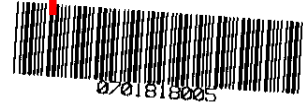


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PREPARED BY:

Name: Theodore Mazola
5007 South Lawndale Corporation

Address: 1300 South Paulina, Suite 300
Chicago, Illinois 60608

Doc#: 0701818005 Fee: \$48.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 01/18/2007 10:19 AM Pg: 1 of 13

RETURN TO:

Name: Theodore Mazola
5007 South Lawndale Corporation

Address: 1300 South Paulina, Suite 300
Chicago, Illinois 60608

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: 0316585116

5007 South Lawndale Corporation, the Remediation Applicant, whose address is 1300 South Paulina, Suite 300, Chicago, Illinois 60608, 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:

THAT PART OF THE SOUTH ½ OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE EAST 116.0 FEET OF SAID SOUTH ½ WITH THE SOUTH LINE OF SAID SOUTH ½; THENCE NORTH ALONG THE WEST LINE OF SAID EAST 116.0 FEET, A DISTANCE OF 1185.73 FEET TO A POINT WHICH IS 18 FEET SOUTHEASTELY, BY RADIAL MEASUREMENT, OF THE CENTER LINE OF THE EAST BOUND MAIN TRACK OF THE INDIANA HARBOR BELT RAILROAD; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE WHICH FORMS AN ANGLE OF 73 DEGREES, 40 MINUTES, 30 SECONDS FROM THE SOUTH TO THE SOUTHWEST WITH THE LAST DESCRIBED LINE, A DISTANCE OF 311.12 FEET TO THE INTERSECTION OF SAID LINE WITH A CURVED LINE, CONVEX TO THE NORTHWEST AND

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HAVING A RADIUS OF 636.80 FEET, SAID CURVED LINE BEING THE NORTHWESTERLY LINE OF A 66 FOOT WIDE STRIP OF LAND CONVEYED TO THE TERMINAL RAILROAD COMPANY, DESCRIBED IN DOCUMENT 2471256, RECORDED DECEMBER 4, 1896, AND IN OTHER DEEDS, SAID POINT OF INTERSECTION BEING 18 FEET SOUTHEASTERLY, BY RADIAL MEASUREMENT, OF THE CENTER LINE OF THE EAST BOUND MAIN TRACK OF THE INDIANA HARBOR BELT RAILROAD; THENCE SOUTHWESTERLY ALONG SAID CURVED LINE, AN ARCH DISTANCE OF 290.41 FEET, THE CHORD OF SAID CURVED LINE BEING 287.90 FEET AND FORMS AN ANGLE OF 134 DEGREES, 51 MINUTES FROM NORTHEAST TO SOUTH TO SOUTHWEST WITH THE LAST DESCRIBED LINE; THENCE WEST ALONG A LINE DRAWN FROM SAID POINT TO A POINT IN THE WEST LINE OF SAID SOUTH ½ OF THE EAST ¼ OF THE NORTHWEST ¼ WHICH IS 844.62 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SOUTH ½ OF THE EAST ¼ OF THE NORTHWEST ¼, A DISTANCE OF 116.9 FEET; THENCE SOUTH ALONG THE WEST LINE OF SAID SOUTH ½ OF THE EAST ¼ OF THE NORTHWEST ¼, A DISTANCE OF 844.62 FEET TO THE AFORESAID SOUTHWEST CORNER; THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTH ½ OF THE EAST ¼ OF THE NORTHWEST ¼, A DISTANCE OF 552.3 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THE WEST 33 FEET THEREOF TAKEN FOR SOUTH LAWNDALE AVENUE AND ALSO EXCEPTING THE SOUTH 33 FEET THEREOF TAKEN FOR WEST 51ST STREET, ALL IN COOK COUNTY, ILLINOIS

2. Common Address: 5007 South Lawndale, Chicago, IL
3. Real Estate Tax Index/Parcel Index Number:
 - PIN #19-11-120-013-0000
 - PIN #19-11-120-014-0000
 - PIN #19-11-120-016-0000
 - PIN #19-11-120-021-0000
 - PIN #19-11-120-021-0000
4. Remediation Site Owner: 5007 South Lawndale Corporation
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: focused

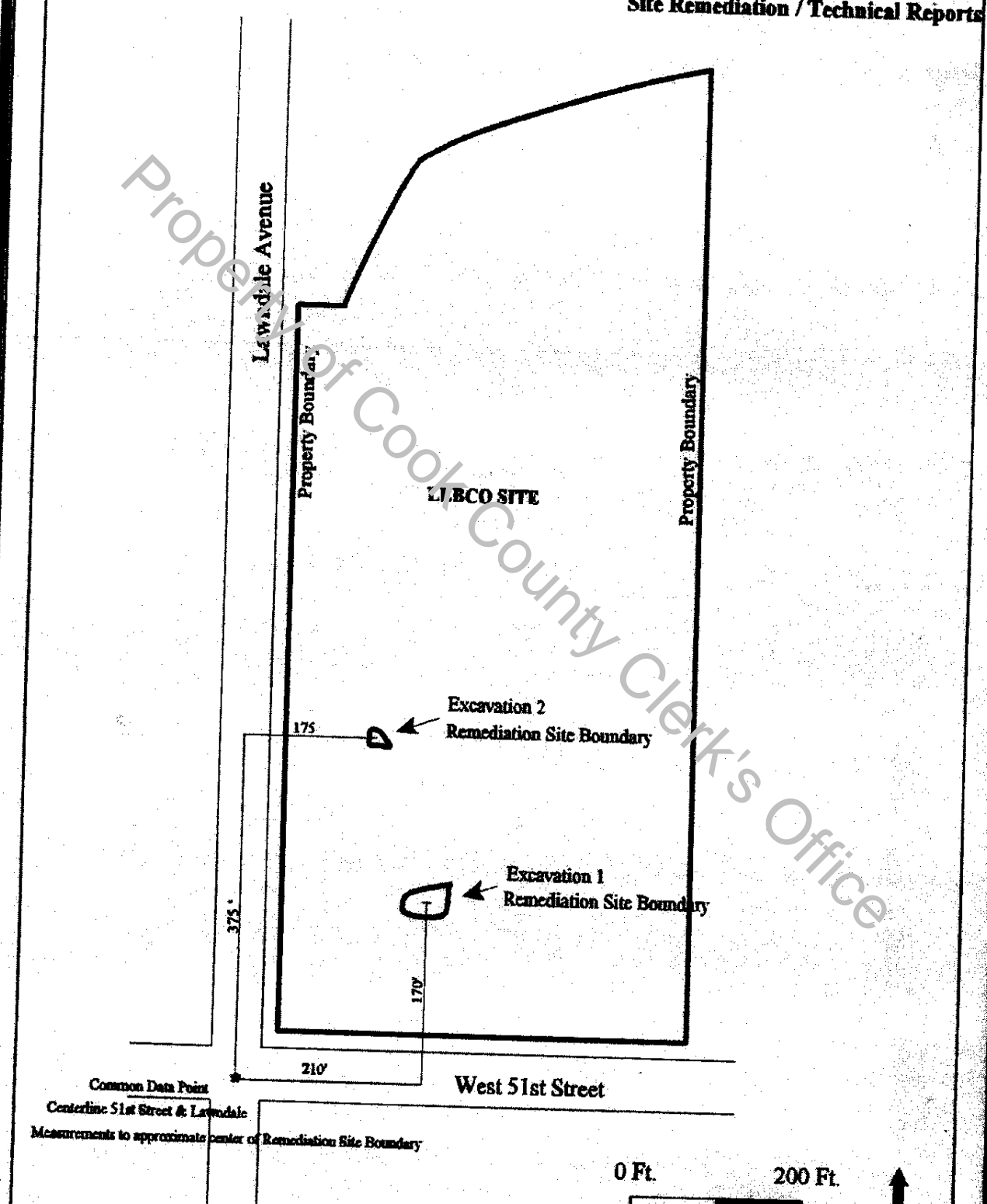
See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

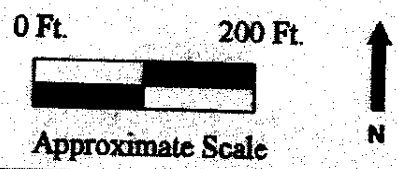
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SITE BASE MAP
 ILD #0316585116 - Cook County
 Chicago, IL / LEBCO
 Site Remediation / Technical Reports

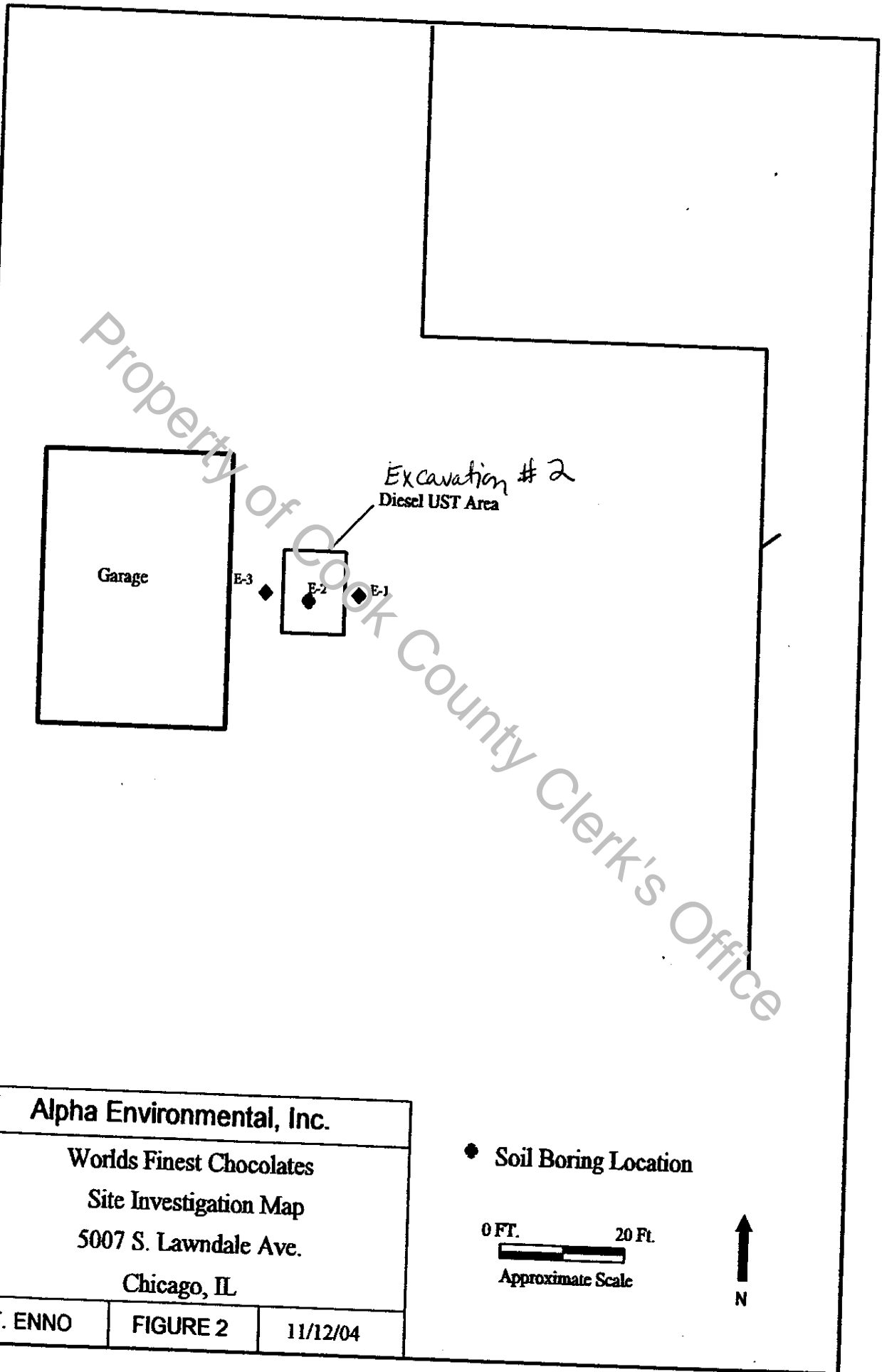
Property Of Cook County Clerk's Office



Alpha Environmental, Inc. 12/24/06



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Alpha Environmental, Inc.

Worlds Finest Chocolates

Site Investigation Map

5007 S. Lawndale Ave.

Chicago, IL

● Soil Boring Location

0 FT. 20 Ft.



Approximate Scale



T. ENNO

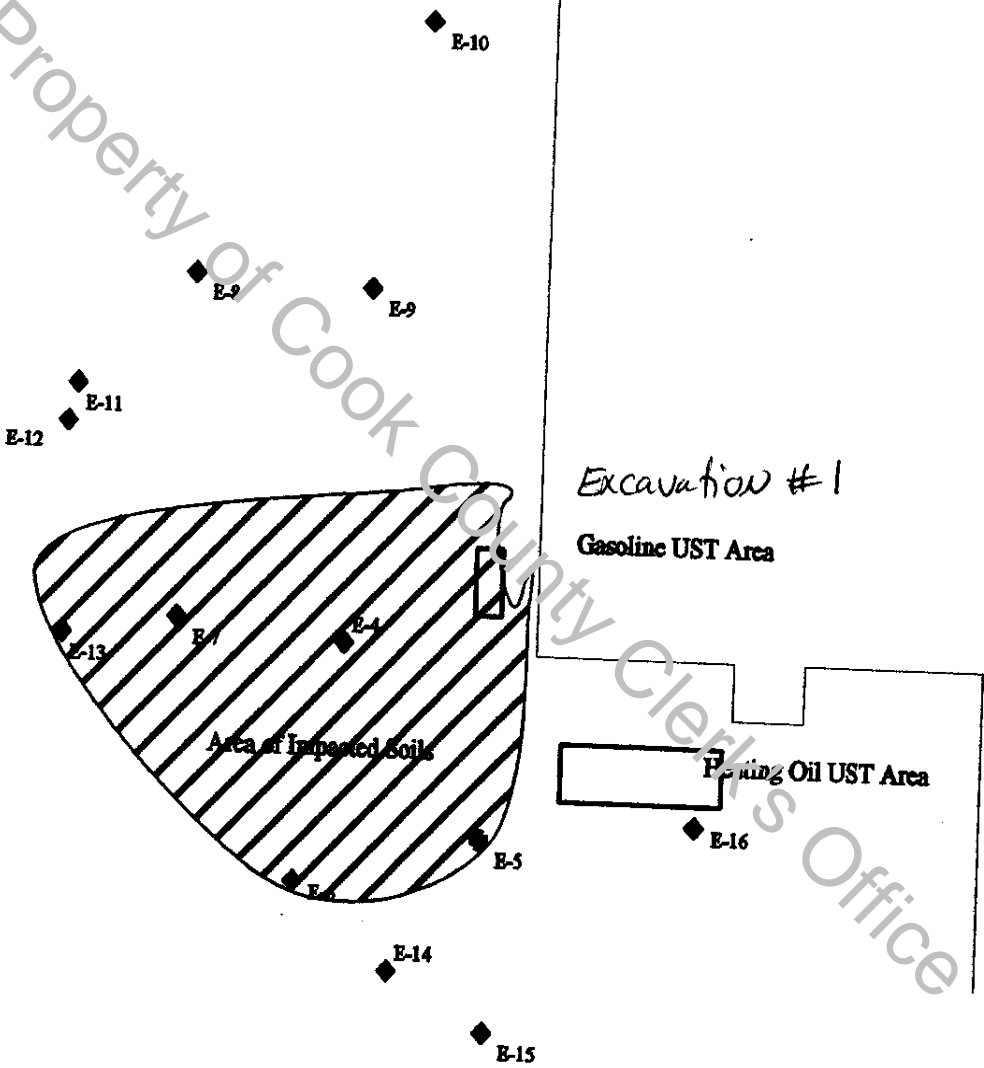
FIGURE 2

11/12/04

10' x 10' = .0023

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Property of Cook County Clerk's Office



Alpha Environmental, Inc.		
Worlds Finest Chocolates Site Investigation Map 5007 S. Lawndale Ave. Chicago, IL		
T. ENNO	FIGURE 3	11/12/04

~ 40' x 40' = .037 acres

UNOFFICIAL COPY**TABLE A: REGULATED SUBSTANCES OF CONCERN**

0316585116 — Cook County
Chicago/Lebco
Site Remediation/Technical Reports

BTEX	
CAS No.	Compound Name
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)

Polynuclear Aromatic Compounds (PNAs)	
CAS No.	Compound Name
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene
50-32-8	Benzo(a)pyrene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

cc: Mike Lodek

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

(217) 782-6761

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

January 4, 2007

CERTIFIED MAIL

7004 2510 0001 8586 6089

Theodore Mazola
 5007 South Lawndale Corporation
 1300 South Paulina, Suite 300
 Chicago, Illinois 60608

Re: # 0316585116 - Cook County
 Chicago/Lebco
 Site Remediation/Technical Reports
 No Further Remediation Letter

Dear Mr. Mazola:

Based on the local geology type, Incident # 942859 was already closed under the Leaking Underground Storage Tank program (Leaking UST), and no further action was required. Since the Leaking UST program is incident-specific, it would require calling in another incident, and a new review, to change any determination for that tank area.

You have chosen to remediate both tank areas in order to meet residential objectives for re-development, and the Site Remediation Program will issue this No Further Remediation letter for both those tank areas. However, since Incident # 942859 is already closed in the Leaking UST files, it will not be mentioned in Paragraph 5 of this NFR letter.

If you have any questions regarding the Lebco site, please feel free to contact me at the above telephone number or address.

Sincerely,



Barbara Landers
 Voluntary Site Remediation Unit B
 Remedial Project Management Section
 Division of Remediation Management
 Bureau of Land

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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cc: M Goder

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

January 4, 2007

CERTIFIED MAIL**7004 2510 0001 8586 6102**

Theodore Mazola
 5007 South Lawndale Corporation
 1300 South Paulina, Suite 300
 Chicago, Illinois 60608

Re: # 0316585116 — Cook County
 Chicago/Lebco
 Site Remediation/Technical Reports
 No Further Remediation Letter

Dear Mr. Mazola:

The Remedial Action Completion Report (October 5, 2006/Log No. 06-31462), as prepared by Alpha Environmental, Inc. for the Lebco property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA") and demonstrates that the remedial action was completed in accordance with 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 0.04 acres, is located at 5007 South Lawndale, 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 (October 5, 2006/Log No. 06-31462), is 5007 South Lawndale Corporation.

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.

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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

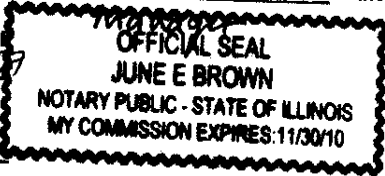
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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 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>SURESH RAMANATHAN</u>	
Title: <u>MANAGER</u>	
Company: <u>ST. LAMARINE LAND, LLC</u>	
Street Address: <u>1300 S. PULASKI</u>	
City: <u>CHICAGO</u> State: <u>IL</u> Zip Code: <u>60605</u> Phone: <u>(312) 492-1900</u>	
Site Information	
Site Name: <u>LERCO PROPERTY</u>	
Site Address: <u>5007 S. LAMARINE AVENUE</u>	
City: <u>CHICAGO</u> State: <u>IL</u> Zip Code: <u>60629</u> County: <u>COOK</u>	
Illinois inventory identification number: <u>037658</u>	
Real Estate Tax Index/Parcel Index No. <u>19-11-120-010-0000</u>	
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.	
Owner's Signature: <u>[Signature]</u>	Date: <u>1/17/07</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>17th</u> day of <u>Jan</u> , 20 <u>07</u>	
<u>[Signature]</u> Notary Public	

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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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 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.

Other Terms

- 4) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.
- 5) The Remediation Applicant has remediated the releases associated with Leaking UST Incident Number 950176.
- 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

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- 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 avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance 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) 5007 South Lawndale Corporation;
 - 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;

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- 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 Lebcu 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.

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If you have any questions regarding the Lebco property, you may contact the Illinois EPA project manager, Barbara Landers at 217-557-6939.

Sincerely,



Joyce L. Munie, 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: Thomas Enno
Alpha Environmental, Inc.
5 Pembroke Court
Streamwood, Illinois 60107

PROPERTY OF COOK COUNTY CLERK'S OFFICE