

# UNOFFICIAL COPY

PREPARED BY:

Name: HPI O'Hare LLC  
Attention: Bradley Hornbacher

Address: 6600 North Mannheim Road  
Rosemont, Illinois 60018



Doc#: 0514734062  
Eugene "Gene" Moore Fee: \$38.00  
Cook County Recorder of Deeds  
Date: 05/27/2005 11:57 AM Pg: 1 of 8

RETURN TO:

Name: HPI O'Hare LLC  
Attention: Bradley Hornbacher

Address: Columbus Center, One Alhambra Plaza, Suite 1465  
Coral Gables, Florida 33134

(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: 0312765036

LUST Incident No.: 901668 and 922649

HPI O'Hare LLC, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is Columbus Center, One Alhambra Plaza, Suite 1465, Coral Gables, Florida 33134, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: attached
2. Common Address: 6600 North Mannheim Road, Rosemont, Illinois
3. Real Estate Tax Index/Parcel Index Number: 09-32-401-008, 09-32-401-011 and 09-32-203-003
4. Site Owner: HPI O'Hare LLC
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

Leaking Underground Storage Tank Environmental Notice

DG 108956 DEC 10/01

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## PARCEL 1:

THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF SAID SOUTHEAST QUARTER, 398.84 FEET EAST, AS MEASURED ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER CORNER OF SAID EAST HALD OF THE SOUTHEAST QUARTER; THENCE SOUTHEASTERLY ALONG A LINE THAT INTERSECTS THE EAST LINE OF SAI SOUTHEAST QUARTER AT A POINT 608.50 FEET SOUTH OF THE EAST QUARTER CORNER OF SAID SECTION FOR A DISTANCE OF 177.0 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 84 DEGREES 24 MINUTES 44 SECONDS TO THE RIGHT OF THE PROLONGATION OF THE CREEK; THENCE NORTHWESTERLY ALONG THE CENTER OF SAID CREEK 315.91 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32 AFORESAID; THENCE NORTH ALONG SAID WEST LINE 517.30 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 32 AFORESAID; THENCE EAST ALONG SAID NORTH LINE 398.84 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS;

## PARCEL 2:

THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF NORTHERN ILLINOIS HIGHWAY, IN COOK COUNTY, ILLINOIS;

## PARCEL 3:

THAT PART OF THE EAST 223.215 FEET (MEASURED AT RIGHT ANGLES TO THE WEST LINE) OF THE WEST 446.43 FEET (MEASURED AT RIGHT ANGLES TO THE WEST LINE) OF THAT PART OF THE EAST HALD OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH LINE OF HIGGINS ROAD AS PER DOCUMENT #19971192 AND SOUTH OF THE CENTER LINE OF WILLOW CREEK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32, SAID POINT BEING CENTER OF WILLOW CREEK; THENCE SOUTH ALONG THE EAST LINE OF SAID WEST 446.43 FEET DISTANCE OF 350.23 FEET TO THE CENTER OF HIGGINS ROAD; THENCE NORTHWESTERLY ALONG SAID CENTER LINE OF ROAD 231 FEET TO THE WEST LINE OF SAID EAST 223.215 FEET; THENCE NORTH ALONG SAID LINE 386.85 FEET TO CENTER OF WILLOW CREEK; THENCE SOUTH 45 DEGREES 50 MINUTES 30 SECONDS EAST 19.24 FEET ALONG CENTER OF SAID CREEK; THENCE SOUTH 68 DEGREES 33 MINUTES EAST 225.07 FEET ALONG CENTER OF SAID CREEK TO THE POINT OF BEGINNING, (EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF HIGGINS ROAD AS PER DOCUMENT #19971192), IN COOK COUNTY, ILLINOIS.

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PARCEL 4:

THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE CENTER LINE OF A CREEK EXCEPT THE RIGHT OF WAY OF MANHEIM ROAD AND EXCEPTING ALSO THAT PART OF SAID EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, LYING NORTHEASTERLY OF A LINE (HERRINAFTER REFERRED TO AS  $\frac{7}{32}$  LINE A<sup>9</sup><sub>32</sub>) DRAWN FROM A POINT IN THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 32, 608.50 FEET SOUTH OF THE EAST QUARTER CORNER OF SAID SECTION TO A POINT IN THE NORTH LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER, 398.84 FEET EAST, AS MEASURED ALONG SAID NORTH LINE, OF THE NORTHWEST CORNER OF SAID EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32 AFORESAID AND EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTH LINE OF SAID SOUTHEAST QUARTER, 398.84 FEET EAST, AS MEASURED ALONG SAID NORTH LINE OF THE NORTHWEST CORNER OF SAID EAST HALF OF THE SOUTHEAST QUARTER; THENCE SOUTHEASTERLY ALONG A LINE THAT INTERSECTS THE EAST LINE OF SAID SOUTHEAST QUARTER AT A POINT 608.50 FEET SOUTH OF THE EAST QUARTER CORNER OF SAID SECTION FOR A DISTANCE OF 177.0 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 84 DEGREES 24 MINUTES 44 SECONDS TO THE RIGHT OF THE PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 736.19 FEET TO THE CENTER OF SAID CREEK; THENCE NORTHWESTERLY ALONG SAID CREEK, 315.91 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32 AFORESAID; THENCE NORTH ALONG SAID WEST LINE 517.30 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 32 AFORESAID; THENCE EAST ALONG SAID NORTH LINE 398.84 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Cook County Clerk's Office



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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

217/782-6762

**CERTIFIED MAIL**

**MAY 18 2005**

7004 2510 0001 8651 5474

HPI O'Hare LLC  
 Attention: Bradley Hornbacher  
 Columbus Center  
 One Alhambra Plaza, Suite 1465  
 Coral Gables, Florida 33134

Re: LPC #031765036 – Cook County  
 Rosemont/Rainada Inn  
 6600 North Mannheim Road  
 LUST Incident No. 991668 and 922649  
 LUST Technical File

Dear Mr. Hornbacher:

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 3, 2005 and was received by the Illinois EPA on March 7, 2005. 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 57.7(b)(1) of the Act indicate the remediation objectives have been met.

Based upon the certification by Daniel M. Caplice, 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. HPI O'Hare LLC, 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 voidance 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 voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance 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 issuance of 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, Mohammed Zillur Rahman, at 217/782-6762.

Sincerely,



Michael T. Lowder  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

Attachments: Leaking Underground Storage Tank Environmental Notice  
Legal Description of the Site  
Site Map

cc: K-Plus Environmental, Inc.  
Division File

Approved: \_\_\_\_\_

Date: \_\_\_\_\_