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PREPARED BY:

Name: John M. Crocker, Jr.
2407 West North Avenue, Melrose, LLC

Address: 9700 Higgins Road, Suite 900
Rosemont, IL 60018



0322734113

Eugene "Gene" Moore Fee: \$66.50
Cook County Recorder of Deeds
Date: 08/15/2003 03:26 PM Pg: 1 of 22

RETURN TO:

Name: John M. Crocker, Jr.
2407 West North Avenue, Melrose, LLC

Address: 9700 Higgins Road, Suite 900
Rosemont, IL 60018

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0311865002

2407 West North Avenue, Melrose, LLC, the Remediation Applicant, whose address is 9700 Higgins Road, Suite 900, Rosemont, IL 60018, has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

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

LEGAL DESCRIPTION OF LAND

The West 570 feet of that part of the Southwest Fractional Quarter, South of the Indian Boundary Line, of Section 34, Township 40 North, Range 12 East of the Third Principal Meridian, lying South of the Southeasterly right of way line of the Indiana Harbor Belt Railroad Company, and North of the North line of right of way of West North Avenue as widened, described as follows:

Beginning at the intersection of the West line of said Southwest Fractional Quarter and the North line of right of way of West North Avenue, said point being 102.43 feet North of the Southwest corner of said Southwest Fractional Quarter; thence North along the West line of said Southwest Fractional Quarter 1342.37 feet to the intersection of said line with the Southeasterly right of way line of the Indiana Harbor Belt Railroad Company, said point being 342.74 feet South of the Indian Boundary line; thence Northeasterly along the Southeasterly right of way line of said Railroad along a line

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forming an angle of 136 degrees 30 minutes 52 seconds from South to East to North with the West line of said Southwest Fractional Quarter, 828.28 feet to intersection of said right of way line with the East line of the West 570 feet of said Southwest Fractional Quarter; thence South along a line 570 feet East of and parallel with the West line of said Southwest Fractional Quarter, 1945.14 feet to intersection of said parallel line with the North line of said right of way to West North Avenue, said point being 102.78 feet North of the South line of said Southwest Fractional Quarter; thence West along the North right of way line of West North Avenue 570 feet to place of beginning, in Cook County, Illinois.

2. Common Address: 2407 West North Avenue, Melrose Park, Illinois;
3. Real Estate Tax Index/Parcel Index Numbers:
12-34-300-004, 12-34-304-002, 12-34-304-006-8002
4. Remediation Site Owner: 2407 West. North Avenue, Melrose, LLC
5. Land Use: Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

Property of Cook County Clerk's Office

UNOFFICIAL COPY**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

(217) 782-6761

July 11, 2003

CERTIFIED MAIL

7002 3150 0000 1223 4068

John M. Crocker, Jr.
 2407 West North Avenue, Melrose, LLC
 9700 Higgins Road, Suite 900
 Rosemont, IL 60018

Refer to: # 0311865002-- Cook County
 Melrose Park/Zenith Electronics Corp.
 Site Remediation/Technical Reports

Dear Mr. Crocker:

The *Remedial Action Completion Report* (March 6, 2003/Log No. 03- 0898), as prepared by URS Corporation for the Zenith Electronics Corporation property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA") and demonstrates that the remedial action was completed in accordance with the *Remedial Action Plan* (September 17, 2001/Log No. 01-3501).

The Remediation Site, consisting of 21.5 acres, is located at 2407 West North Avenue, Melrose Park, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (July 1, 2003/Log No. 03-2644), is 2407 West North Avenue, Melrose, LLC.

This comprehensive No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The contaminants of concern that remain at the areas described in the attached Site Remediation Program Environmental Notice and as shown on the attached Site Base Map of this Letter are:

<u>Location</u>	<u>CAS Number</u>	<u>Chemical Name</u>
Asphalt Engineered Barrier	79-01-6	Trichloroethene

- 2) The Remediation Site is approved for Industrial/Commercial land use.
- 3) The land use specified in this Letter may be revised if:
- Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - 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) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 5) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil under the engineered barrier located on the east central property boundary. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below 10 feet must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 6) The asphalt barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit inhalation of the contaminated media.

UNOFFICIAL COPYInstitutional Controls:

- 7) Ordinance 321, adopted by the Village of Melrose Park on November 24, 1997, effectively prohibits the installation and use of potable water supply wells in the Village of Melrose Park. This ordinance provides an acceptable institutional control under the following conditions:
- a) The current owner or successor in interest of this Remediation Site who relies on this ordinance as an institutional control shall:
 - i) Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this Remediation Site; and
 - ii) Notify the Illinois EPA of any approved variance requests or ordinance changes within thirty (30) days after the date such action has been approved.
 - b) The Remediation Applicant shall provide written notification to the Village of Melrose Park and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
 - i) The name and address of the local unit of government;
 - ii) The citation of Ordinance 321 is used as an institutional control in this Letter;
 - iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
 - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
 - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
 - vi) A statement as to where more information may be obtained regarding the ordinance.
 - c) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date of this Letter to.

Robert E. O'Hara
 Illinois Environmental Protection Agency
 Bureau of Land/RPMS
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

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

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- i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
 - iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date of this Letter of written notification to the Village of Melrose Park and affected property owner(s) of the intent to use Ordinance 321 as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter
- 8) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 7 of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
 - 9) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
 - 10) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Bureau of Land-#24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
 - 11) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant 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 the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
 - a) Any violation of institutional controls or the designated 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 Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;

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- d) The failure to comply with the recording requirements for this Letter;
 - e) Obtaining the Letter by fraud or misrepresentation;
 - 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;
 - g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 12) Pursuant to Section 58-10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) 2407 West North Avenue, Marrose, LLC;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or

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k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.

13) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Zenith Electronics Corporation property.

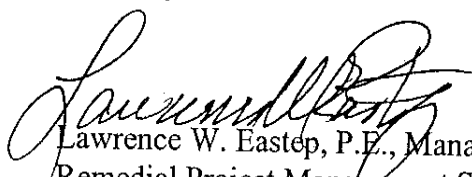
14) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Robert E. O'Hara
 Illinois Environmental Protection Agency
 Bureau of Land/RPMS
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

15) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Barbara Landers at 217-557-6939.

Sincerely,



Lawrence W. Eastep, P.E., Manager
 Remedial Project Management Section
 Division of Remediation Management
 Bureau of Land

Attachments(3): Illinois EPA Site Remediation Program Environmental Notice
 Site Base Map
 Property Owner Certification of No Further Remediation Letter under the
 Site Remediation Program Form

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cc: Beverly Wyckoff - Vice President
Zenith Electronics Corp.
2000 Millbrook Drive
Lincolnshire, IL 60069

Gail Artrip
URS Corp.
One Continental Towers
1701 Golf Road, Suite 1000
Rolling Meadows, IL 60008

J. Tim Bradburne
Bradburne, Briller & Johnson, LLC
162 North Franklin Street - 4th Floor
Chicago, IL 60606

Village Attorney
Village of Melrose Park
1000 North 25th Avenue
Melrose Park, Illinois 60160

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Page 9

PREPARED BY:

Name: John M. Crocker, Jr.
2407 West North Avenue, Melrose, LLC

Address: 9700 Higgins Road, Suite 900
Rosemont, IL 60018

RETURN TO:

Name: John M. Crocker, Jr.
2407 West North Avenue, Melrose, LLC

Address: 9700 Higgins Road, Suite 900
Rosemont, IL 60018

THE ABOVE SPACE FOR RECORDER'S OFFICE

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Illinois State EPA Number: 0311865002

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1. Legal description or Reference to a Plat Showing the Boundaries:**LEGAL DESCRIPTION OF LAND**

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2. Common Address: 2407 West North Avenue, Melrose Park, Illinois;
3. Real Estate Tax Index/Parcel Index Numbers:
12-34-300-004, 12-34-304-002, 12-34-304-006-8002
4. Remediation Site Owner: 2407 West. North Avenue, Melrose, LLC
5. Land Use: Industrial/Commercial
6. Site Investigation: Comprehensive

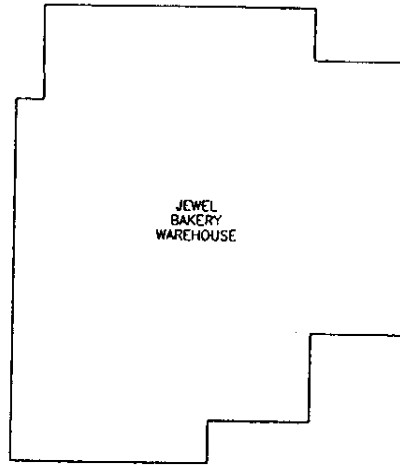
See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

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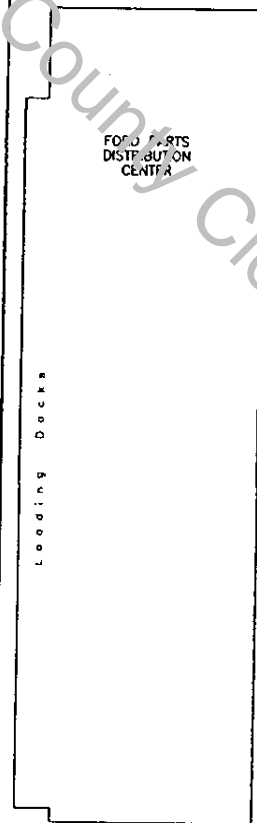
Site Base Map
0311865002 - Cook County
Melrose Park / Zenith Electronics Corporation
Site Remediation Program



REMEDIATION SITE BOUNDARY

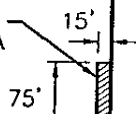
LEGEND:

— = REMEDIATION SITE BOUNDARY



Loading Docks

ASPHALT ENGINEERED BARRIER AREA



589'

470'



NORTH



SCALE IN FEET
JUNE 30, 2003

PARKING LOT

INDIANA HARBOR BELT RAILROAD

25th AVENUE

NORTH AVENUE

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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information			
Owner's Name: _____			
Title: _____			
Company: _____			
Street Address: _____			
City: _____	State: _____	Zip Code: _____	Phone: _____
Site Information			
Site Name: _____			
Site Address: _____			
City: _____	State: _____	Zip Code: _____	County: _____
Illinois inventory identification number: _____			
Real Estate Tax Index/Parcel Index No. _____			
<p>I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.</p> <p>Owner's Signature: _____ Date: _____</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__</p> <p>_____ Notary Public</p>			

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

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STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

CERTIFICATION OF ORDINANCE #509

I, Barbara Jasinski, the undersigned, do hereby certify that I am duly elected and qualified Village Clerk of the Village of Melrose Park, County of Cook, State of Illinois (the "Village"), and as such official I am the keeper of the records and files of the Village and of the President and Board of Trustees thereof (the "Village Board").

I do further certify that Ordinance #509 was adopted by the President and Board of Trustees of the Village of Melrose Park at a public meeting of the Village Board held April 24, 2000, at the hour of 7:30 p.m., in the First Floor meeting Room of the Police Department, One North Broadway Avenue (Broadway & Main Street), Melrose Park, Illinois 60160.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Village, this 27th day of April 2000.



Barbara Jasinski
 Barbara Jasinski, Village Clerk

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=====

VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 509

AN ORDINANCE AUTHORIZING AND APPROVING THE ADOPTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF MELROSE PARK AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY IN CONNECTION WITH ESTABLISHING INSTITUTIONAL CONTROLS FOR THE USE OF GROUND WATER AS A POTABLE WATER SUPPLY IN THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK

THIS 24TH DAY OF APRIL, 2000

RONALD M. SERPICO, Village President
BARBARA JASINSKI, Village Clerk

Board Of Trustees

CARLOTTA "LOLLIE" ARIOLA
JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
FRED LAMB
RUBEN LOMELI

=====

Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 25th day of April, 2000.

Proprietor Cook County Clerk's Office

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ORDINANCE NO. 509

AN ORDINANCE AUTHORIZING AND APPROVING THE ADOPTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF MELROSE PARK AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY IN CONNECTION WITH ESTABLISHING INSTITUTIONAL CONTROLS FOR THE USE OF GROUND WATER AS A POTABLE WATER SUPPLY IN THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS .

* * * * *

WHEREAS, the Village of Melrose Park, Cook County, State of Illinois ("the Village") is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Barbara Jasinski, having taken office on May 1, 1997 and the Village Board of Trustees, the Honorable Carlotta "Lollie" Ariola, John S. Conteduca, Cathleen Cossident Italia, Fred Lamb, and Ruben Lomeli, having taken office on May 1, 1999, and Trustee Thomas Klein, having been appointed and sworn into office on March 27, 2000, respectively, constitute the duly elected, appointed, qualified and acting officials of the Village; and

WHEREAS, at the President and Board of Trustees Meeting of November 24, 1997, the Corporate Authorities of the Village of Melrose Park adopted Ordinance No. 321, entitled "An Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by any other Method..."; and

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WHEREAS, the effect of Ordinance No. 321 was to prohibit the use of groundwater as a potable water supply within the Village of Melrose Park, with the only exception being that the Village of Melrose Park may utilize groundwater as a potable water supply should certain emergency circumstances arise; and

WHEREAS, in order to ensure the long-term integrity of Ordinance No. 321 as an environmental institutional control and to minimize any risk to human health and the environment from contamination, the Village of Melrose Park desires to enter into a Memorandum of Understanding (hereinafter "MOU") with the Illinois Environmental Protection Agency (hereinafter "IEPA"); and

WHEREAS, pursuant to said MOU, the Village shall assume certain responsibilities, pursuant to 35 Ill. Adm. Code 742.1015(i), with respect to monitoring and siting public water supply wells, the specific responsibilities of the Village are more particularly described in said MOU, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the President and the Board of Trustees (the "Corporate Authorities") of the Village of Melrose Park, County of Cook, State of Illinois, have determined that the adoption of the Memorandum of Understanding between the Village and the Illinois Environmental Protection Agency is necessary, advisable and in the best interest of the Village and its residents;

NOW THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Melrose Park, Cook County, Illinois:

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ARTICLE I. IN GENERAL

Section 01. Incorporation Clause.

The President and Board of Trustees of the Village (the "Village Board") hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of the Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to authorize and approve the adoption and execution of a Memorandum of Understanding between the Village and the Illinois Environmental Protection Agency regarding the use of Ordinance No. 321 as an environmental institutional control.

Section 03. Invocation of authority.

This ordinance is enacted pursuant to the authority granted to this Village by Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

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ARTICLE II. AUTHORIZATION OF MEMORANDUM OF UNDERSTANDING

Section 10.00 Approval & Adoption of Memorandum of Understanding.

That the terms and provisions of the Memorandum of Understanding between the Village and the Illinois Environmental Protection Agency, regarding the use of Ordinance No. 321 as an environmental institutional control, are hereby approved in substantially the same form as attached hereto as Exhibit A, with such insertions, omissions and changes as shall be approved by the Village President and the Village Attorney or other members of the governing body of the Village executing the same.

Section 11.00 Authorization for Execution of MOU.

The Village President is hereby authorized and directed to execute, and the Village Clerk, if necessary, is hereby authorized and directed to attest and countersign the Memorandum of Understanding and any related exhibits attached thereto, whether or not such documents are attached to this Ordinance, and the Village Clerk, if necessary, is also authorized to affix the seal of the Village to such documents.

Section 12.00 Other Actions Authorized.

The Village Clerk is hereby authorized and directed to prepare and certify the documents referenced in Section III of the MOU and the officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any documents required to be delivered in connection with this Ordinance and the MOU.

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ARTICLE III. SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

Section 13.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 14.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Board of Trustees that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

Section 15.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

UNOFFICIAL COPY

Section 16.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Section 17.00 Effective date

This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Ariola, Trustee Conteduca, Trustee Lamb,
Trustee Lomeli, Trustee Klein

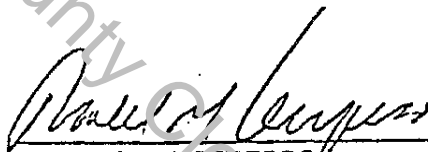
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Italia

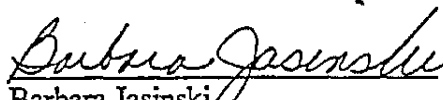
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TWENTY-FOURTH DAY OF APRIL, 2000 A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:


Barbara Jasinski
Village Clerk

Recorded in the Municipal Records: April 24, 2000

Published in pamphlet form: April 25, 2000

