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PREPARED BY:



Name: Former Manufacturing Site

Doc#: 0530145037 Fee: \$44.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/28/2005 09:33 AM Pg: 1 of 11

Address: 1900-2100 S. 54th Street
Cicero, Illinois 60650

RETURN TO:

Name: American National Bank & Trust Co. (124234-06)
Attention: Mr. Andres Scholnik

Address: 2035 W Giddings St.
Chicago, Illinois 60625

(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: 0310515269

LUST Incident Nos.: 992714, 20040465, and 20040489

American National Bank & Trust Co. (124234-06), the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 2035 W. Giddings St, Chicago, Illinois 60625, 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: 1900-2100 S. 54th Street, Cicero, Illinois 60650
3. Real Estate Tax Index/Parcel Index Number: 16-21-306-031-0000 / 16-21-306-034-0000
4. Site Owner: American National Bank & Trust Co. (124234-06)
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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Parcel 1:

That part of Blocks 6 and 18 described as follows:

Beginning at the Southeast corner of said Block 6, being also the intersection of the West line of South 54th Avenue and a line 311 feet North of the South line of Section 21; thence West on a line parallel to the South line of said Section 21, 333.81 feet to a point 50 feet West of the angle-corner of Block 6; thence Northwesterly along a line drawn to a point 130 feet North of the South line of Block 18 and 50 feet West of the East line of Block 18, a distance of 141.42 feet; thence North along a line 50 feet West of and parallel to the East line of Block 18, a distance of 725 feet to the North line of Block 18, being also the South line of West 19th Street extended East; thence East on the North line of Block 18, 21.06 feet; thence North on a line 412.75 feet West of and parallel to the East line of Block 6, a distance of 56.08 feet; thence Northeasterly 149.7 feet along the Westerly line of a 20 foot easement strip granted to the Baltimore and Ohio Chicago Terminal Railroad company; thence Southeasterly at right angles to the Westerly line of said easement strip 20 feet to the Easterly line of said easement strip; thence Southerly on a straight line deflection to the East from said Southeasterly line of said easement strip 4 degrees 55 minutes $1\frac{1}{2}$ seconds, a distance of 70 feet; thence South on a line at right angles to the South line of West 19th Street extended East 80.36 feet to a line 50 feet North of and parallel to the South line of West 19th Street extended East; thence East on said line 50 feet North and parallel to the South line of West 19th Street extended East; thence East on said line 50 feet North and parallel to the South line of West 19th Street extended East, a distance of 19.39 feet; thence South parallel to the East line of Block 6, a distance of 50 feet to the South line of West 19th Street extended East; thence East along the South line of West 19th Street extended East, a distance of 354 feet to the West line of South 54th Avenue; thence South on the West line of South 54th Avenue, a distance of 824.88 feet to the Southeast corner of Block 6 and the place of beginning,

All of the above described property being in Grant Land Association Resubdivision of Section 21, Township 39 North, Range 13, East of the Third Principal Meridian,

(Excepting therefrom the following described 4 parcels of land:

Excepted Parcel A:

A strip of land 16 feet in width bounded and described as follows:

Beginning at the Southeast corner of said Block 6, also being the intersection of the West line of South 54th Avenue and a line 311 feet North from and parallel with the South line of said Section 21, and running thence West along said South line of Block 6 and along a Westward extension of said line, said South line being parallel with said South line of Section 21, a distance of 333.81 feet to a point 50.00 feet West of the angle corner of said Block 6; thence Northwesterly along a line drawn to a point 130.0 feet North of the South line of Block 18 and 50.00 feet West of the East line of said Block 18, a distance of 22.65 feet to a point 16 feet (measured perpendicularly) North from the aforesaid Westward extension of South line of said Block 6; thence East along a line parallel with herein first described line, a distance of 349.81 feet to an intersection with aforesaid West line of South 54th Avenue, and thence South along said West line of South 54th Avenue, a distance of 16.00 feet to the Point of Beginning, in Cook County, Illinois.

Excepted Parcel B:

That part of Block 6 bounded and described as follows:

Beginning at a point of the intersection of the West line of South 54th Avenue with the South line of 19th Street extended East; thence West along said extended line 354 feet; thence North parallel with said West line 50 feet; thence West 16.39

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feet; thence Southeasterly to a point on a line 69.98 feet South of the South line of 19th Street extended East, said point being 353.8 feet West of the West line of South 54th Avenue as measured along said parallel line; thence East along said parallel line 80.54 feet; thence North parallel with said West line 60.98 feet; thence East parallel with said extended line 273.26 feet to a point on the West line of South 54th Avenue; thence North along said West line 9 feet to the Point of Beginning;

Excepted Parcel C:

That part lying North of the South line of West 19th Street extended East.

Excepted Parcel D:

That part of the East 50 feet of Block 18 lying North of the South line of Block 6 extended West,

all in Cook County, Illinois.

Parcel 2:

That part of Block 18 commencing at the intersection of the North line of the South 30 feet of Block 18 with the West line of South 54th Avenue, said Northerly line being 311 feet North of the South line of Section 21; thence West on said North line of the South 30 feet of Block 18, 333.81 feet to a point 50 feet West of the angle corner of said Block 18, thence Northwesterly on a line making an angle to the left 44 degrees 56 minutes 10 seconds with the North line of the South 30 feet of said Block 18 extended West, 20.53 feet, more or less, to a point 14.5 feet North measured at right angles to the North line of the South 30 feet of Block 18 extended West, said point being the Point of Beginning of the Real Estate to be described; thence West parallel with said North line of the South 30 feet of Block 18, 43.47 feet, more or less, to a point 42 feet East of a line 50 feet West of and parallel with the East line of said Block 18 extended South; thence North on a line 8 feet West of and parallel with the East line of said Block 18 extended south 43.41 feet to a point 61.43 feet, more or less, Northwesterly from the Point of Beginning; thence Southeasterly on a line making an angle to the right with last described course at last described point of 44 degrees 56 minutes 10 seconds 61.43 feet more or less to the Point of Beginning.

(Except that part lying West of the West line of Block 6 extended South),

all in Grant Land Association Resubdivision of Section 21, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 3:

Beginning at the Southeast corner of Block 6 in Grant Land Association Resubdivision of Section 21, Township 39 North, Range 13, East of the Third Principal Meridian, being also the intersection of the West line of South 54th Avenue and a line 311 feet North of the South line of Section 21; thence West on a line parallel to the South line of said Section 21, 333.81 feet to a point 50 feet West of the angle corner of Block 6; thence Northerly along a line drawn to a point 130 feet North of the South line of Block 18 and 50 feet West of the East line of Block 18, a distance of 141.42 feet to the Point of Beginning; thence North along a line 50 feet West of and parallel to the East line of Block 18, a distance of 725 feet to the North line of said Block 18, being also the South line of 19th Street extended East; thence East along the North line of Block 18, 50 feet; thence South 725 feet; thence West on a line parallel to the South line of Section 21, a distance of 50 feet to the Point of Beginning, in Cook County, Illinois.

Parcel 4:

Beginning at the Southeast corner of Block 6 in Grant Land Association Resubdivision of Section 21, Township 39 North, Range 13, East of the Third Principal Meridian, being also the intersection of the West line of South 54th Avenue and a line 311 feet North of the South line of Section 21; thence West on a line parallel to the South line of said Section 21, 333.81 feet to a point 50 feet West of the angle corner of Block 6; thence Northwesterly along a line drawn to a point 130 feet North of the South line of Block 18 and 50 feet West of the East line of Block 18, a distance of 141.42 feet; thence North along a line 50 feet West of and parallel to the East line of Block 18, a distance of 725 feet to the North line of said Block 18, being also the South line of 19th Street extended East; thence East along the North line of Block 18, 21.06 feet to the Point of Beginning; thence North on a line 412.75 feet West of and parallel to the East line of Block 6, a distance of

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56.08 feet; thence Northeasterly 149.7 feet along the Westerly line of a 20 foot easement strip granted to the Baltimore and Ohio Chicago Terminal Railroad Company; thence Southeasterly at right angles to the Westerly line of said easement strip 20 feet to the Easterly line of said easement strip; thence Southerly on a straight line deflection to the East from said Southeasterly line of said easement strip 4 degrees 55 minutes 1.5 seconds, a distance of 70 feet; thence South on a line at right angles to the South line of West 19th Street extended East, 80.36 feet to a line 50 feet North of and parallel to the South line of West 19th Street extended East; thence East on said line 50 feet North and parallel to the South line of West 19th Street extended East, a distance of 3.00 feet; thence Southeasterly 50.43 feet along a line that is 20.33 feet East of the East line of Block 18 to the South line of West 19th Street extended; thence West along said line a distance of 70.33 feet to the Point of Beginning,

all in Cook County, Illinois.

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MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF CICERO
AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING
THE
USE OF A LOCAL GROUNDWATER OR WATER WELL ORDINANCE AS AN
ENVIRONMENTAL INSTITUTIONAL CONTROL

I. PURPOSE AND INTENT

A. This Memorandum of Understanding ("MOU") between The Town of Cicero and the Illinois Environmental Protection Agency ("Illinois EPA") is entered into for the purpose of satisfying the requirements of 35 ILL. Adm. Code 742.1015 for the use of groundwater or water well ordinances as environmental institutional controls. The Illinois EPA has reviewed the groundwater or water well ordinance of The Town of Cicero (Attache A) and determined that the ordinance prohibits the use of groundwater for potable purposes and/or the installation and use of new potable water supply wells by private entities but does not expressly prohibit those activities by the unit of local government itself. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the unit of local government may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.

B. The intent of this Memorandum of Understanding is to specify the responsibilities that must be assumed by the unit of local government to satisfy the requirements for MOU as set forth at 35 Ill. ADM. Code 742-1015(I).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

In order to endure the long-term integrity of the groundwater or water well ordinance as an environmental institutional control and that risk to human health and environment from contamination left in place in reliance on the groundwater or water well ordinance is effectively managed, The Town of Cicero hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742-1015(I):

A. The Town of Cicero will notify the Illinois EPA Bureau of Land of any proposed ordinance changes or requests for variance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015(I)(4));

B. The Town of Cicero will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA (35 Ill. Adm. Code 742.1015(I)(5));

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C. The Town of Cicero will review the registry of sites established under Paragraph II.B, prior to siting public potable water supply wells within the area covered by the ordinance (35 Ill. ADM. Code 742.1015(I)(6)(A));

D. The Town of Cicero will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraphs II.B. and C. (35 Ill. Adm. Code 742.1015(I)(6)(B); and

E. The Town of Cicero will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1014(I)(6)(C).

NOTE: Notification under paragraph II. A. above or other communications concerning this MOU should be directed to:

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P. O. Box 19276
Springfield, IL 62794-9276

III. SUPPORTING DOCUMENTATION

The following documentation is required by 35 Ill. Adm. Code 742.1015(I) and is attached to this MOU:

A. Attachment A - A copy of the groundwater or water well ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(I)(3);

B. Attachment B - Identification of the legal boundaries within which the ordinance is applicable (certification by city clerk or other official that the ordinance is applicable everywhere within the corporate limits; if ordinance is not applicable throughout the entire city or village, legal description and map of area showing sufficient detail to determine where ordinance is applicable) (35 Ill. Adm. Code 742.1014(I)(2);

C. Attachment C - A statement of the authority of the unit of local government to enter into the MOU (council resolution, code of ordinances, inherent powers of mayor or other official signing MOU .. attach copies)(35 Ill. Adm. Code 742.1015(I)(1).

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IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

Date: 11-3-97

Betty Loren-Maltese
Betty Loren-Maltese, President - Town of Cicero

Date: 12/10/97

Gary P. King
(name and title of signatory)
For: Illinois Environmental Protection Agency
Manager, Division of Remediation Management

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THE TOWN OF CICERO

STATE OF ILLINOIS
4937 WEST 25th STREET
CICERO, ILLINOIS 60804

(708) 656-3600 Ext. 200
FAX (708) 656-5901

MARYLIN COLPO
OFFICE OF THE TOWN CLERK

CERTIFICATION

I, Marilyn Colpo, duly elected Town Clerk of the Town of Cicero, hereby certify that the attached Ordinance # 140-97, entitled Prohibiting the use of Ground Water as a Potable Water Supply by the Installation or use of Potable Water Supply Wells or by any other Method is a true & correct copy, passed at a meeting of the President and Board of Trustees of the Town of Cicero held October 28, 1997.

Marilyn Colpo
MARYLIN COLPO, TOWN CLERK

RELEASABLE

OCT 24 2000

REVIEWER MD

PREVIOUSLY IMAGED

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AN AMENDED ORDINANCE PROHIBITING THE USE OF GROUND WATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the Town of Cicero, Illinois, have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentration of certain chemical constituents in the groundwater beneath the Town may exceed Class I groundwater quality standards for potable resource ground water as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Town of Cicero desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productivity of properties that are the source of said chemical constituents.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF CICERO, ILLINOIS:

Section One. Use of groundwater as a potable water supply prohibited.

~~Except as otherwise provided in this Code of Ordinances,~~ the use or attempt to use as a potable water supply groundwater from within the corporate limits of the Town of Cicero by the installation or drilling of wells or by any other method is hereby prohibited. This provision shall not apply to use of groundwater by the Town of Cicero.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for each violation.

Section Three. Definitions.

“Person is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents, or assigns.

“Potable water” is any water used for human or domestic consumption, including, but not limited to, water used for drinking.

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This ordinance is applicable everywhere within the corporate limits of the Town of Cicero.

Section Four. Effective Date.

This ordinance shall take effect upon its passage and approval.

Betty Loren - Maltese
Betty Loren-Maltese, President - Town of Cicero

ATTEST:

Marilyn Colpo
Marilyn Colpo, Town Clerk

Date of Passage: 10-28-97

Date of Publication: _____

Copy: Bulletin Bd
water
mun Code
Legal

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**OVERSIZE
EXHIBIT
FORWARD
TO BASEMENT
FOR
SCANNING**

RECORDED DATE _____

CASHIER # / NAME _____