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PREPARED BY:

Name: Ms. Lori Zielinski
Public Building Commission of Chicago

Address: 50 West Washington Street, Room 200
Chicago, IL 60602



Doc#: 0534934075 Fee: \$44.50
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 12/15/2005 02:16 PM Pg: 1 of 11

RETURN TO:

Name: Ms. Lori Zielinski
Public Building Commission of Chicago

Address: 50 West Washington Street, Room 200
Chicago, IL 60602

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: 0316675139

Public Building Commission of Chicago, the Remediation Applicant, whose address is 50 Washington Street, Chicago, IL 60602 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.

Lots 003-043 inclusive, in Block 405 in Sea's Subdivision East of Lampheres Addition in the Eastern 1/2 of the Southeast 1/4 of Section 19, Township 38 North, and Range 14 East of the Third Principal Meridian, Cook County in the City of Chicago, Illinois

2. Common Address: 6758 South Paulina Street, Chicago, IL

3. Real Estate Tax Index/Parcel Index Number:

20-19-405-003	20-19-405-004	20-19-405-005	20-19-405-006	20-19-405-007
20-19-405-008	20-19-405-009	20-19-405-010	20-19-405-011	20-19-405-012
20-19-405-013	20-19-405-014	20-19-405-015	20-19-405-016	20-19-405-017
20-19-405-018	20-19-405-019	20-19-405-020	20-19-405-021	20-19-405-022
20-19-405-023	20-19-405-024	20-19-405-025	20-19-405-026	20-19-405-027
20-19-405-028	20-19-405-029	20-19-405-030	20-19-405-031	20-19-405-032
20-19-405-033	20-19-405-034	20-19-405-035	20-19-405-036	20-19-405-037
20-19-405-038	20-19-405-039	20-19-405-040	20-19-405-041	20-19-405-042
20-19-405-043				

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4. Remediation Site Owner: Chicago Public Schools
5. Land Use: Residential
6. Site Investigation: Comprehensive

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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

(217) 782-6761

July 15, 2005

CERTIFIED MAIL

7004 2510 0001 8651 8673

Ms. Lori Zielinski
 Public Building Commission of Chicago
 50 West Washington Street, Room 200
 Chicago, IL 60602

Re: 0316675139 / Cook County
 Chicago / Chicago Public Schools
 Site Remediation Program / Technical Reports
 No Further Remediation Letter

Dear Ms. Zielinski:

The *Remediation Objectives Report, Remedial Action Plan, Remedial Action Completion Report* (Date April 2005/Log Number 05-24829), as prepared by GSG Consultants, Inc. for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the Site are equal to or are above the existing levels of regulated substances and the *Remediation Objectives Report, Remedial Action Plan, Remedial Action Completion Report* shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 3.3 acres, is located at 6758 South Paulina Street, 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 May 16, 2005 is the Public Building Commission of Chicago.

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 and conditions of this Letter.

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 Mail Street, Collinsville, IL 62234 - (618) 346-5120
 MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

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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 land use.

Institutional Controls

- 3) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial, commercial uses and outdoor watering).

Other Terms

- 4) The Remediation Applicant has remediated the release associated with Leaking Underground Storage Tank (LUST) Incident Number 20041605.
- 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 voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance 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;
 - 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) Public Building Commission of Chicago;
 - 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;

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- 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

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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.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Mr. James Baldwin at (217) 524-7207.

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:

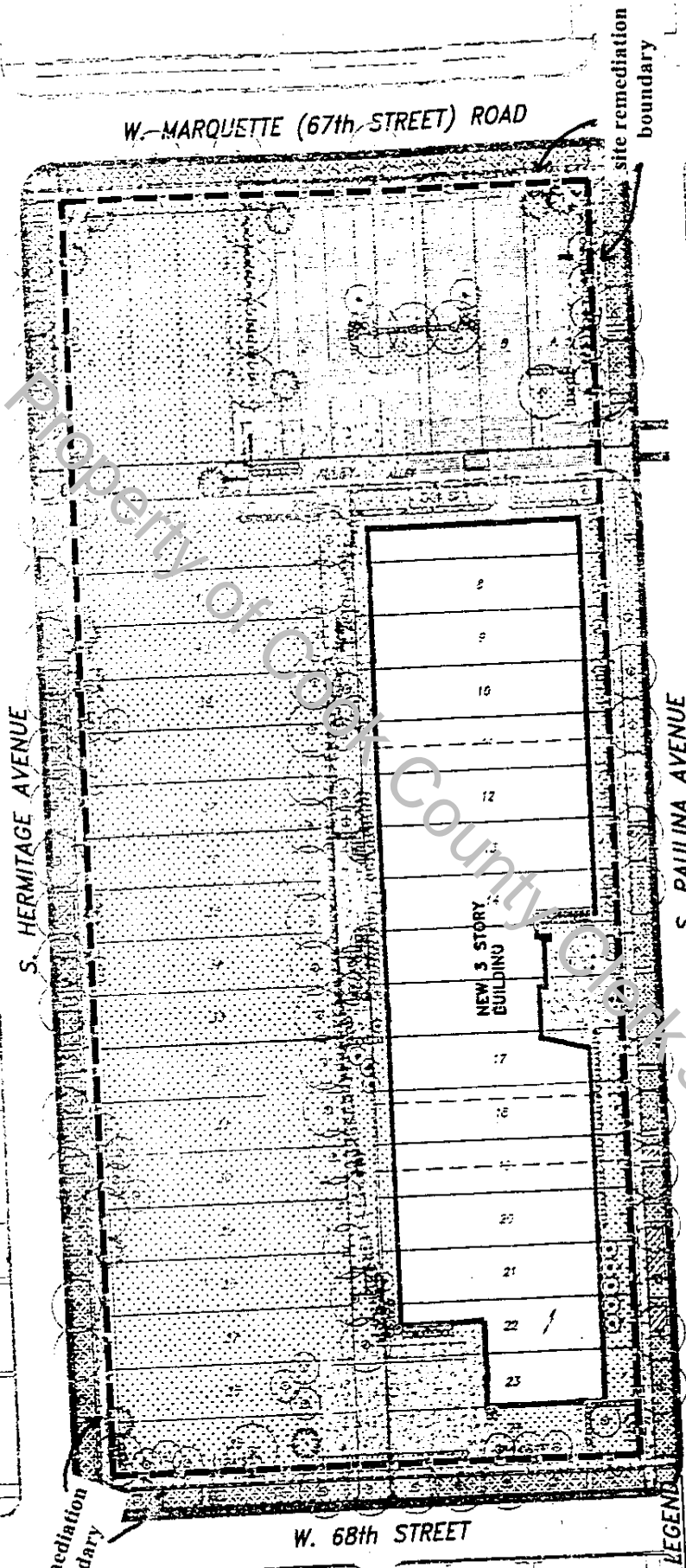
George Kougias
GSG Consultants, Inc.
855 West Adams Street, Suite 200
Chicago, IL 60607

Chicago Public Schools
Ms. Lynn Crivello
125 South Clark Street, 16th Floor
Chicago, IL 60603

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

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Site Base Map
 0316675139 / Cook County
 Chicago / Chicago Public Schools
 Site Remediation Program



- LEGEND
- PROJECT BOUNDARY
 - ▭ PROPOSED BUILDING LOCATION
 - ▭ PROPOSED CONCRETE PAVEMENT
 - ▭ PROPOSED LANDSCAPE
 - ▭ PROPOSED ASPHALT
 - CA-6
 - PROPOSED TREES

EXHIBIT 3 - PLANNED SITE IMPROVEMENTS
 PROPOSED MILES DAVIS SCHOOL
 CHICAGO, IL.

DRAWN BY: JM
 CHECKED BY: [unclear]

SCALE: 1" = 80'

GSG CONSULTANTS, INC.
 855 WEST ADAMS, SUITE 200
 CHICAGO, IL. 60607
 PHONE: (312) 733-6262
 FAX: (312) 733-5612



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bcc: Records Unit
Bob O'Hara
John Sherrill
Rick Lucas
Hernando Alberracin

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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>Lynn Crivello</u>	
Title: <u>Manager of Environmental Services</u>	
Company: <u>Chicago Public Schools</u>	
Street Address: <u>125 S Clark</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60603</u> Phone: <u>773.553.3113</u>	
Site Information	
Site Name: <u>Miles Davis School</u>	
Site Address: <u>6758 South Paulina Street</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60636</u> County: <u>Cook</u>	
Illinois inventory identification number: <u>0316675139</u>	
Real Estate Tax Index/Parcel Index No. <u>See Attached Sheet</u>	
<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: <u><i>Lynn A. Crivello</i></u> Date: <u>12-15-2005</u></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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Illinois State EPA Number: 0316675139

Common Address: 6758 South Paulina Street, Chicago, IL

Real Estate Tax Index/Parcel Index Number:

20-19-405-003	20-19-405-004	20-19-405-005	20-19-405-006	20-19-405-007
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20-19-405-043				

Cook County Clerk's Office