

# UNOFFICIAL COPY



PREPARED BY:

Name: Chi Woon Kim  
Dunton Court Cleaners

Address: 36 South Dunton Avenue  
Arlington Heights, Illinois 60005

Doc#: 0629944065 Fee: \$46.50  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 10/26/2008 01:38 PM Pg: 1 of 12

RETURN TO:

Name: Chi Woon Kim  
Dunton Court Cleaners

Address: 36 South Dunton Avenue  
Arlington Heights, Illinois 60005

**THE ABOVE SPACE FOR RECORDER'S OFFICE**

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0314035049

Dunton Court Cleaners, the Remediation Applicant, whose address is 36 South Dunton Avenue, Arlington Heights, Illinois 60005 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:

PARCEL 1:

20-40 SOUTH DUNTON AVENUE, ARLINGTON HEIGHTS

BLOCK 31, LOTS 1 AND 2 IN "DUNTON", COOK COUNTY, BEING THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 8, 1854 IN BOOK 22, PAGE 5, DOCUMENT 695762, AN ACT TO VACATE ROBINSON STREET IN THE TOWN OF DUNTON IN FORCE MARCH 7, 1867. PRIVATE LAWS OF ILLINOIS 1867, VOLUME 3, PAGE 100.

PARCEL 2:

55 SOUTH VAIL AVENUE, ARLINGTON HEIGHTS

LOTS 4 AND 5 IN BLOCK 26 SOUTH AND LOTS 5, 6, 7 AND 8 IN BLOCK 31, TOGETHER WITH THE NORTH HALF OF VACATED ROBINSON STREET, LYING SOUTH OF AND ADJOINING SAID LOT 4 IN BLOCK 26 AND ALL THAT PART OF VACATED ROBINSON

(Illinois EPA Site Remediation Program Environmental Notice)

**UNOFFICIAL COPY**

STREET, LYING SOUTH OF AND ADJOINING SAID LOT 5 IN BLOCK 26 AND LYING NORTH OF, AND ADJOINING, SAID LOT 8 IN BLOCK 31, AS SHOWN ON THE "MAP OF THE TOWN OF DUNTON, COOK COUNTY", BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, RECORDED DECEMBER 8TH, 1854, AS DOCUMENT NUMBER 55328 IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, AND RE-RECORDED MARCH 4TH, 1886, AS DOCUMENT NUMBER 695762 IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS.

Remediation Site Boundary Description:

STARTING FROM THE SOUTHWEST CORNER OF PARCEL 1: 30 FEET TO THE EAST; THEN 90 FEET TO THE NORTH; THEN 30 FEET TO THE WEST; THEN 65 TO THE NORTH; THEN 90 FEET TO THE WEST; THEN 100 FEET TO THE SOUTH; THEN 90 FEET TO THE EAST; THEN 55 TO THE SOUTH, TO THE POINT OF BEGINNING.

2. Common Address: 36 South Dunton Avenue, Arlington Heights, Illinois

3. Real Estate Tax Index/Parcel Index Number:

Parcel 1: 03-29-347-023-0000  
03-29-347-024-0000  
03-29-347-025-0000  
03-29-347-026-0000

Parcel 2: 03-29-347-005-0000  
03-29-347-007-0000  
03-29-347-008-0000  
03-29-347-012-0000  
03-29-347-013-0000  
03-29-347-021-0000  
03-29-347-030-0000  
03-29-347-031-0000  
03-29-347-032-0000

4. Remediation Site Owners: Dunton Court Associates  
Arlington Heights Housing Partners Limited Partnership

5. Land Use: Residential and/or Industrial/Commercial

6. Site Investigation: Focused

See NFR letter for other terms.

**UNOFFICIAL COPY****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) 782-6761

July 31, 2006

Revised August 29, 2006

**CERTIFIED MAIL****7004 2510 0001 8589 9759**

Chi Woon Kim  
 Dunton Court Cleaners  
 36 South Dunton Avenue  
 Arlington Heights, Illinois 60005

Re: 0314035049--Cook County  
 Arlington Heights/Dunton Court Cleaners  
 Site Remediation Program/Technical Report  
 No Further Remediation Letter

Dear Mr. Kim:

The *Focused Site Investigation & Remediation Objectives Report* (March 16, 2006/Log No. 06/28763) and the untitled April 24, 2006 report (April 27, 2006/Log No. 06/29285), as prepared by Laicon, Inc. for the Dunton Court Cleaners property, have 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 *Focused Site Investigation & Remediation Objectives Report* and the untitled April 24, 2006 report shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.27 acres, is located at 36 South Dunton Avenue, Arlington Heights, 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 (March 5, 2004/Log No. 04/19126), is Dunton Court Cleaners.

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 of this Letter.

# UNOFFICIAL COPY

Page 2

## Conditions and Terms of Approval

### Level of Remediation and Land Use Limitations

- 1) 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.
- 2) The Remediation Site is approved for residential and/or Industrial/Commercial land use.
- 3) 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; and
  - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

### Preventive, Engineering, and Institutional Controls

- 4) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

### Institutional Controls:

- 5) 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

- 6) 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.
- 7) 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

# UNOFFICIAL COPY

Page 3

- 8) 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 title holder 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.
- 9) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Dunton Court Cleaners;
  - 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;
  - 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;

# UNOFFICIAL COPY

Page 4

- 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.
- 10) 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 Dunton Court Cleaners property.
- 11) 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
- 12) 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.

# UNOFFICIAL COPY

Page 5

If you have any questions regarding the Dunton Court Cleaners property, you may contact the Illinois EPA project manager, Jeffrey J. Guy at (217) 558-6601.

Sincerely,



Joyce L. Murie, P.E., Manager  
Remedial Project Management Section  
Division of Remediation Management  
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice  
Site Base Map  
Table A: Regulated Substances of Concern  
Property Owner Certification of No Further Remediation Letter under the Site  
Remediation Program Form

cc: Dunton Court Associates c/o Scott Fleming  
Sterling Real Estate Services  
5999 New Wilke Road, Suite 107  
Rolling Meadows, Illinois 60008

Brian L. Kramer, Environmental Engineer  
Laicon, Inc.  
9914 Derby Lane, Suite #101  
Westchester, Illinois 60154

Property Owner Clerk's Office

# UNOFFICIAL COPY

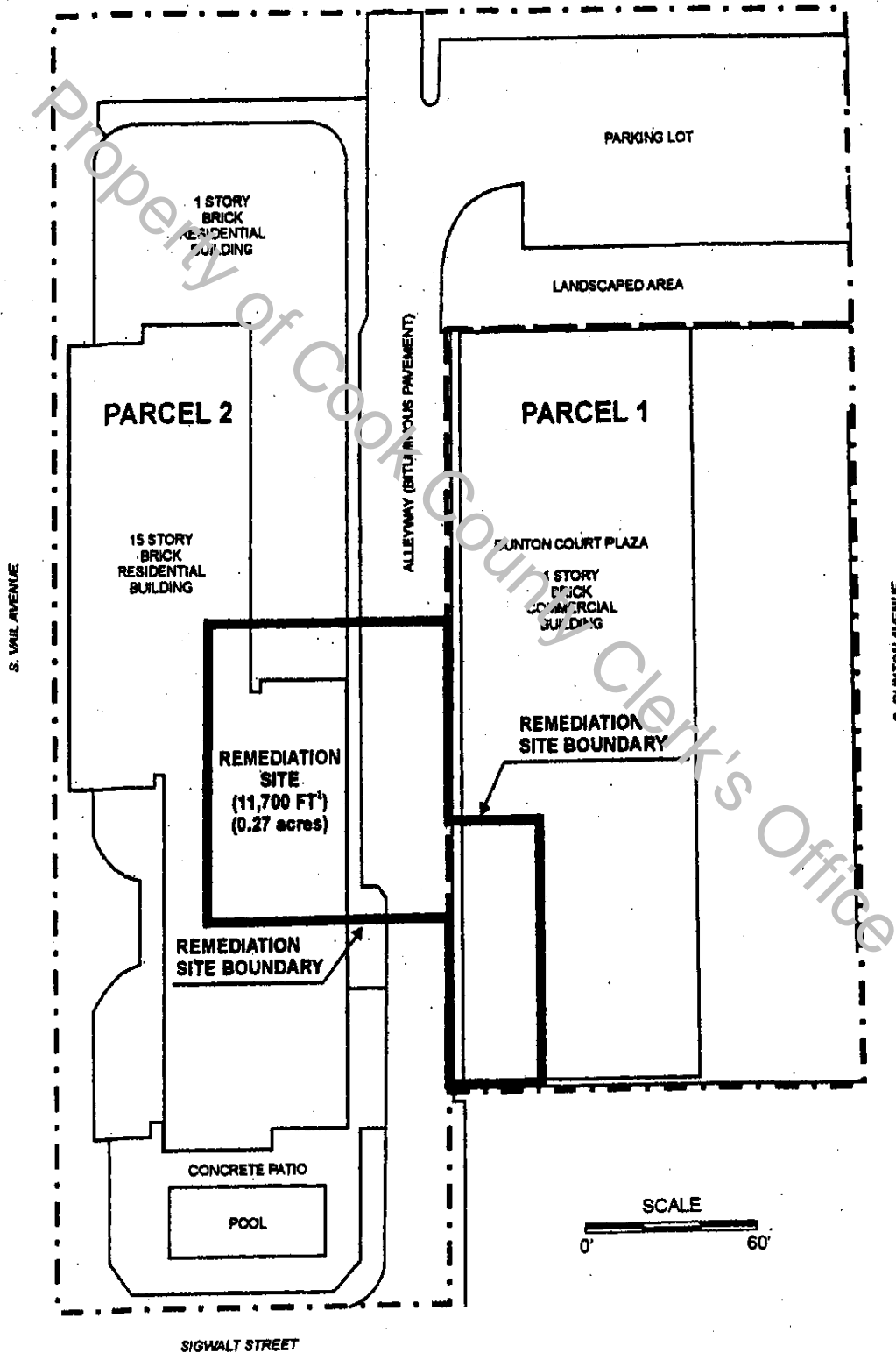


## SITE BASE MAP

0314035049 -- Cook County  
Arlington Heights / Dunton Court Cleaners  
36 South Dunton Avenue  
Site Remediation Program / Technical Reports



June 1, 2006



Property of Cook County Clerk's Office



**UNOFFICIAL COPY**

**SITE REMEDIATION PROGRAM**  
**TABLE A: REGULATED SUBSTANCES OF CONCERN**  
**0314035049 – DUNTON COURT CLEANERS**

**Volatile Organic Compounds**

CAS No.	Compound Name
67-64-1	Acetone
71-43-2	Benzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-95-3	2-Butanone (MEK)
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
124-48-1	Chlorodibromomethane (Dibromochloromethane)
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
156-60-5	<i>trans</i> -1,2-Dichloroethene
156-59-2	<i>cis</i> -1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
10061-02-6	<i>trans</i> -1,3-Dichloropropene
10061-01-5	<i>cis</i> -1,3-Dichloropropene
100-41-4	Ethylbenzene
591-78-6	2-Hexanone
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone (MIBK)
1634-04-4	Methyl Tertiary Butyl Ether (MTBE)
100-42-5	Styrene
127-18-4	Tetrachloroethene
79-34-5	1,1,2,2-Tetrachloroethane
79-01-6	Trichloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
108-88-3	Toluene
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

# UNOFFICIAL COPY

## 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>Chicago Title Land Trust Company, as Trustee under Trust No. 64424 dated June 1, 1985</u>	
Title: _____	
Company: _____	
Street Address: <u>181 W. Madison Street, 17th Floor</u>	
City: <u>Chicago</u>	State: <u>IL</u> Zip Code: <u>60602</u> Phone: <u>312.223.4110</u>
Site Information	
Site Name: <u>Dunton Court Cleaners - Arlington Heights</u>	
Site Address: <u>36 South Dunton Avenue</u>	
City: <u>Arlington Heights</u>	State: <u>IL</u> Zip Code: <u>60005</u> County: <u>Cook</u>
Illinois inventory identification number: <u>0314035049</u>	
Real Estate Tax Index/Parcel Index No. <u>See Exhibit A Attached Hereto</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. <span style="float: right;">June 1, 1985</span></p> <p>Chicago Title Land Trust Company, as Trustee under Trust No. 64424 dated/            Owner's Signature: <u>[Signature]</u> Date: <u>10-26-06</u></p>	
SUBSCRIBED AND SWORN TO BEFORE ME this <u>26th</u> day of <u>Oct</u> , 2006 <u>[Signature]</u> Notary Public	ASST. VICE PRESIDENT SEE ATTACHED EXCURATORY USE FOR SIGNATURE <div style="border: 2px dashed black; padding: 5px; width: fit-content; margin: auto;"> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">"OFFICIAL SEAL"</p> <p style="text-align: center; font-weight: bold;">SURRAJINA MCKINLEY</p> <p style="text-align: center; font-weight: bold;">NOTARY PUBLIC STATE OF ILLINOIS</p> <p style="text-align: center; font-weight: bold;">My Commission Expires 12/20/2006</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.

# UNOFFICIAL COPY

## TRUSTEE'S EXCULPATION

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against CHICAGO TITLE LAND TRUST COMPANY, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

# UNOFFICIAL COPY

## EXHIBIT A

### Real Estate Tax Index/Parcel Index Number:

Parcel 1: 03-29-347-023-0000  
03-29-347-024-0000  
03-29-347-025-0000  
03-29-347-026-0000

Parcel 2: 03-29-347-005-0000  
03-29-347-007-0000  
03-29-347-008-0000  
03-29-347-012-0000  
03-29-347-013-0000  
03-29-347-021-0000  
03-29-347-030-0000  
03-29-347-031-0000  
03-29-347-032-0000

Property of Cook County Clerk's Office