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PREPARED BY:

Name: George Hanus
National Shopping Plaza, Inc.

Address: 200 West Madison, Suite 4200
Chicago, Illinois 60606

Doc#: 0832533179 Fee: \$54.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 11/20/2008 01:08 PM Pg: 1 of 10

RETURN TO:

Name: George Hanus
National Shopping Plaza, Inc.

Address: 200 West Madison, Suite 4200
Chicago, Illinois 60606

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: 0311235080

Chicago Title Land Trust Company under Trust Agreement dated January 3, 1996 and known as Trust No. 5687, the Remediation Applicant, whose address is c/o George Hanus-National Shopping Plaza, Inc., 200 West Madison, Suite 4200, Chicago, Illinois 60606 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 72 TO 77 INCLUSIVE, LOTS 302 TO 304 INCLUSIVE AND ALL THAT PART OF THE ALLEY VACATED PER DOCUMENT 92029566, THAT PART OF LOTS 78 TO 81 INCLUSIVE LYING SOUTH OF THE SOUTH LINE OF THE 16 FOOT ALLEY DEDICATED PER DOCUMENT 93310986 AND THAT PART OF ALLEY VACATED PER DOCUMENT 19961617 LYING NORTH OF THE NORTH LINE OF SAID LOT 78 AND LYING SOUTH OF THE SOUTH LINE OF THE 16 FOOT ALLEY DEDICATED PER DOCUMENT 93310986 ALL IN HILLSIDE GARDENS, BEING A SUBDIVISION OF THAT PART LYING SOUTH OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, AURORA AND ELGIN RAILROAD COMPANY OF THE WEST 1/2 OF THE FRACTIONAL SOUTHWEST 1/4 SOUTH OF THE INDIAN BOUNDARY LINE OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Box 400-CTCC

1003

1401-8371830 - DJ SA/LS

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PARCEL 2:

LOT 250 IN HILLSIDE GARDENS, BEING A SUBDIVISION OF THAT PART LYING SOUTH OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, AURORA AND ELGIN RAILROAD COMPANY OF THE WEST 1/2 OF FRACTIONAL SOUTHWEST 1/4 SOUTH OF THE INDIAN BOUNDARY LINE OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 1, 1924 AS DOCUMENT 8611976, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE NORTH 1/2 OF THE VACATED ALLEY LYING SOUTH AND ADJOINING LOT 250 AFORESAID, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THE 16-FOOT EAST-WEST ALLEY VACATED PER DOCUMENT 96085768 LYING SOUTH OF A LINE 8 FEET SOUTH OF THE SOUTH LINE OF LOT 250, AND ALL OF THE 16-FOOT NORTH-SOUTH ALLEY VACATED PER DOCUMENT 96085768 LYING SOUTH OF THE NORTH LINE EXTENDED EAST OF LOT 302, ALL IN HILLSIDE GARDENS, BEING A SUBDIVISION OF THAT PART LYING SOUTH OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, AURORA AND ELGIN RAILROAD COMPANY OF THE WEST 1/2 OF THE FRACTIONAL SOUTHWEST 1/4 SOUTH OF THE INDIAN BOUNDARY LINE OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 1, 1924 AS DOCUMENT 8611976, IN COOK COUNTY, ILLINOIS.

2. Common Address: 4730 Butterfield Road, Hillside, Illinois 60162

3. Real Estate Tax Index/Parcel Index Numbers:

15-08-319-023	15-08-319-024	15-08-319-025	15-08-319-045
15-08-319-046	15-08-319-047	15-08-319-048	15-08-319-051
15-08-319-052	15-08-319-053	15-08-319-054	15-08-319-056
15-08-319-061			

4. Remediation Site Owner: Chicago Title Land Trust Company under Trust Agreement dated January 3, 1996 and known as Trust No. 5687.

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

6. Site Investigation: focused

See NFR letter for other terms.

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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.

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) The Remediation Applicant has remediated the release associated with Leaking UST Incident Number 960486.
- 7) 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.
- 8) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

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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

- 9) 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.
- 10) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Chicago Title Land Trust Company under Trust Agreement dated January 3, 1996 and known as Trust No. 5687;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;

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- 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;
 - 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.
- 11) 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 Aetna Development property.
- 12) 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

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13) 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 the Aetna Development 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
Instructions for Filing the NFR Letter

cc: George Filpovich
K-Plus Environmental Engineering Group
328 S. Jefferson Street, Suite 218
Chicago, Illinois 60661

County Clerk's Office

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

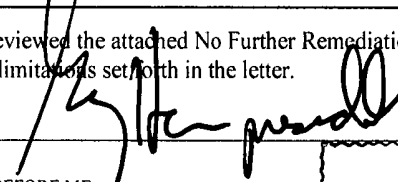
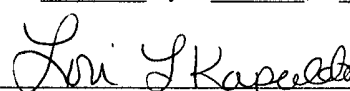
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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:

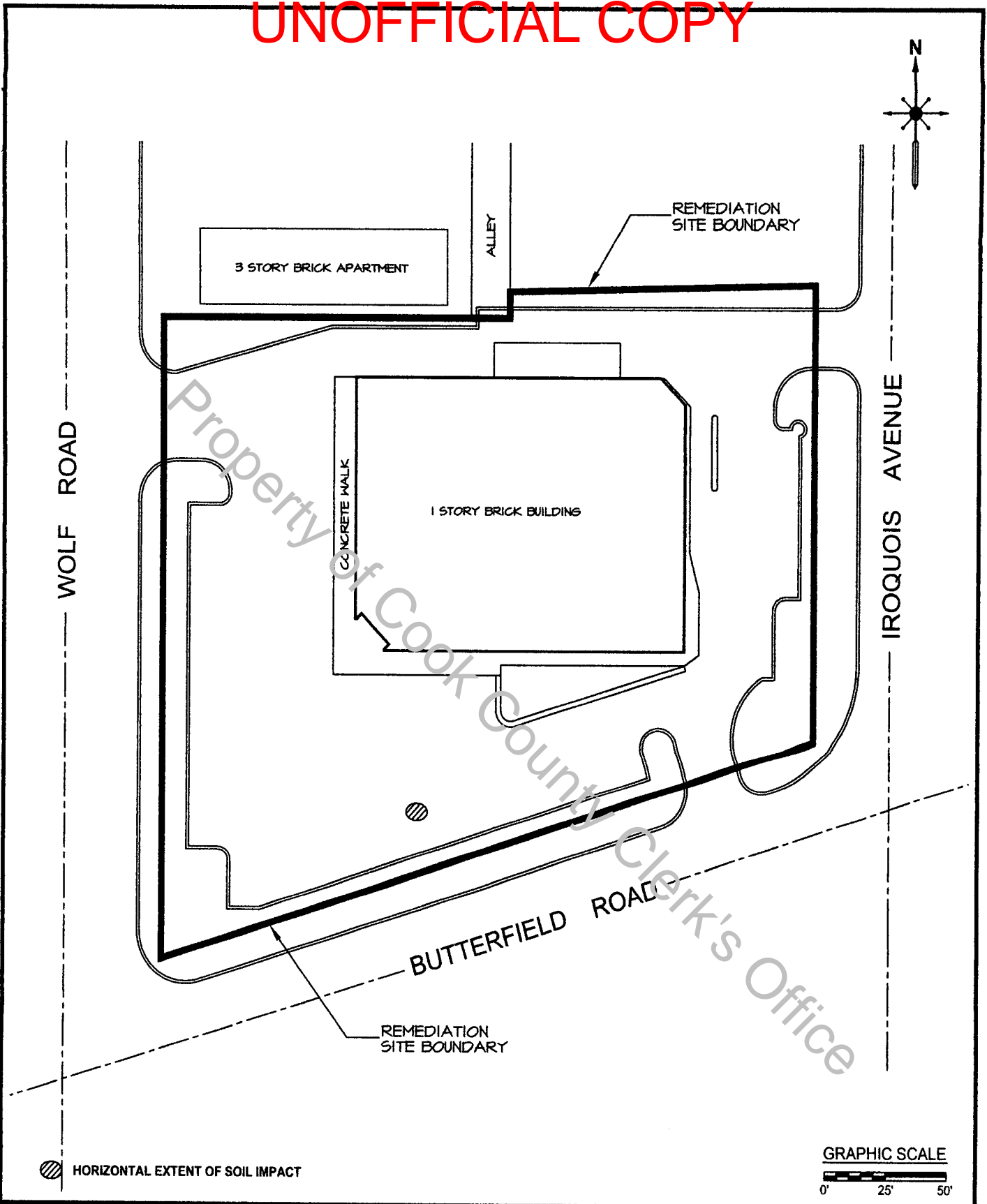
1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

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: George Hanus	
Title: President	
Company: National Shopping Plazas, Inc.	
Street Address: 200 W. Madison Street, Suite 4200	
City: Chicago State: IL Zip Code: 60606 Phone: 312-332-4172	
Site Information	
Site Name: Hillside Plaza	
Site Address: 4730 Butterfield Road	
City: Hillside State: IL Zip Code: 60162 County: Cook	
Illinois inventory identification number: 0311235080	
Real Estate Tax Index/Parcel Index No. see attached PIN #'s	
<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.</p>	
Owner's Signature: 	Date: November 18, 2008
<p>SUBSCRIBED AND SWORN TO BEFORE ME this <u>18th</u> day of <u>November</u>, 20<u>08</u></p> <p> Notary Public</p>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>OFFICIAL SEAL LORI L. KAPALDO Notary Public State of Illinois Commission Expires Mar 06, 2012</p> </div>

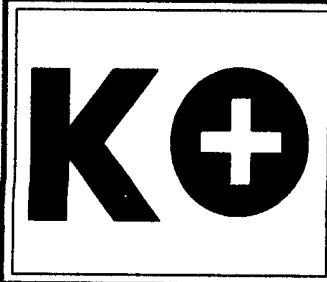
The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the 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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 HORIZONTAL EXTENT OF SOIL IMPACT

GRAPHIC SCALE

 0' 25' 50'



SITE BASE MAP

#031123508 - Cook County
 Hillside/ Aetna Development
 Site Remediation/ Technical Reports

DRAFTER	PROJECT #
GF	JL17122
ENGINEER	SCALE
GF	1"=50'
REVISIONS	DATE
	7/23/08
	FIGURE 6

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TABLE A: REGULATED SUBSTANCES OF CONCERN

0311235080 -- Cook County
Hillside/ Aetna Development
Site Remediation Program

BTEX and MTBE	
CAS No.	Compound Name
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)
1634-04-4	Methyl tert-butyl ether

RCRA Metals	
CAS No.	Compound Name
7439-92-1	Lead

Property of Cook County Clerk's Office

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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) 782-6761

November 5, 2008

CERTIFIED MAIL

7007 3020 0002 3214 2179

Chicago Title Land Trust Company under Trust Agreement dated January 3, 1996 and known as Trust No. 5687

c/o George Hanus-National Shopping Plaza, Inc.
 200 West Madison, Suite 4200
 Chicago, Illinois 60606

Re: # 0311235080 - Cook County
 Hillside/Aetna Development
 Site Remediation/Technical Reports
 No Further Remediation Letter

Dear Mr. Hanus:

The *Site Investigation and Remediation Objectives Report* (December 10, 2007/Log No. 07-36063) and *Response to Illinois EPA Letter dated March 17, 2008* (April 30, 2008/Log No. 08-37533), as prepared by K-Plus Environmental for the above referenced Remediation Site, 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 above Reports shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 1.2 acres, is located at 4730 Butterfield Road, Hillside, 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 (December 10, 2007 / Log No. 07-36063), is Chicago Title Land Trust Company under Trust Agreement dated January 3, 1996 and known as Trust No. 5687.

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.