

# UNOFFICIAL COPY

PREPARED BY:

Name: Mr. Donald Biernacki  
LR ABLA LLC

Address: 350 West Hubbard Street  
Suite 300  
Chicago, IL 60654



Doc#: 0906345016 Fee: \$56.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 03/04/2009 09:06 AM Pg: 1 of 11

RETURN TO:

Name: Mr. Donald Biernacki  
LR ABLA LLC

Address: 350 West Hubbard Street  
Suite 300  
Chicago, IL 60654

## 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: 0316605065

LR ABLA LLC, the Remediation Applicant, whose address is 350 West Hubbard Street, Suite 300, Chicago, IL 60654 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:

1230 – 1248 West Grenshaw Avenue

Legal Description: Lots 95 – 105 of Roosevelt Square Subdivision Phase Two, Plat One of Part of the East Half of the Southwest Quarter of Section 17, Township 39 North, Range 14 East of the Third Principal Meridian, City of Chicago, Cook County, and the State of Illinois.

Remediation site: Same as Legal Description

1250 – 1256 West Grenshaw Avenue

Legal Description: Lot 94 of Roosevelt Square Subdivision Phase Two, Plat One of Part of the East Half of the Southwest Quarter of Section 17, Township 39 North, Range 14 East of the Third Principal Meridian, City of Chicago, Cook County, and the State of Illinois.

Remediation site: Same as Legal Description

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1116 – 1118 South Lytle Street

Legal Description: Lot 92 of Roosevelt Square Subdivision Phase Two, Plat One of Part of the East Half of the Southwest Quarter of Section 17, Township 39 North, Range 14 East of the Third Principal Meridian, City of Chicago, Cook County, and the State of Illinois.

Remediation Site: Commencing at the Northeast corner of said Lot 92, thence South 00°09'09" East along the West right-of-way line of South Lytle Street, a distance of 41.87 feet; thence South 89°56'41" West, a distance of 110.17 feet; thence North 00°03'19" West, a distance of 40.58 feet; thence North 89°56'41" East, a distance of 27.00 feet; thence North 00°03'19" West, a distance of 1.29 feet; thence North 89°56'41" East, a distance of 83.10 feet to the point of beginning.

2. Common Address: 1350 West Roosevelt Road, Chicago, IL
3. Real Estate Tax Index/Parcel Index Number:
  - 1230 – 1248 West Grenshaw Avenue: 17-17-333-004, 17-17-333-005  
and 17-17-333-006
  - 1250 – 1256 West Grenshaw Avenue: 17-17-333-004 and 17-17-333-005
  - 1116 – 1118 South Lytle Street: 17-17-333-003
4. Remediation Site Owner: 1230 – 1248 West Grenshaw Avenue: Chicago Housing Authority  
1250 – 1256 West Grenshaw Avenue: Chicago Housing Authority  
1116 – 1118 South Lytle Street: Chicago Housing Authority
5. Land Use: Residential
6. Site Investigation: Comprehensive

# SITE BASE MAP

**UNOFFICIAL COPY**  
LPC# 03-6605065 - COOK COUNTY  
CHICAGO / ABLA PHASE II REDEVELOPMENT  
SITE REMEDIATION / TECHNICAL REPORTS



WEST  
FILLMORE  
STREET

SOUTH THROUGH STREET

SOUTH LYTLE STREET

**REMEDATION SITE**  
NFR ZONE 14-OWN  
1230-1248 WEST GRENSHAW STREET

PUBLIC ALLEY

PUBLIC ALLEY

PUBLIC ALLEY

VACANT LOT

WEST GRENSHAW STREET

PUBLIC ALLEY



Legend:  
REMEDATION SITE BOUNDARY

Scale: 1"=60'  
0' 60'  
Drawn by: Jackson Toomey  
Job No.: 05-0496-105

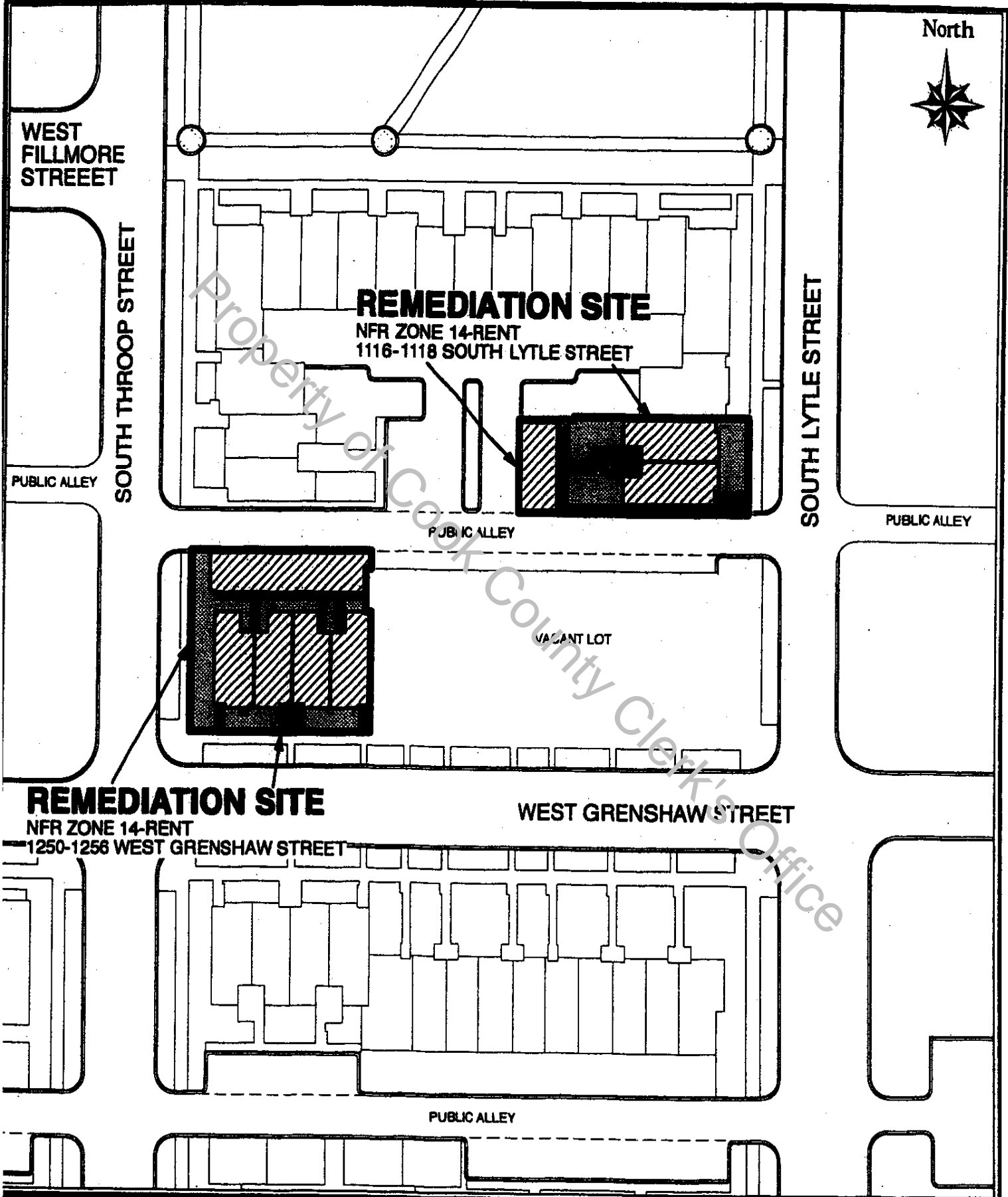
Date: May 2008  
Checked by: Dakota Prentice

Site Base Map  
1230-1248 W. Grenshaw St.  
Chicago, IL

# SITE BASE MAP

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LPD# 0316605065 COOK COUNTY  
CHICAGO / ABLA PHASE II REDEVELOPMENT  
SITE REMEDIATION / TECHNICAL REPORTS



**Legend:**

	Green space
	Building/Parting Concrete Slab
	Concrete Paving
	REMEDIATION SITE BOUNDARY

<b>Scale:</b>	1"=60'
<b>Drawn by:</b>	Jackson Toomey
<b>Job No.:</b>	05-0486-105

<b>Date:</b>	May 2008
<b>Checked by:</b>	Dakota Prentice

**Site Base Map**  
1250-1256 W. Grenshaw St. &  
1116-1118 S. Lytle St.  
Chicago, IL

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## Notice to Remediation Applicant

### Please follow these instructions when filing the NFR letter with the County Recorder's Office

#### Instructions for Filing the NFR Letter

The following documents must be filed:

- A. Body of the NFR Letter (contains appropriate terms and conditions, tables, etc.)
- B. Attachments to NFR letter
  - Illinois EPA Site Remediation Program Environmental Notice (Legal Description and PIN of property)
  - Maps of the site
  - Table A: Regulated Substances of Concern (if applicable.)
  - Property Owner Certification
- C. A copy of the ordinance, if applicable, used to address groundwater contamination

1. Place the Illinois EPA Site Remediation Program Environmental Notice on top of the NFR prior to giving it to the Recorder.
2. If you are not the owner (record title holder) of the property on the date of filing of this NFR, you must attach a **completed** owner's certification form signed by the owner of the property at the time of filing (e.g., if the property recently sold, the new owner must sign).
3. If any of the terms and conditions of the NFR letter references a groundwater ordinance, you must record a copy of the groundwater ordinance with the NFR letter.
4. If any of the terms and conditions of the NFR letter references a highway agreement, you must record the highway agreement if specifically required by the municipality granting the agreement.
5. Within thirty (30) days of this NFR Letter being recorded by the Office of the Recorder of the County in which the property is located, 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

6. **Remove this page from the NFR letter, prior to recording.**

If you have any questions call (217) 782-6761 and speak with the "project manager on-call" in the Site Remediation Program.

**UNOFFICIAL COPY****PROPERTY OWNER CERTIFICATION OF THE NFR LETTER  
UNDER THE SITE REMEDIATION PROGRAM**

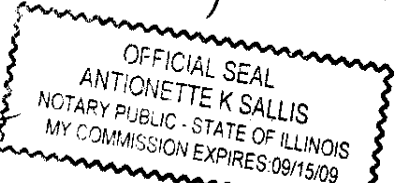
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized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

<b>Property Owner Information</b>	
Owner's Name:	<u>WILLIAM F. LITTLE</u>
Title:	<u>EXECUTIVE VICE PRESIDENT</u>
Company:	<u>CHICAGO HOUSING AUTHORITY</u>
Street Address:	<u>60 E. VAN BUREN</u>
City:	<u>CHICAGO</u>
State:	<u>IL</u>
Zip Code:	<u>60605</u>
Phone:	<u>312-913-7604</u>
<b>Site Information</b>	
Site Name:	<u>ABLA PHASE II REDEVELOPMENT</u>
Site Address:	<u>116-118 S. LYTHLE, 1250-1256 WEST GREENSHAW, 1230-1248 WEST GREENSHAW</u>
City:	<u>CHICAGO</u>
State:	<u>IL</u>
Zip Code:	<u>60607</u>
County:	<u>COOK</u>
Illinois inventory identification number:	<u>031605065</u>
Real Estate Tax Index/Parcel Index No.:	<u>17-17-333-003, 17-17-333-004, 17-17-333-005, 17-17-333-002, 17-17-333-006</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>1/12/09</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>12<sup>th</sup></u> day of <u>Jan</u> , 20 <u>09</u>	
<u>[Signature]</u> Notary Public	
	

The Illinois EPA is authorized to require this information under Sections 413 ILCS 5/11 - 5/12 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 Permit Management Council. 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

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

Corrected February 19, 2009  
 September 5, 2008

CERTIFIED MAIL

7007 2560 0003 2088 9661

Mr. Donald Biernacki  
 LR ABLA LLC  
 350 West Hubbard Street, Suite 300  
 Chicago, IL 60654

Re: 0316605065 / Cook County  
 Chicago / ABLA Phase II Redevelopment – Parcel A, Zone 14  
 Site Remediation Program/Technical Reports

Dear Mr. Biernacki:

The *Remedial Action Completion Report - Zone 14* (received June 19, 2008 / Log Number Log No 08-38075), 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"). The Report demonstrates that the remedial action was completed in accordance with the *Remedial Action Plan* (received August 31, 2006 / Log No 06-30865) and 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 0.6 acres, is located at 1350 West Roosevelt Road, 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 March 10, 2006 is LR ABLA LLC.

This comprehensive 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 and does not require further remediation under the Act if utilized in accordance with the terms and conditions 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 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.

### Other Terms

- 3) 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.
- 4) 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
- 5) 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.
- 6) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) LR ABLA LLC;
  - 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;

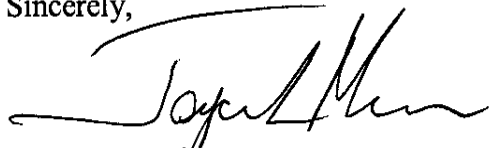
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- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through 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.
- 7) 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.
- 8) 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
- 9) 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 this correspondence, you may contact the Illinois EPA project manager, Mr. James Baldwin at (217) 524-7207.

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

cc:

Chicago Housing Authority  
Mr. John Gerut  
60 East Van Buren Street 13th Floor  
Chicago, IL 60605  
Commissioner

Chicago Department of Environment  
25<sup>th</sup> Floor  
30 North LaSalle Street  
Chicago, Illinois 60602-2575

Dakota Prentice  
Pioneer Engineering & Environmental Services, Inc.  
700 North Sacramento Boulevard, Suite 101  
Chicago, IL60612

Diane Martin  
Chicago Housing Authority  
60 East Van Buren  
Chicago, IL 60605