel with the aforesaid North line of the Northeast 1/4 of Section 10, a distance of 166.80 feet; thence North 0 degrees 13 minutes 54 seconds East, 150.00 feet, along a line drawn parallel with the aforesaid East line of the Northeast 1/4 of Section 10 and passing through a point on the aforesaid South line of West Chicago Avenue which is 305.08 feet Westerly of the hereinabove described point of beginning; thence South 89 degrees 59 minutes 25 seconds East, along the South line of West Chicago Avenue, 305.08 feet to the point of beginning, in Cook County, Illinois.

Area = 1,095,940 sq. ft. or 25.1593 acres

Parcel 2

That part of the Northeast 1/4 and the Northwest 1/4 of Section 10, Township 39 North, Range 13 East of the Third Principal Meridian, bounded and described as follows: Commencing at the Northeast corner of said Section 10, Township 39 North, Range 13 East of the Third Principal Meridian; thence North 89 degrees 59 minutes 25 seconds West along the North line of the aforesaid Northeast 1/4 of said Section 10 a distance of 2655.08 feet; thence South 0 degrees 13 minutes 54 seconds West parallel to the East line of the Northeast 1/4 of said Section 10 to the South line of the North 50 feet of the Northeast 1/4 of Section 10 (being the South line of West Chicago Avenue) and the point of beginning of the parcel of land herein described; thence continuing South 0 degrees 13 minutes 54 seconds West along said parallel line 150.00 feet; thence North 89 degrees 59 minutes 25 seconds West, along a line drawn parallel with the North line of the aforesaid Northwest 1/4 and Northwest 1/4 of Section 10, a distance of 66.00 feet; thence North 0 degrees 13 minutes 54 seconds East, 150.00 feet to the point of intersection with the South line of the North 50.00 feet of the Northwest 1/4 of Section 10 aforesaid (being the South line of West Chicago Avenue); thence South 89 degrees 59 minutes 25 seconds East, along said South line, 66.00 feet to the hereinabove described point of beginning, in Cook County, Illinois.

Area = 9,900 sq. ft. of 0.2273 acres

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Parcel 3

The South 250.00 feet of the North 1000.0 feet of the West 333.00 feet of the East 366.00 feet of the Northeast 1/4 of Section 10, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Chicago, Illinois.

Area = 83,249 sq. ft. or 1.9111 acres

KNOWN AS 4301 W. CHICAGO AVE., CHICAGO ILLINOIS.

SURVEYED FOR: CHICAGO TRANSIT AUTHORITY

2. Common Address: 4301-4404 West Chicago Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 16-10-200-062-0000 and 16-10-200-012-0000
4. Site Owner: Chicago Transit Authority
5. Land Use Limitation: Not Applicable
6. See NFK letter for other terms.

KNB:MS:bjh\2512.WPD

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

THOMAS V. SKINNER, DIRECTOR

217/782-6762

CERTIFIED MAIL

2109 2106

APR 27 2000

Chicago Transit Authority
Attn: George Vogelsang
120 North Racine
Chicago, Illinois 60607

Re: LPC #0316685038 -- Cook County
Chicago/Chicago Transit Authority
4301-4401 West Chicago Avenue
LUST Incident No. 923534
LUST Technical File

Dear Mr. Vogelsang:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated October 22, 1999; was received by the Illinois EPA October 29, 1999; and was prepared by Laicon, Inc.

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Illinois Administrative Code Part 731 indicate that remediation has been successfully completed.

Based upon the certification by David Kay, a Registered Professional Engineer of Illinois, the certification by Chicago Transit Authority, the owner and operator of the underground storage tank(s), 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 Registered 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 occurrence has been completed; and (3) no further remediation concerning the occurrence is necessary for the protection of human health, safety and the environment. This Letter shall apply in favor of the following persons:

1. Chicago Transit Authority;
2. The owner and operator of the UST(s);

GEORGE H. RYAN, GOVERNOR

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3. Any parent corporation or subsidiary of the owner or operator of the UST(s);
4. 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;
5. Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable;
6. Any mortgagee or trustee of a deed of trust of the owner of the site or any assignee, transferee, or any successor-in-interest of the owner of the site;
7. Any successor-in-interest of such owner or operator;
8. 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; or
9. Any heir or devisee of such owner or operator.

This Letter, including all attachments, must be filed within 45 days of its receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the County where 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 that it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded by the Office of the Recorder or Registrar of Titles of the applicable county, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice attached to 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 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 (TACO, 35 Illinois Administrative Code Part 742) rules.
2. As a result of the release from the underground storage tank(s) associated with the above-referenced incident, the site 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:

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- 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. Preventive: None.

Engineering: None

Institutional: This Letter shall be recorded as a permanent part of the chain of title for the site described in the attached Leaking Underground Storage Tank Environmental Notice.

5. Failure to establish, operate, and maintain controls in full compliance with the Environmental Protection Act, applicable regulations, and the approved corrective action plan may result in avoidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater that is removed, excavated, or disturbed from the above-referenced site must be handled in accordance with all applicable laws and regulations.
7. Further information regarding this site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

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

8. Should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the owner and/or operator at the last known address. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of this cause. 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;

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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 certified copy of this letter, as recorded, to:

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

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

Sincerely,



Kendra N. Brockamp
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

KNB:MS:bjh\2511.WPD

Attachments: Leaking Underground Storage Tank Environmental Notice

cc: David Kay, P.E., Laicon, Inc.
David Reynolds, Chicago Department of Environment
Division File