

UNOFFICIAL COPY

PREPARED BY:

Name: Mr. John Pawlicki
Ranquist Home Builders

Address: 1024 West Fry Street
Chicago, IL 60622



Doc#: 0415534009
Eugene "Gene" Moore Fee: \$34.50
Cook County Recorder of Deeds
Date: 06/03/2004 10:12 AM Pg: 1 of 6

RETURN TO:

Name: Mr. John Pawlicki
Ranquist Home Builders

Address: 2245 West Huron
Chicago, IL 60612

(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: 0316246330

LUST Incident No.: 20040169

Ranquist Home Builders, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 2245 West Huron, 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 legal description
2. Common Address: 1024 West Fry Street, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 17-05-0419-008-0000, 17-05-0419-008-0000, 17-05-0419-007-0000, 17-05-0419-002-0000, 17-05-0419-001-0000
4. Site Owner: Ranquist Home Builders
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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Legal Description and P.I.N.s 1024 West Fry Street, Chicago, Illinois

PARCEL 1

Lot 4 (EXCEPT THAT PART OF SAID LOT LYING WEST OF A LINE DRAWN THROUGH A POINT IN THE NORTH LINE OF CORNELL STREET 37.11 FEET WEST OF THE WEST LINE OF NORTH SANGAMON STREET THROUGH A POINT IN NORTH LINE OF FRY STREET 43.04 FEET EAST OF THE EAST LINE OF NORTH CARPENTER STREET) IN JACOB HAGEMANN'S SUBDIVISION OF THE SOUTH 100 FEET OF THE EAST 100 FEET OF BLOCK 3 IN ELSTON ADDITION TO CHICAGO, SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2

LOT 2 AND THE WEST 8 FEET OF LOT 2 IN JACOB HAGEMANN'S SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3

THE EAST 40 FEET OF THE WEST 120 FEET OF THE SOUTH 100 FEET OF BLOCK 3 IN ELSTON ADDITION TO CHICAGO IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF TAKEN AND USED FOR EXTENDING AND OPENING OGDEN AVENUE) IN COOK COUNTY, ILLINOIS.

PARCEL 4

THE WEST 21 3/4 FEET OF THE EAST 99 FEET OF LOT 12 (EXCEPT THAT PART LYING WEST OF A LINE DRAWN THRU A POINT IN THE NORTH LINE OF CORNELL STREET 37.11 FEET WEST OF WEST LINE OF NORTH SANGAMON STREET AND THROUGH A POINT IN THE NORTH LINE OF FRY STREET 43.04 FEET EAST OF EAST LINE OF NORTH CARPENTER STREET) IN THE CHICAGO LAND COMPANY'S SUBDIVISION OF LOTS 7, 10 AND 11 AND THAT PART OF LOT 3 AND 6 LYING SOUTH OF THE RAILROAD IN BLOCK 8 IN WRIGHT'S ADDITION TO CHICAGO.

PARCEL 5

THE EAST 19.25 FEET OF THE WEST 41.00 FEET OF THE EAST 99 FEET OF LOT 12 (AS MEASURED ALONG THE SOUTH LINE OF LOT 12) IN CHICAGO LAND COMPANY'S SUBDIVISION OF LOT 7, 10 AND 11 AND THAT PART OF LOTS 3 AND 6 LYING SOUTH OF THE RAILROAD IN BLOCK 8 IN WRIGHT'S ADDITION TO CHICAGO AND THAT PART OF BLOCK 3 IN ELSTON'S ADDITION LYING NORTH OF THE SOUTH 100 FEET THEREOF AND SOUTH OF THE RAILROAD, IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

CONTAINING, IN THE AGGREGATE, 8,568 SQUARE FEET (0.19670 ACRE) OF LAND, MORE OR LESS.

P.I.N.s

Parcel 1 - 17-05-0419-008-0000

Parcel 4 - 17-05-0419-002-0000

Parcel 2 - 17-05-0419-009-0000

Parcel 5 - 17-05-0419-001-0000

Parcel 3 - 17-05-0419-007-0000

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

217/782-6762

MAY 17 2004

CERTIFIED MAIL

7002 3150 0000 1257 1712

Mr. John Pawlicki
 Ranquist Home Builders
 2245 West Huron
 Chicago, IL 60612

Re: LPC # 0316246330 -- Cook County
 Chicago/Ranquist Home Builders
 1024 West Fry Street
 LUST Incident No. 20040169
 LUST Technical File

Dear Mr. Pawlicki:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above referenced incident. This information was dated March 19, 2004 and was received by the Illinois EPA on March 25, 2004. Additional information dated April 30, 2004 was received by the Illinois EPA on May 4, 2004. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to Section 57.6 of the Act indicate the remediation objectives have been met.

Based upon the certification by Nicholas Cuzzone, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), 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. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

1. Ranquist Home Builders, 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.

ROCKFORD -- 4302 North Main Street, Rockford, IL 61103 -- (815) 987-7760 • DES PLAINES -- 9511 W. Harrison St., Des Plaines, IL 60016 -- (847) 294-4000
 ELGIN -- 595 South State, Elgin, IL 60123 -- (847) 608-3131 • PEORIA -- 5415 N. University St., Peoria, IL 61614 -- (309) 693-5463
 BUREAU OF LAND - PEORIA -- 7620 N. University St., Peoria, IL 61614 -- (309) 693-5462 • CHAMPAIGN -- 2125 South First Street, Champaign, IL 61820 -- (217) 278-5800
 SPRINGFIELD -- 4500 S. Sixth Street Rd., Springfield, IL 62706 -- (217) 786-6892 • COLLINSVILLE -- 2009 Mall Street, Collinsville, IL 62234 -- (618) 346-5120
 MARION -- 2309 W. Main St., Suite 116, Marion, IL 62959 -- (618) 993-7200

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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, an accurate and official 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 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
 - 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.

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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, 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 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 acts 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;
 - d. The failure to comply with the recording requirements for the Letter;
 - e. Obtaining the Letter by fraud or misrepresentation; or

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- f. Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the Letter was based, that pose a threat to human health or the environment.

Submit an accurate and official copy of this Letter, as recorded, 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, Jennifer Rossi, at 217-782-9285

Sincerely,



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

CLW:jjr\

Attachments: Leaking Underground Storage Tank Environmental Notice
Legal Description

c: Nicholas Cuzzone, EPS Environmental
Division File