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PREPARED BY:

Doc#: 0535512121 Fee: \$52.50
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 12/21/2005 04:22 PM Pg: 1 of 15

Name: 3550 Condominium Association
Attn: ~~Dan Harvey~~ Management Office

Address: 3550 North Lakeshore Dr.
Chicago, IL. 60657

RETURN TO:

Name: 3550 Condominium Association
Attn: ~~Dan Harvey~~ Management Office

Address: 3550 North Lakeshore Dr.
Chicago, IL. 60657

(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: 0316065216

LUST Incident No.: 20010914

3550 condominium Associates, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 3550 North Lakeshore Dr., Chicago, IL. 60657, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Legal Discription
2. Common Address: 3550 North Lakeshore Dr., Chicago, IL. 60657
3. Real Estate Tax Index/Parcel Index Number: 14-21-111-004
4. Site Owner: 3550 condominium Association
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

WZ

Leaking Underground Storage Tank Environmental Notice

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DESCRIPTION:**

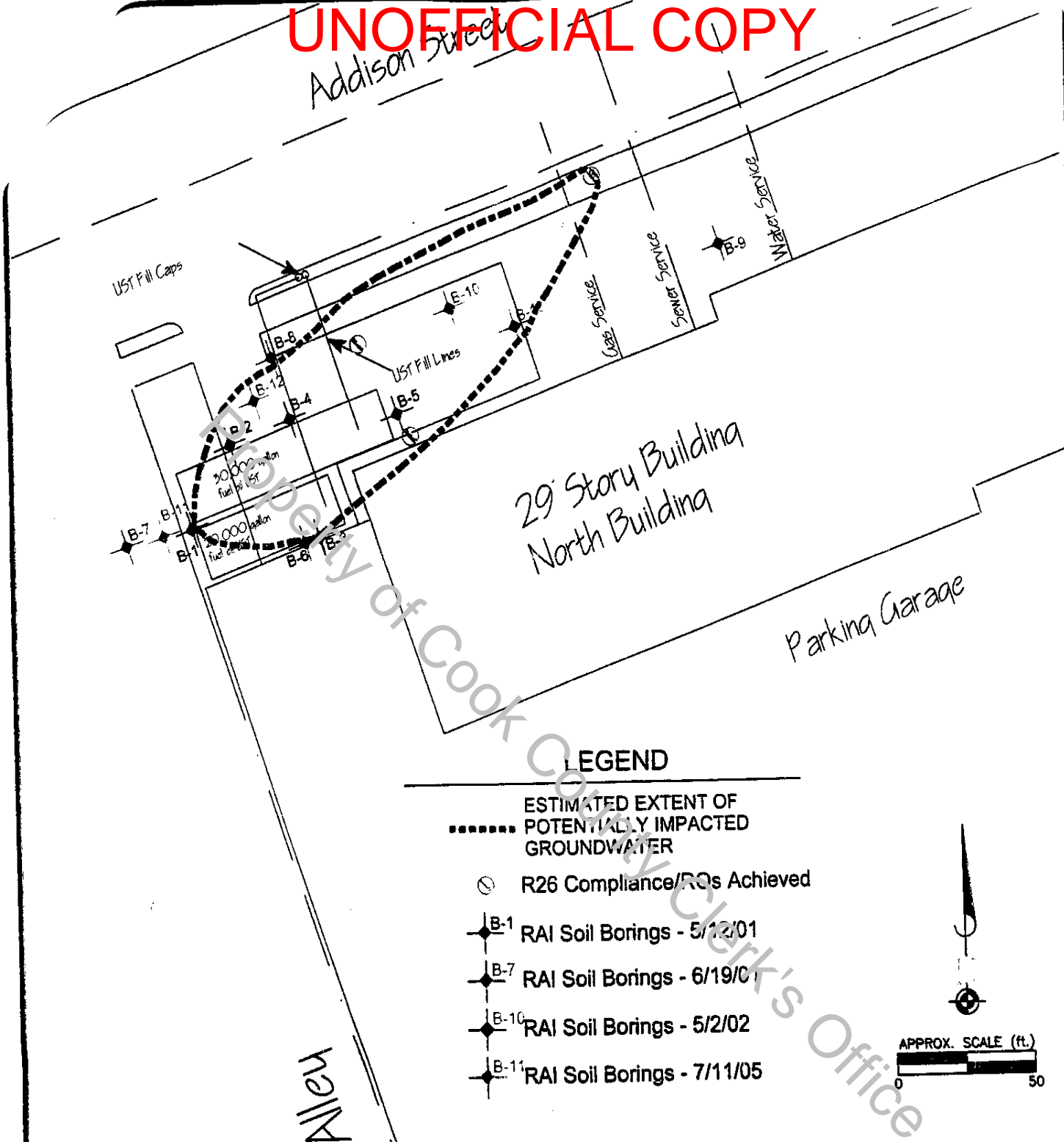
Lot 1 in Block 1 in Baird And Warner's Subdivision of Block 12 of Mundley's Subdivision of Lots 3 to 21, inclusive, and Lots 33 to 37, inclusive, in Pine Grove, a subdivision of fractional Section 21, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois; together with the vacated alley in said block and the tract of land lying Easterly of and adjoining said Block 12 and Westerly of the Westerly line of North Shore Drive (excepting street previously dedicated); in Cook County, Illinois.

**PERMANENT REAL
ESTATE TAX****INDEX NUMBER:**

14-21-111-004.

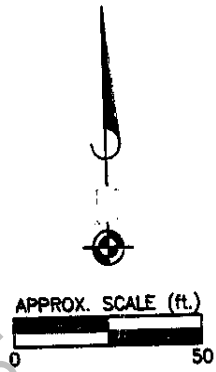
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LEGEND

- ESTIMATED EXTENT OF POTENTIALLY IMPACTED GROUNDWATER
- ⊙ R26 Compliance/ROs Achieved
- ◆ B-1 RAI Soil Borings - 5/12/01
- ◆ B-7 RAI Soil Borings - 6/19/01
- ◆ B-10 RAI Soil Borings - 5/2/02
- ◆ B-11 RAI Soil Borings - 7/11/05



Note: This drawing may not be suitable for construction purposes. Please contact RAI for further details.

Reference: RAI drawing, job #1592, dated 06/07/02

 RAISANEN & ASSOCIATES, INC. Ecological and Environmental Consultants	ESTIMATED EXTENT OF POTENTIALLY IMPACTED GROUNDWATER	SCALE: 1" = 50'
	3550 CONDOMINIUM ASSOCIATION 3550 NORTH LAKE SHORE DRIVE CHICAGO, ILLINOIS	DATE: 10/27/2005
		RAI JOB NO.: 1592-B
		FIGURE:

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Table 3
Laboratory Groundwater BTEX Analytical Results

UST Closure

3550 Condominium Association

3550 N. Lake Shore Drive

Chicago, Illinois

RAI #1592-B

SAMPLE ID	DATE SAMPLED	BENZENE	TOLUENE	ETHYL-BENZENE	TOTAL XYLENES
B-1	5/15/2001	ND	ND	ND	ND
B-5	5/15/2001	ND	ND	ND	ND
B-6	6/19/2001	ND	ND	ND	ND
B-7	6/19/2001	ND	ND	ND	ND
B-8	6/19/2001	ND	ND	ND	ND
B-9	6/19/2001	ND	ND	ND	ND
GROUNDWATER REMEDIAION OBJECTIVES	CLASS I*	0.005	1.0	0.7	10
	CLASS II	0.025	2.5	1.0	10

1 = Class I criteria exceeded

2 = Class II criteria exceeded

* This site has been evaluated based on Class I criteria

ND = Analyte not detected at or above reporting limit

Results in milligrams per liter (mg/l)

Analyzed using EPA Method 8021

Clerk's Office

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Table 4
Laboratory Groundwater PNA Analytical Results
UST Closure
3550 Condominium Association
3550 N. Lake Shore Drive
Chicago, Illinois
RAI #1592-B

SOIL ID	Date Sampled	Concentrations in milligrams per liter (mg/l)														
		ACENAPHTHENE	ACENAPHTHYLENE	ANTHRACENE	BENZO(A)ANTHRACENE	BENZO(A)PYRENE	BENZO(B)FLUORANTHENE	BENZO(GHI)PERYLENE	BENZO(K)FLUORANTHENE	CHRYSENE	DIBENZO(A,H)ANTHRACENE	FLUORANTHENE	FLUORENE	INDENO(1,2,3-CD)PYRENE	NAPHTHALENE	PHENANTHRENE
B-1	5/15/2001	ND	ND	ND	0.000299 ¹	0.000402 ¹	0.000569 ¹	ND	0.000217 ¹	ND	ND	ND	0.000376	ND	ND	ND
B-5	5/15/2001	ND	ND	ND	0.000575 ¹	0.000420 ¹	0.000609 ¹	ND	0.000228 ¹	ND	ND	ND	0.000310	ND	ND	ND
B-6	6/19/2001	ND	ND	ND	0.000206 ¹	0.000244 ¹	0.000168 ¹	ND	ND	ND	ND	ND	ND	ND	ND	ND
B-7	6/19/2001	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
B-8	6/19/2001	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
B-9	6/19/2001	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
GROUNDWATER REMIEDIATION OBJECTIVES	CLASS I *	0.42	NC	2.1	0.00013	0.0002	0.00018	NC	0.00017	0.0015	0.0003	0.28	0.00043	0.14	NC	0.21
	CLASS II	2.1	NC	10.5	3.00065	0.002	0.0009	NC	0.00085	0.0075	0.0015	1.4	0.00215	0.22	NC	1.05

1-Class I Groundwater Remediation Objectives exceeded
 2-Class II Groundwater Remediation Objectives exceeded

* This site has been evaluated based on Class I criteria

NC = No Cleanup Objective

ND = Analyte not detected at or above reporting limit

Property of
 Analyzed using EPA Method 8310

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The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The Municipal Code of the City of Chicago is hereby amended by adding a new Section 11-8-390, as follows:

11-8-390 Potable Water Wells.

For purposes of this section, "potable water" is any water used for human consumption, including but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce

RECEIVED
Division of Legal Counsel

DEC 12 2001

Environmental Protection Agency

RELEASABLE

DEC 12 2001

REVIEWER MM

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11/28/2001

REPORTS OF COMMITTEES

72897

intended for human consumption is grown. No groundwater well, cistern or other groundwater collection device installed after May 14, 1997, may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by a unit of local government pursuant to intergovernmental agreement with the City of Chicago.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval.

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STATE OF ILLINOIS,-

County of Cook. ss.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office for an amendment of Title 11, Chapter 8 of Municipal Code of Chicago by addition of new Section 390 defining potable water and prohibiting use of certain groundwater collection device' to supply any potable water supply system.

I DO FURTHER CERTIFY that the said ordinance was adopted by the City Council of the said City of Chicago on the twenty-eighth (28th) day of November, A.D. 2001 and deposited in my office on the twenty-eighth (28th) day of November, A.D. 2001.

I DO FURTHER CERTIFY that the vote on the question of the adoption of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit:

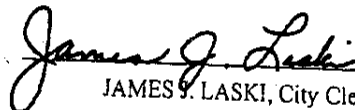
Yeas 47, Nays 0.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the adoption thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor failed to return the said ordinance to the said City Council with his written objections thereto at the next regular meeting of the said City Council occurring not less than five (5) days after the adoption of the said ordinance.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

[L.S.]

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the County and State aforesaid, this sixth (6th) day of December, A.D. 2001.


JAMES J. LASKI, City Clerk.

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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 DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

7004 2510 0001 8655 1823

DEC 14 2005

3550 Condominium Associates
 Attn: Dan Harvey
 3550 North Lakeshore Dr.
 Chicago, IL 60657

Re: LPC #0316065216 -- Cook County
 Chicago/3550 Condominium Associates
 3550 North Lakeshore Dr.
 LUST Incident No. 20010914
 Technical File

Dear Mr. Harvey:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Reports submitted for the above-referenced incident. This information is dated August 31, 2005 and October 27, 2005 and was received by the Illinois EPA on September 1, 2005 and November 2, 2005. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Ill. Adm. Code 732.300(b) and 732.409(b) indicate the remediation objectives set forth in 35 Ill. Adm. Code 732.408 have been met.

Based upon the certification by Thomas J. Rysiewicz, 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:

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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1. 3550 Condominium Associates, 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.
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. In addition, the Groundwater Ordinance (photocopy attached) must be filed as an attachment of this Letter with the Office of the Recorder or Registrar of Titles of the applicable county. 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. This site was classified as High Priority in accordance with Section 57.7(b)(3) of the Act and 35 Ill. Adm. Code 732.304. In accordance with 35 Ill. Adm. Code 732.404(a), the owner or operator has remediated or eliminated each of the criteria that caused the site to be classified as High Priority. The remediation objectives for the above-referenced site described in the Leaking Underground Storage Tank Environmental Notice of this Letter

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Page 3

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.

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.

Groundwater Use Ordinance

MOU, IEPA and the City of Chicago dated October 6, 1999 effectively prohibits the installation of potable water supply wells (and the use of such wells) and is an acceptable institutional control under the following conditions:

Each affected or potentially affected (as shown through contaminant modeling) property owner and the City of Chicago must receive written notification from the owner or operator desiring to use the ordinance as an institutional control that groundwater remediation objectives have been approved by the Illinois EPA. Written proof of this notification shall be submitted to the Illinois EPA in accordance with 35 Ill. Adm. Code 742.1015(b) and (c) within 45 days from the date this Letter is recorded. The notification shall include:

- a. The name and address of the unit of local government;

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- b. The citation of the ordinance used as an institutional control in this Letter;
- c. A description of the property being sent notice by adequate legal description or by reference to a plat showing the boundaries;
- d. A statement that the ordinance restricting the groundwater use was used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
- e. A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
- f. A statement as to where more information may be obtained regarding the ordinance.

The following activities shall be grounds for avoidance of the ordinance as an institutional control and this Letter:

- a. Modification of the referenced ordinance to allow potable uses of groundwater.
- b. Approval of a site-specific request, such as a variance, to allow use of groundwater at the site.
- c. Violation of the terms of a recorded institutional control.

As a part of its corrective action, the leaking underground storage tank site has relied upon MOU, IEPA and the City of Chicago dated October 6, 1999 that prohibits potable uses of groundwater as defined therein.

- 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.

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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
 - 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:


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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, Wayne Zuehlke, at 217/557-6937.

Sincerely,



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

CLW::WZ\20010914NFR.doc

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Base Map
Groundwater BTEX Analytical Results Table
Groundwater PNA Analytical Results Table
City of Chicago Groundwater Ordinance
Legal Description

cc: RAI, Inc
Division File

Property of Cook County Clerk's Office

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DESCRIPTION:**

Lot 1 in Block 1 in Baird And Warner's Subdivision of Block 12 of Mundley's Subdivision of Lots 3 to 21, inclusive, and Lots 33 to 37, inclusive, in Pine Grove, a subdivision of fractional Section 21, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois; together with the vacated alley in said block and the tract of land lying Easterly of and adjoining said Block 12 and Westerly of the Westerly line of North Shore Drive (excepting street previously dedicated); in Cook County, Illinois.

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