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Doc#: 0832422050 Fee: \$54.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 11/19/2008 02:14 PM Pg: 1 of 10

PREPARED BY:

Name: John Robbins
Equilon Enterprises, LLC
DBA Shell Oil Products, US

Address: 4000 West 147th Street
Midlothian, Illinois 60445

RETURN TO:

Name: John Robbins
Equilon Enterprises, LLC
DBA Shell Oil Products, US

Address: 603 Diehl Road, Suite 103
Naperville, Illinois 60563

(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: 0311925023
LUST Incident No.: 860226B & 20001076

Equilon Enterprises, LLC, DBA Shell Oil Products, US, owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident whose address is 4000 West 147th Street, Midlothian, Illinois, 60445, 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 Attached.
2. Common Address: 4000 West 147th Street, Midlothian, Illinois 60445.
3. Real Estate Tax Index/Parcel Index Number: #28-10-229-038.
4. Site Owner: Raj Patel, Former Shell Service Station #137102.
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply.
6. See the attached No Further Remediation Letter for other terms.

CLW:SH/

AUG 13, 1999 7:08PM

SHI ENG/COM REL 630-572-5939

NO. 5136 P. 13

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EXHIBIT "A"
COOK COUNTY, ILLINOIS

Tract 124. - 4000 W 147th/Crawford, Midlothian, COOK, WIC 212-5100-0101
Tax Parcel # 28-10-229-038

Lots 19, 20, 21, 22 and 23 in Block 30 in Manus Midlothian Park a Subdivision of the northeast quarter of Section 10, Township 36 north, range 13, east of the Third Principal Meridian, according to the plat thereof recorded June 23, 1923, as Document 7992748; except that part described as follows:

Those parts of Lots 19 to 23 in Block 30 in Manus Midlothian Park Subdivision in the northeast 1/4 of Section 10, Township 36 north, Range 13 east of the Third Principal Meridian, in Cook County, Illinois bounded and described as follows:

Beginning at the southeast corner of Lot 19 aforesaid; thence west on the south lines of Lots 19 to 23 aforesaid to the southwest corner of said Lot 23; thence north on the west line thereof to its intersection with a line 15 feet north of and parallel with said south lines; thence east on said parallel line to a point 38 feet west of (as measured on said parallel line) the east line of Lot 19 aforesaid; thence northeasterly to a point on a line 17 feet west of and parallel with said east line, said point being 36 feet north of (as measured on the last described parallel line) the south line of said Lot 19; thence north on said parallel line, to the north line of said lot; thence east, on said north line to the east line of said lot; thence south on said east line to the place of beginning) in Block 30 in Manus Midlothian Park Subdivision in the northeast 1/4 of Section 10, Township 36 north, range 13 east of the Third Principal Meridian, in Cook County, Illinois;

together with all rights, privileges and appurtenances thereto belonging, all buildings and improvements thereon, and all right, title and interest of Grantor (if any) in and to the alleys, streets and roads adjacent thereto.

UNOFFICIAL COPY**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829
 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

NOV 05 2008

7007 2560 0003 2087 8788

Equilon Enterprises, LLC
 DBA Shell Oil Products, US
 Attn: John Robbins
 HSE/Environmental Services
 603 Diehl Road, Suite 103
 Naperville, IL 60563

SAP# 137102

INCIDENT# 98997145

RP# EQ

Re: LPC #0311925023 -- Cook County
 Midlothian/Former Shell Station #137102
 147th & Crawford Street (4000 West 147th Street)
 Leaking UST Incident No. 86022615 & 20001076
 Leaking UST Technical File

Dear Patel:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report and Addendum submitted for the above-referenced incident. This information is dated December 8, 2006 and January 10, 2008 and was received by the Illinois EPA on December 11, 2006 and January 14, 2008. Citations in this letter are from 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 731 indicate remediation has been successfully completed.

Based upon the certification by Jeshua Joel Hansen, a Licensed Professional Engineer, and based upon other information in the Illinois EPA's possession, 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. This Letter shall apply in favor of the following parties:

cc: URS Illinois

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Page 2

1. Equilon Enterprises, LLC, Former Shell Service Station #137102, Raj Patel, 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. 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. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.

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Page 3

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: The groundwater under the site shall not be used as a potable water supply.
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: The groundwater under the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used as a potable supply of water. No person shall construct, install, maintain, or utilize a potable water supply well. In accordance with Section 3.65 of the Act, "potable" means generally fit for human consumption in accordance with accepted water supply principles and practices.
- Engineering: A concrete/asphalt barrier that is sufficient in thickness to inhibit the inhalation and ingestion of the contaminated media must remain over the contaminated soil as outlined in the attached Site Base Map. This concrete/asphalt barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.
- 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.

Highway Authority Agreement

The Village of Midlothian agrees, through the use of a Highway Authority Agreement, to allow contaminated groundwater and/or soil to remain beneath its highway right-of-way adjacent to the site located at 4000 West 147th Street, Midlothian, Illinois. Specifically, as shown on the attached map, contamination will remain in the right-of-way for Alley, Roadway adjacent to said address, as indicated in the Highway Authority Agreement for PIN 28-10-229-038. The Highway Authority agrees to: (a) prohibit

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Page 4

the use groundwater under the highway right-of-way that is contaminated above Tier 1 groundwater remediation objectives as a potable or other domestic supply of water, and (b) limit access to soil contamination under the highway right-of-way that is contaminated above residential Tier 1 soil remediation objectives. A copy of the Highway Authority Agreement can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this Letter. Questions regarding the Highway Authority Agreement should be directed to:

Village of Midlothian
Superintendent of Public Works
Attn: Rick Hansen
14801 Pulaski Road
Midlothian, Illinois 60445
(708) 389-9658

Highway Authority Agreement

Cook County Bureau of Administration, through the use of a Highway Authority Agreement, to allow contaminated groundwater and/or soil to remain beneath its highway right-of-way adjacent to the site located at 4000 West 147th Street, Midlothian, Illinois. Specifically, as shown on the attached map, contamination will remain in the right-of-way for Crawford Avenue (CH W43), as indicated in the Highway Authority Agreement dated May 18th 2004. The Highway Authority agrees to: (a) prohibit the use groundwater under the highway right-of-way that is contaminated above Tier 1 groundwater remediation objectives as a potable or other domestic supply of water, and (b) limit access to soil contamination under the highway right-of-way that is contaminated above residential Tier 1 soil remediation objectives. A copy of the Highway Authority Agreement can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this Letter. Questions regarding the Highway Authority Agreement should be directed to:

Cook County Bureau of Administration
Department of Highways
Attn: Wally Kos
69 West Washington Street, 23rd Floor
Chicago, Illinois 60602
(312) 603-1600

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Page 5

Highway Authority Agreement

Illinois Department of Transportation agrees, through the use of a Highway Authority Agreement, to allow contaminated groundwater and/or soil to remain beneath its highway right-of-way adjacent to the site located at 4000 West 147th Street, Midlothian, Illinois. Specifically, as shown on the attached map, contamination will remain in the right-of-way for 147th Street, as indicated in the Highway Authority Agreement HAA 747. The Highway Authority agrees to: (a) prohibit the use groundwater under the highway right-of-way that is contaminated above Tier 1 groundwater remediation objectives as a potable or other domestic supply of water, and (b) limit access to soil contamination under the highway right-of-way that is contaminated above residential Tier 1 soil remediation objectives. A copy of the Highway Authority Agreement can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this Letter. Questions regarding the Highway Authority Agreement should be directed to:

Illinois Department of Transportation
Timothy Martin
201 West Center Court
Schaumburg, Illinois 60196
(847)-705-4110

5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved Corrective Action Plan may, if applicable, 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.
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:

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Page 6

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. 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(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:

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

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Page 7

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Sam Hale III, at (217) 782-6762.

Sincerely,



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

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Map
Legal Description

cc: Equilon Enterprises, LLC, DBA Shell Oil Products, US
BOL File

Property of Cook County Clerk's Office