

# UNOFFICIAL COPY

PREPARED BY:

Name: Mr. J. Paul Bertsche  
CA Development, Inc.

Address: 3880 North Milwaukee Avenue  
Chicago, IL 60641



Doc#: 0704639106 Fee: \$48.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 02/15/2007 01:18 PM Pg: 1 of 13

RETURN TO:

Name: Mr. J. Paul Bertsche  
CA Development, Inc.

Address: 3880 North Milwaukee Avenue  
Chicago, IL 60641

## 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: 0316340001

CA Development Inc., the Remediation Applicant, whose address is 3880 North Milwaukee Avenue, Chicago, IL 60641 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:

LOTS 1 TO 4, INCLUSIVE, AND LOTS 9 TO 30, INCLUSIVE, IN O'MEARA'S SUBDIVISION OF LOTS 2 AND 3 IN BLOCK 23 IN CANAL TRUSTEE'S SUBDIVISION IN THE SOUTH FRACTION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

ALL OF THE ALLEY, 10 FEET WIDE, VACATED BY ORDINANCE RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON JANUARY 17, 1966 AS DOCUMENT NUMBER 19712849, LYING SOUTHEASTERLY OF AND ADJOINING THE SOUTHEASTERLY LINE OF SAID LOTS 1 TO 4, INCLUSIVE, AND NORTHWESTERLY OF AND ADJOINING THE NORTHWESTERLY LINE OF LOT 10 IN SAID O'MEARA'S SUBDIVISION, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

ALL OF THE ALLEY, 5 FEET WIDE, VACATED BY ORDINANCE RECORDED AS DOCUMENT NUMBER 19712849, AND BY ORDINANCE RECORDED IN SAID RECORDER'S OFFICE ON JULY 12, 1940, AS DOCUMENT 12513391, LYING NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF LOT 1 AND SAID LINE PRODUCED SOUTHEASTERLY 10 FEET, AND NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF LOTS 10, 12, 14, 16, 18, 20, 22, 24, 26, 28 AND 30, IN SAID O'MEARA'S SUBDIVISION IN COOK COUNTY, ILLINOIS.

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## PARCEL 4:

ALL OF S. MARY STREET VACATED BY ORDINANCE RECORDED JANUARY 17, 1966 AS DOCUMENT NUMBER 19712349, LYING SOUTHWESTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF LOTS 10, 12, 14, 16, 18, 20, 22, 24, 26, 28 AND 30, AND LYING NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF LOTS 9, 11, 13, 15, 17, 19, 21, 23, 25, 27 AND 29 IN SAID O'MEARA'S SUBDIVISION IN COOK COUNTY, ILLINOIS.

## PARCEL 5:

LOTS 10, 12, 14, 16, 18, 20, 22 AND 24 IN MAHER'S SUBDIVISION OF LOTS 1 AND 4 IN BLOCK 22 IN CANAL TRUSTEE'S SUBDIVISION IN THE SOUTH HALF OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## PARCEL 6:

LOTS 1, 2, 3 AND 4 (EXCEPT THE SOUTHEASTERLY 25 FEET OF EACH OF SAID LOTS) IN THE SUBDIVISION OF LOTS 25 TO 30, IN MAHER'S SUBDIVISION OF LOTS 1 AND 4 IN BLOCK 22 IN CANAL TRUSTEE'S SUBDIVISION IN THE SOUTH HALF OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## PARCEL 7:

THE NORTHEASTERLY HALF OF THE ALLEY, 10 FEET WIDE VACATED BY ORDINANCE RECORDED JANUARY 17, 1966 AS DOCUMENT 19712849 WHICH LIES SOUTHWESTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF SAID LOTS 9, 11, 13, 15, 17, 19, 21, 23, 25, 27 AND 29 IN SAID O'MEARA'S SUBDIVISION, TOGETHER WITH THE SOUTHWESTERLY HALF OF SAID 10 FOOT ALLEY WHICH LIES NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF SAID LOTS 10, 12, 14, 16, 18, 20, 22 AND 24 IN SAID MAHER'S SUBDIVISION, AND THE SOUTHWESTERLY HALF OF SAID 10 FOOT ALLEY WHICH LIES NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF SAID LOT 1, EXCEPT THE SOUTHEASTERLY 25 FEET THEREOF IN SAID SUBDIVISION OF LOTS 25 TO 30 IN MAHER'S SUBDIVISION, IN COOK COUNTY, ILLINOIS.

## PARCEL 8

THAT PART OF LOT 1 IN BLOCK 23 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTION OF SECTION 29, AFORESAID DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 1 AND RUNNING THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID LOT, TWO CHAINS (132 FEET); THENCE SOUTHWESTERLY PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, TWO AND ONE HALF CHAINS (165 FEET); THENCE SOUTHEASTERLY, PARALLEL WITH THE EASTERLY LINE OF SAID LOT, TO A POINT 10 FEET NORTHWESTERLY FROM THE SOUTHERLY LINE OF SAID LOT; THENCE EASTERLY TO A POINT IN THE SOUTHERLY LINE OF SAID LOT, 100 FEET SOUTHWESTERLY FROM THE SOUTHEASTERLY CORNER OF SAID LOT, AND; THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT TO THE PLACE OF BEGINNING;

## PARCEL 9

THAT PART OF LOT 1 IN BLOCK 23 IN CANAL TRUSTEE'S SUBDIVISION OF THE SOUTH FRACTION OF SECTION 29, AFORESAID, DESCRIBED AS FOLLOWS; COMMENCING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT, WHICH IS 25 FEET NORTHERLY OF THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE IN A NORTHEASTERLY DIRECTION ON A LINE PARALLEL TO THE SOUTHEASTERLY LINE OF SAID LOT 105 FEET MORE OR LESS TO A POINT WHICH IS 165 FEET DISTANT FROM THE NORTHEASTERLY LINE OF SAID LOT; THENCE IN A NORTHWESTERLY DIRECTION ON A LINE PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT, 107.0 FEET; THENCE IN A SOUTHWESTERLY DIRECTION ON A LINE PARALLEL TO SAID SOUTHEASTERLY LINE OF SAID LOT, 105 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT;

## PARCEL 10

THAT PART OF LOT 4 IN BLOCK 23 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTION OF SECTION 29, AFORESAID DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF QUARRY STREET WITH THE LINE BETWEEN LOTS 1 AND 4; THENCE WESTERLY ON SAID LOT LINE, 100.00 FEET; THENCE EASTERLY TO A POINT ON THE WEST LINE OF QUARRY STREET, 17.50 FEET SOUTHERLY OF SAID LINE BETWEEN LOTS 1 AND 4; THENCE NORTHERLY TO THE POINT BEGINNING;

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**PARCEL 11**

THAT PART OF LOT 1 IN BLOCK 23 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTION OF SECTION 29, AFORESAID, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT, 132.0 FEET NORTHWESTERLY OF THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE IN A NORTHEASTERLY DIRECTION ON A LINE PARALLEL TO THE SOUTHEASTERLY LINE OF SAID LOT, TO THE NORTHEASTERLY LINE OF SAID LOT; THENCE NORTHERLY ON SAID NORTHEASTERLY LINE, 20.0 FEET; THENCE IN A SOUTHWESTERLY DIRECTION, ON A LINE PARALLEL TO THE SOUTHEASTERLY LINE OF SAID LOT; TO THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHERLY ON SAID SOUTHWESTERLY LINE OF SAID LOT, 20.0 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

CONTAINING IN THE AGGREGATE 148,423 SQUARE FEET (3.4073 ACRES) OF LAND, MORE OR LESS.

2. Common Address: 2500 South Senour Avenue, Chicago, IL

3. Real Estate Tax Index/Parcel Index Numbers:

17-29-403-005-0000

17-29-403-006-0000

17-29-403-007-0000

17-29-403-008-0000

17-29-403-009-0000

17-29-403-010-0000

17-29-403-011-0000

17-29-403-012-0000

17-29-403-013-0000

17-29-403-029-0000

17-29-403-030-0000

17-29-403-031-0000

17-29-403-032-0000

17-29-403-034-0000

17-29-403-035-0000

17-29-403-036-0000

17-29-403-049-0000

17-29-404-001-0000

17-29-404-002-0000

17-29-404-003-0000

17-29-404-004-0000

17-29-404-022-0000

17-29-404-023-0000

17-29-404-024-0000

17-29-404-025-0000

17-29-404-028-0000

17-29-404-029-0000

17-29-404-030-0000

4. Remediation Site Owner: CA Development Inc.

5. Land Use: Residential

6. Site Investigation: Focused

**UNOFFICIAL COPY****SITE REMEDIATION PROGRAM****TABLE A: REGULATED SUBSTANCES OF CONCERN  
0316340001/Barker Chemical Company****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
78-93-3	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
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)
91-20-3	Naphthalene
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
95-63-6	1,2,4-Trimethylbenzene
108-88-3	Toluene
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

**UNOFFICIAL COPY****Semivolatile Organic Compounds**

CAS No.	
83-32-9	Acenaphthene
208-96-8	Acenaphthylene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
50-32-8	Benzo(a)pyrene
205-99-2	Benzo(b)fluoranthene
191-24-2	Benzo(g,h,i)perylene
207-08-9	Benzo(k)fluoranthene
111-44-4	bis(2-Chloroethyl)ether
111-91-1	bis(2-Chloroethoxy)methane
117-81-7	bis(2-Ethylhexyl)phthalate
101-55-3	4-Bromophenyl-phenyl ether
85-68-7	Butyl benzyl phthalate
86-74-8	Carbazole
106-47-8	4-Chloroaniline
59-50-7	4-Chloro-3-methylphenol
91-58-7	2-Chloronaphthalene
95-57-8	2-Chlorophenol
7005-72-3	4-Chlorophenyl-phenyl ether
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
132-64-9	Dibenzofuran
95-50-1	1,2-Dichlorobenzene
541-73-1	1,3-Dichlorobenzene
106-46-7	1,4-Dichlorobenzene
91-94-1	3,3'-Dichlorobenzidine
120-83-2	2,4-Dichlorophenol
84-66-2	Diethylphthalate
105-67-9	2,4-Dimethylphenol
131-11-3	Dimethylphthalate
84-74-2	Di-n-butylphthalate
534-52-1	4,6-Dinitro-2-methylphenol
51-28-5	2,4-Dinitrophenol
121-14-2	2,4-Dinitrotoluene
606-20-2	2,6-Dinitrotoluene
117-84-0	Di-n-octyl phthalate
206-44-0	Fluoranthene
86-73-7	Fluorene
118-74-1	Hexachlorobenzene
87-68-3	Hexachlorobutadiene
77-47-4	Hexachlorocyclopentadiene
67-72-1	Hexachloroethane
193-39-5	Indeno(1,2,3-cd)pyrene
78-59-1	Isophorone
91-57-6	2-Methylnaphthalene

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95-48-7	2-Methylphenol ( <i>o</i> -Cresol)
106-44-5	4-Methylphenol ( <i>p</i> -Cresol)
88-74-4	2-Nitroaniline
99-09-2	3-Nitroaniline
100-01-6	4-Nitroaniline
98-95-3	Nitrobenzene
88-75-5	2-Nitrophenol
100-02-7	4-Nitrophenol
86-30-6	N-Nitrosodiphenylamine
621-64-7	N-Nitroso-di-n-propylamine
87-86-5	Pentachlorophenol
85-01-8	Phenanthrene
108-95-2	Phenol
129-00-0	Pyrene
120-82-1	1,2,4-Trichlorobenzene
88-06-2	2,4,6-Trichlorophenol

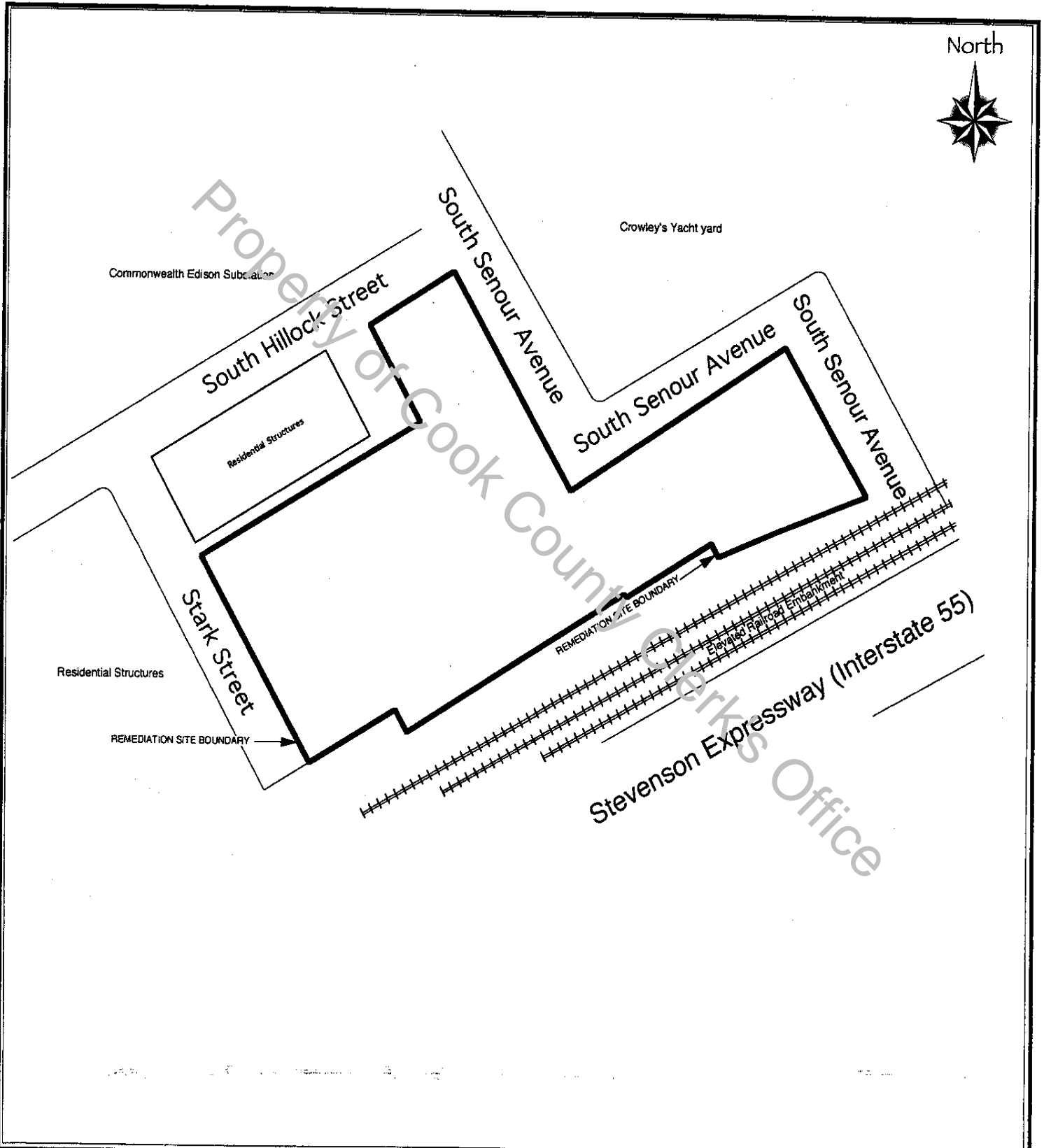
**Metals**

<u>CAS No.</u>	<u>Chemical Name</u>
7440-38-2	Arsenic
7440-39-3	Barium
7440-43-9	Cadmium
7440-47-3	Chromium (Total)
7439-92-1	Lead
7439-97-6	Mercury
7782-49-2	Selenium
7440-22-4	Silver



# UNOFFICIAL COPY SITE BASE MAP

LPC# - 0316340001 - COOK COUNTY  
CHICAGO / 2500 SENOUR AVE.  
SITE REMEDIATION/TECHNICAL REPORTS



	Legend:	Scale:	1" = 140'	Date:	October 2006	<b>Site Base Map</b> <b>Former Sherwin Williams</b> <b>Paint Factory</b> <b>2500 South Senour Avenue</b> <b>South Holland, Illinois</b>
		Drawn by:	Anatolij Strangar	Checked by:	Mark Santangelo	
		Job No.:	03956E			

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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>CA Development, Inc. managing member Bridgeport Landing LLC</u>	Title: <u>Owner</u>
Company: _____	
Street Address: <u>3880 N. Milwaukee</u>	
City: <u>Chicago</u>	State: <u>IL</u> Zip Code: <u>60641</u> Phone: <u>773-545-4099</u>
Site Information	
Site Name: <u>Chicago / Barker Chemical / Martin Senior Paint</u>	
Site Address: <u>2500 S. Senour</u>	
City: <u>Chicago</u>	State: <u>IL</u> Zip Code: <u>60608</u> County: <u>Cook</u>
Illinois inventory identification number: <u>031634004</u>	
Real Estate Tax Index/Parcel Index No. <u>See attached legal</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>2-14-07</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>14<sup>th</sup></u> day of <u>Febru</u> , 2007	
<u>[Signature]</u> Notary Public	<div style="border: 2px dashed black; padding: 5px; width: fit-content; margin: 0 auto;"> <p style="margin: 0;">OFFICIAL SEAL J J WITTNER NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 01/24/10</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.



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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) 782-6761

February 1, 2007

CERTIFIED MAIL

7004 2510 0001 8616 1893

Mr. J. Paul Bertsche  
 CA Development, Inc.  
 3880 North Milwaukee Avenue  
 Chicago, IL 60641

Re: 0316340001/Cook  
 Chicago/Barker Chemical Company  
 Site Remediation Program/Technical Reports

Dear Mr. Bertsche:

The *Site Investigation Report - Focused/Remedial Action Completion Report* (January 4, 2006/Log Number 06-28295), as prepared by Pioneer Engineering & Environmental Services, Inc. for the above referenced Remediation Site, 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 3.4 acres, is located at 2500 South Senour Avenue, 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 February 9, 2006 is CA Development, Inc.

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 and conditions of this Letter.

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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.
- 3) 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.

### Other Terms

- 4) 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.
- 5) 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

- 6) 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;

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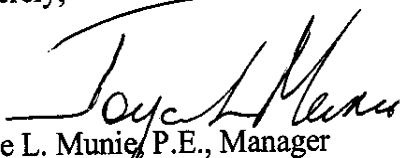
- c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
  - d) The failure 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.
- 7) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) CA Development, Inc.;
  - 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;
  - 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;

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- 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.
- 8) 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.
- 9) 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/RPMAS  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276
- 10) 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. Andrew Catlin at (217) 524-3290.

Sincerely,

  
Joyce L. Munie, 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

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cc: Mark Santangelo, R.P.G.  
Pioneer Engineering & Environmental Services, Inc.  
700 N. Sacramento Blvd., Suite 101  
Chicago, IL 60612

Commissioner  
Chicago Department of Environment  
25<sup>th</sup> Floor  
30 North LaSalle Street  
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