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PREPARED BY:

Name: Joseph E. Curci
1355 East 93rd Street LLC

Address: 2011 N. Southport Avenue
Chicago, IL 60614



Doc#: 0801534001 Fee: \$36.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 01/15/2008 08:21 AM Pg: 1 of 7

RETURN TO:

Name: Joseph E. Curci
1355 East 93rd Street LLC

Address: 2011 N. Southport Avenue
Chicago, IL 60614

THE ABOVE SPACE FOR RECORDER'S OFFICE

THIS ENVIRONMENTAL NO FURTHER REMEDIATION LETTER MUST BE SUBMITTED BY THE REMEDIAL APPLICANT WITHIN 45 DAYS OF ITS RECEIPT, TO THE RECORDER OF DEEDS OF COOK COUNTY IN WHICH THE SITE (AS DESCRIBED BELOW) IS LOCATED.

Illinois State EPA Number: 0316690015

1355 East 93rd Street LLC, a wholly owned subsidiary of A. Finch & Sons Co., the Remediation Applicant, whose address is 2011 N. Southport Avenue, Chicago, Illinois, has requested a corrected No Further Remediation letter for the remediation site (Site) depicted on the attached Site Base Map and which Site can be identified by the following:

1. Legal description:

Parcel "K"

That part of the Southeast Quarter of Section 2, Township 37 North, Range 14, East of the Third Principal Meridian, Described as follows:

Commencing at a point 33 feet Southerly of the East and West Half Section line of said Section at a point at which the Southerly line of 91st Street is intersected by the Westerly property line of the New York, Chicago and St. Louis Railroad Company; Thence Easterly along said Southerly street line a distance, of approximately 69.43 feet to a point which is 64 feet at right angles from said

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

Issue Date: January 08, 1996

Corrected Date: December 13, 2007

7007 0220 0000 0148 2984

Joseph E. Curci
1355 East 93rd Street LLC
2011 N. Southport Avenue
Chicago, IL 60614

Re: 0316690015 -- Cook County
 Chicago/Former Burnside Steel
 Site Remediation Program/Technical

Dear Mr. Curci:

The Corrective Action Certification Report (dated 08/12/96, log number 96-942) for the Former Burnside Steel property has been reviewed by the Illinois Environmental Protection Agency (Illinois EPA) and demonstrates that the remedial action was completed in accordance with the Site Management Plan (dated 02/28/96, log number 96-240). The property is located in a tract of land situated in the City of Chicago, County of Cook, and State of Illinois, and being in the southeast 1/4 and the northeast 1/4 of Section 2, Township 37 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois; and is commonly known as 1300 E. 92nd Street Chicago, Illinois. Pursuant to Section 58.10 of the Illinois Environment Protection Act ("Act") (415 ILCS 5/58.10), 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) signifies a release from further responsibilities under the Act in performing the approved remedial action and shall be considered prima facie evidence that the remediation site (Site) described in the Environmental Notice (Attachment 1) and shown in the Site Base Map (Attachment 2) 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 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 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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CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The level of remediation objectives have been established in accordance with an industrial/commercial land use limitation.
2. In accordance with Section 58.8(c) of the Act (415 ILCS 5/58.8(c)), the remediation site described in the attached SRP Environmental Notice and shown on the Site Base Map (attached) of this Letter shall not be used in a manner that is inconsistent with the following land use limitation: industrial/commercial.
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 Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Failure to manage the controls in full compliance with the terms of the Remedial Action Plan may result in voidance of this Letter.

OTHER TERMS

5. Further information regarding this 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
 P.O. 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 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

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support of this cause. Specific acts or omissions that may result under Section 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) in the voidance of this Letter include, but shall not be limited to:

- a) Any violation of institutional controls or the *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 Remedial Action Plan;
- d) The failure to comply with the recording requirements for the 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; -

Pursuant to Section 58.10(d) of the Act, the No Further Remediation Letter shall apply in favor of the following persons:

1. 1355 East 93rd Street LLC, a wholly owned subsidiary of A. Finkl & Sons Co.;
2. The owner and operator of the remediation site;
3. Any parent corporation or subsidiary of the owner of the site;
4. Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the site;
5. Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the site;
6. Any mortgage or trustee of a deed of trust of the owner of the site or any assignee, transferee, or any successor-in-interest of the owner of the site;
7. Any successor-in-interest of the owner of the site;
8. Any transferee of the owner of the site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;

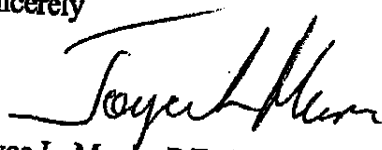
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9. Any heir or devisee of the owner of the site;
10. Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the 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
11. 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.

This Letter, including all attachments, must be filed as a single instrument with the Office of the Recorder of Deeds of Cook County within 45 days of its receipt. This Letter shall not be effective until officially recorded by the Office of the Recorder of Deeds of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Former Burnside Steel property. Within 30 days of this Letter being recorded by the Office of the Recorder of Deeds of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the SRP Environmental Notice attached to this Letter be the first page of the instrument filed.

If you have any questions regarding this correspondence, you may contact Rick Lucas at (217) 782-0462.

Sincerely



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

Attached: SRP Environmental Notice
Site Base Map

cc: Carmen Yung
V3 Companies of Illinois
7325 Janes Avenue
Woodridge, IL 60517

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Westerly property line; Thence Southerly along a line parallel to and distant 64 feet at right angles from said Westerly property line a distance of 402.73 feet to a point; Thence Southerly along a line deflecting 23°00'00" to the right and distant 75 feet at right angles from said Westerly property line a distance of approximately 626.79 feet to a point on an extension Easterly of the Southerly line of 92nd Place; Thence Westerly along said extension a distance of 75 feet to a point on said Westerly property line; Thence Northerly along said Westerly property line a distance of approximately 639.92 feet to a point at which said Westerly property line deflects 23°00'00" to the left; Thence continuing Northerly along said Westerly property line a distance of approximately 388.48 feet to the place of beginning, in Cook County, Illinois.

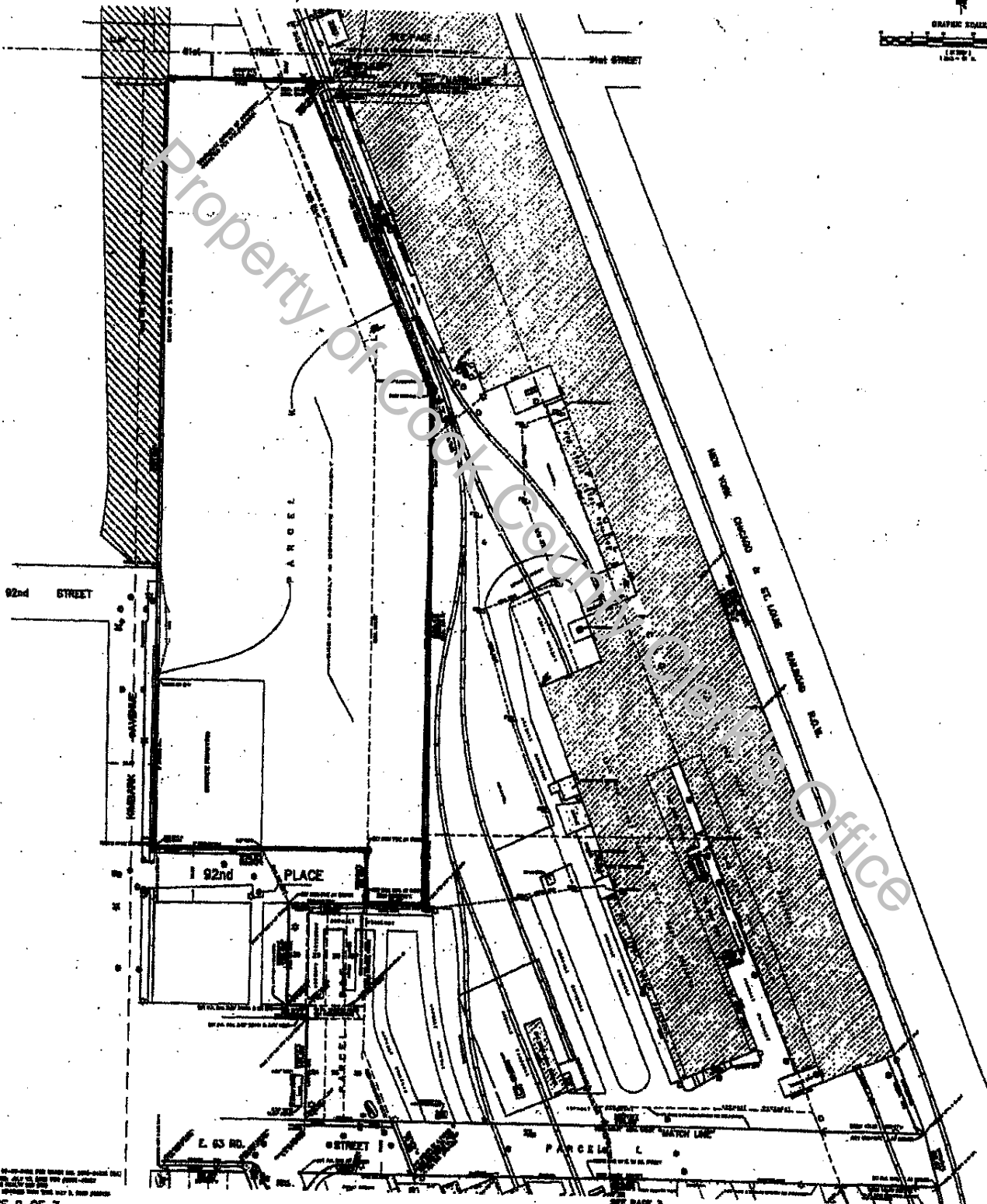
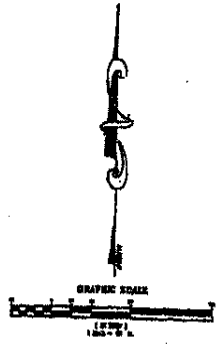
Also,

That part of Section 2, Township 37 North, Range 14, East of the Third Principal Meridian, lying North of 92nd Place, East of South Kimbark Avenue and the East line of said Avenue extended North, and West of the West line of the New York, Chicago and St. Louis Railroad Company right of way, in Cook County, Illinois.

2. Common Address: 1300 E. 92nd St., Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 25-02-401-004
4. Site Owner: 1355 East 93rd Street LLC, a wholly owned subsidiary of A. Finkl & Sons Co.
5. Land Use Limitation: Industrial/Commercial
6. Site Investigation: Comprehensive

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GREMLEY & RIEDERMANN, INC.
 PROFESSIONAL LAND SURVEYORS
 4582 N. Clark Avenue Chicago, Illinois 60630
 Telephone: (773) 889-9100 Fax: (773) 889-9102
Plat of Survey
 ALTA / ACSM Land Title Survey



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 100381
 [Stamp]

BEARING AND DISTANCE TO CORNER OF ADJACENT PARCEL
 THE SURVEYOR'S FIELD BOOK AND OTHER RECORDS OF THIS SURVEY
 ARE KEPT IN HIS OFFICE AND OPENED TO THE VIEW OF ALL
 PERSONS INTERESTED THEREIN AT ALL REASONABLE HOURS
 OF THE DAY.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 15th DAY OF
 SEPTEMBER, 2009, AT CHICAGO, ILLINOIS.
 [Signature]

SEE PAGE 3