

# UNOFFICIAL COPY

PREPARED BY:



Name: Mr. Stephen Dawson  
Evangelical Covenant Church Land Company, L.L.C.

Address: 5101 North Francisco Avenue  
Chicago, IL 60625

Doc#: 0419850147  
Eugene "Gene" Moore Fee: \$42.00  
Cook County Recorder of Deeds  
Date: 07/16/2004 01:15 PM Pg: 1 of 10

RETURN TO:

Name: Mr. Stephen Dawson  
Evangelical Covenant Church Land Company, L.L.C.

Address: 5101 North Francisco Avenue  
Chicago, IL 60625

## THE ABOVE SPACE FOR RECORDER'S OFFICE

The remediation applicant must submit this Environmental No Further Remediation Letter within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0316005384

The Evangelical Covenant Church Land Company, L.L.C., the Remediation Applicant, whose address is 5101 North Francisco Avenue, Chicago, IL 60625- 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. The asphalt covered remediation site is described in relation to the origin point that is the intersection of the South line of North fractional  $\frac{1}{4}$  of Section 3-40-13 North of Indian Boundary Line extended East and the centerline of North Pulaski Avenue. Beginning at the origin point, thence along the West right of way of Pulaski Avenue a distance of 393 feet South and thence 340 feet West of the West right of way of Pulaski Avenue to a point of beginning at the Northeast corner of the remediation site, thence directly 35 feet West, thence directly 24 feet South, thence directly 35 feet East, thence directly 24 feet North to the herein point of beginning of the remediation site. Within the property described as follows:

Parcel A:

Lot 1 of Peterson Industrial and Commercial District, being owner's division of part of Lots 1,2,3,8,9 and 10 in Cook's subdivision of the Southeast quarter fractional quarter South of the Indian Boundary Line, in Section 3, Township 40 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois. Also;

Parcel B:

Lot 2 (Except the South 33 feet thereof) of said Peterson Industrial and Commercial District, aforesaid, in Cook County, Illinois. Also;



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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: <u>Dean Lundgren</u>	
Title: <u>Vice President</u>	
Company: <u>Evangelical Covenant Church Land Company, L.L.C.</u>	
Street Address: <u>5101 N. Francisco Ave.</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60625</u> Phone: <u>773-784-3000</u>	
Site Information	
Site Name: <u>Commerce Clearing House, Inc.</u>	
Site Address: <u>4001-4047 West Peterson Avenue</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60646</u> County: <u>Cook</u>	
Illinois inventory identification number: <u>0316005384</u>	
Real Estate Tax Index/Parcel Index No. <u>13-03-405-002-0000, 13-03-405-026-0000, 13-03-405-027-0000</u>	
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.	
Owner's Signature: <u>Dean A. Lundgren</u>	Date: <u>July 16, 2004</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>16<sup>th</sup></u> day of <u>July</u> , 20 <u>04</u>	
<u>Janet L. Thornbloom</u> Notary Public	<div style="border: 2px dashed black; padding: 5px; width: fit-content; margin: 0 auto;"> <p style="margin: 0;">OFFICIAL SEAL JANET L THORNBLOOM NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 07/07/08</p> </div>

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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## SITE REMEDIATION PROGRAM

### TABLE A: REGULATED SUBSTANCES OF CONCERN

0316005384/Commerce Clearing House, Inc.

#### BTEX Indicator Contaminants

CAS No.	Compound Name
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)

#### Semivolatile Organic Compounds

CAS No.	Compound Name
83-32-9	Acenaphthene
208-96-8	Acenaphthylene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
50-32-8	Benzo(a)pyrene
205-99-2	Benzo(b)fluoranthene
191-24-2	Benzo(g,h,i)perylene
207-08-9	Benzo(k)fluoranthene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene

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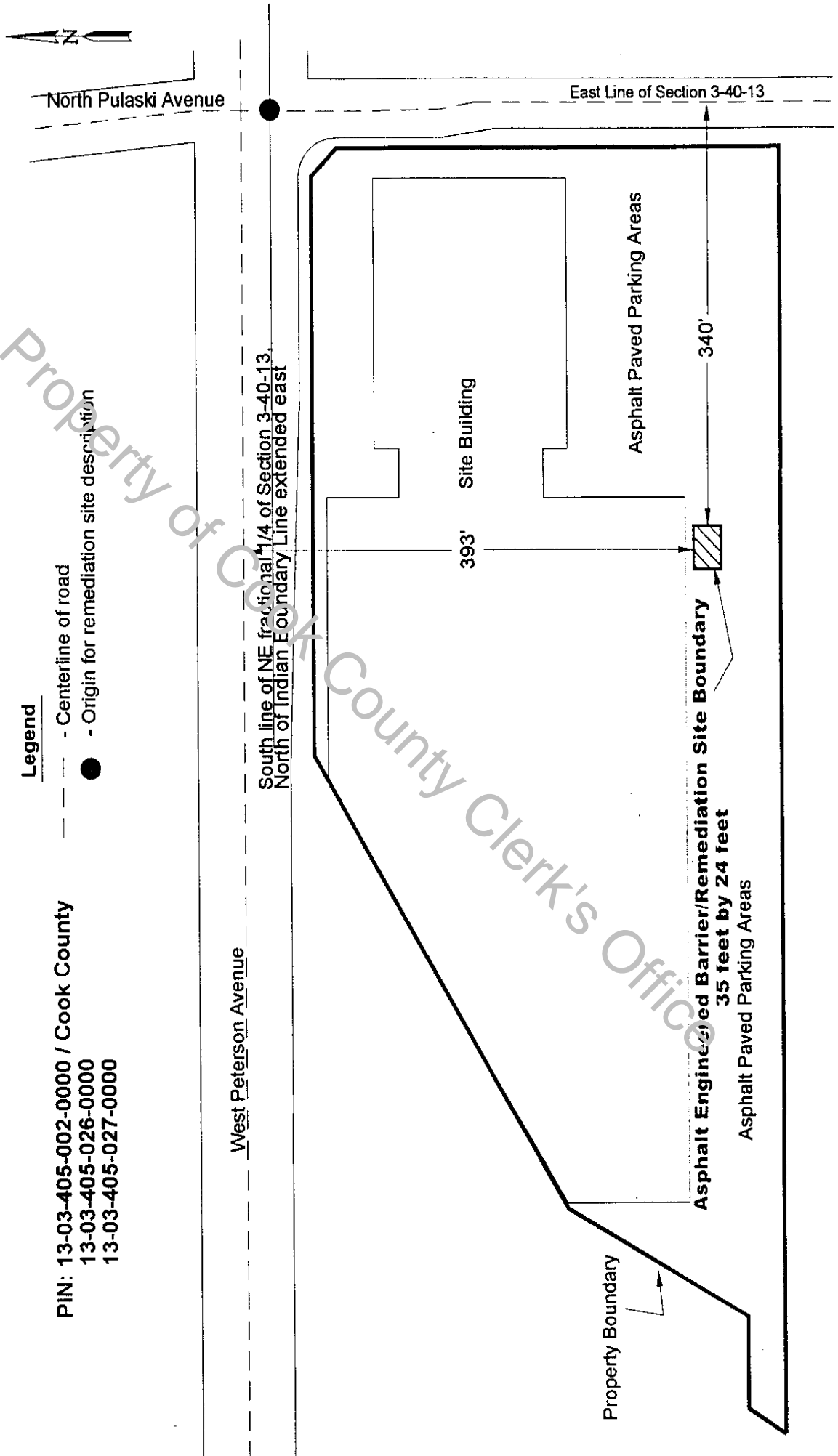
Site Base Map  
 0316005384/Cook  
 Chicago/Commerce Clearing House, Inc.  
 Site Remediation Program

PIN: 13-03-405-002-0000 / Cook County  
 13-03-405-026-0000  
 13-03-405-027-0000

### Legend

- - - Centerline of road
- - Origin for remediation site description

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## 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

June 10, 2004

CERTIFIED MAIL

7002 3150 0000 1250 9302

Mr. Stephen Dawson  
 Evangelical Covenant Church Land Company, L.L.C.  
 5101 North Francisco Avenue  
 Chicago, IL 60625

Re: 0316005384 /Cook  
 Chicago/Commerce Clearing House, Inc.  
 Site Remediation Program/Technical Reports

Dear Mr. Dawson:

The report (Dated September 25, 2003/Log Number 03-17089) *Focused Site Investigation, Remediation Objectives and Remedial Action Completion Report* as prepared by Carlson Environmental, Inc. for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA") and demonstrates that the remedial action was completed in accordance with 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 0.02 acres, is located at 4001-4047 West Peterson Avenue, Chicago, 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 received September 25, 2003 is the Evangelical Covenant Church Land Company, L.L.C.

This focused 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 for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms and conditions of this Letter.

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## Conditions and Terms of Approval

### Level of Remediation and Land Use Limitations

- 1) The land use 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.
  - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.
- 2) The Remediation Site is approved for Residential or Industrial/Commercial land use.
- 3) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following:
  - a) Regulated substances of concern that have been successfully addressed are detailed in the attached Table A.

### Engineering Controls:

- 4) 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 ingestion exposure to the contaminated media.

### Other Terms

- 5) 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.
- 6) 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



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- 7) 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 titleholder 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 Completion Report;
  - 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.
- 8) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Evangelical Covenant Church Land Company, L.L.C.
  - b) The owner and operator of the Remediation Site, Covenant Land Company, L.L.C.;
  - 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;



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- 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
- 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.
- 9) 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 Remediation Site.
- 10) 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
- 11) 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.

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If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Mr. Jim Mergen at (217) 524-1659.

Sincerely,



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

Attachments(2): Property Owner Certification of No Further Remediation Letter under the  
Site Remediation Program Form  
Notice to Remediation Applicant

cc: Margaret M. Karolvi, P.E., Carlson Environmental, Inc., 65 East Wacker Place, Suite  
1500, Chicago, IL 60601

President Rick Fisk, Covenant Land Company, L.L.C., 5115 North Francisco Avenue,  
Chicago, IL 60625

Commissioner, Chicago Department of Environment, 25<sup>th</sup> Floor, 30 North LaSalle Street  
Chicago, Illinois 60602-2575

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