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PREPARED BY:



Name: Mr. Devin Sprinkle
Illinois Central Railroad Company, Inc.

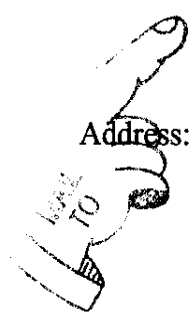
Doc#: 0921722030 Fee: \$56.25
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 08/05/2009 10:19 AM Pg: 1 of 10

Address: 17641 South Ashland Avenue
Homewood, Illinois 60430

RETURN TO:

Name: Mr. Devin Sprinkle
Illinois Central Railroad Company, Inc.

Address: 17641 South Ashland Avenue
Homewood, Illinois 60430



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: 0316565187

Illinois Central Railroad Company, Inc., the Remediation Applicant, whose address is 17641 South Ashland Avenue, Homewood, IL 60430 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: The 0.76 acre remediation site is described as part of the Northwest Quarter of Section 8, Township 38 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois and more particularly described as follows: Commencing at the centerline intersection of West 51st Street and South Narragansett Avenue, also being the Southwest corner of the Northwest Quarter of Section 8; thence North 01 degree, 38 minutes, and 34 seconds West along the extended centerline of said Narragansett Avenue, being the West line of said Northwest Quarter of Section 8, for a distance of 1,653.26 feet; thence North 66 degrees, 46 minutes and 34 seconds East, parallel with, and 73 feet southeasterly of the southerly right-of-way fence of Federal Aid Interstate 55 (FAI 55), for a distance of 149.39 feet to the point of beginning being the northwesterly corner of the remediation site (RS), from said point of beginning; thence North 66 degrees, 46 minutes and 34 seconds East, parallel with and 73.00 feet southeasterly of the southerly right-of-way fence of FAI 55 for a distance of 720.68 feet; thence South 23 degrees, 15 minutes and 12 seconds East along the East line of the RS for a distance of 89.58 feet; thence South 74 degrees, 24 minutes and 17 seconds West along the southerly line of said RS for a distance of 486.93 feet; thence, continuing along said South line of the RS, South 69 degrees, 20 minutes and 36 seconds West for a distance of 58.36 feet; thence South 66 degrees, 52 minutes and 43 seconds West for a distance of 179.68 feet; thence North 23 degrees, 32 minutes and 40 seconds West for a distance of 22 feet back to the point of beginning, the northwesterly corner of the RS, containing 32,992.18 square feet.

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All being within a parcel known as ICRR Glenn Yard, designated as PIN 19-08-100-067-0000 and referenced in Cook County Recorder of Deeds Documents: #96503997, #0701839067, and #0818522101 in Cook County, Illinois.

2. Common Address: 4700 South Merrimac Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 19-08-100-067-0000 as referenced in Cook County Recorder of Deeds Documents: #96503997, #0701839067, and #0818522101.
4. Remediation Site Owner: Illinois Central Railroad Company, Inc.
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused

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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

(217) 782-6761

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

May 26, 2009
 Re-issued July 23, 2009

CERTIFIED MAIL

Mr. Devin Sprinkle
 Illinois Central Railroad Company, Inc.
 17641 South Ashland Avenue
 Homewood, Illinois 60430

Re: 0316565187 /Cook
 Chicago /Canadian National Railway Company (Illinois Central Railroad Company)
 Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Sprinkle:

The *Remediation Objectives Report* (March 6, 2005/Log Number 09-40658), as prepared by TRC Environmental Corporation 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* (December 16, 2005/Log Number 05-27643) and 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 0.76 acres, is located at 4700 South Merrimac 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 August 15, 2005 is Illinois Central Railroad Company, 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.

UNOFFICIAL COPY**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 restricted to Industrial/Commercial 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) The Remediation Applicant has remediated the release associated with IEMA Incident Number 20050584.
- 5) 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.
- 6) 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

- 7) 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;

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- 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.
- 8) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Illinois Central Railroad Company, 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;

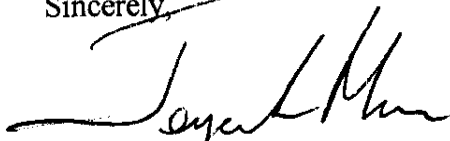
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- j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through 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.
- 9) 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.
- 10) 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
- 11) 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. Jim Mergen at (217) 524-1659.

Sincerely,



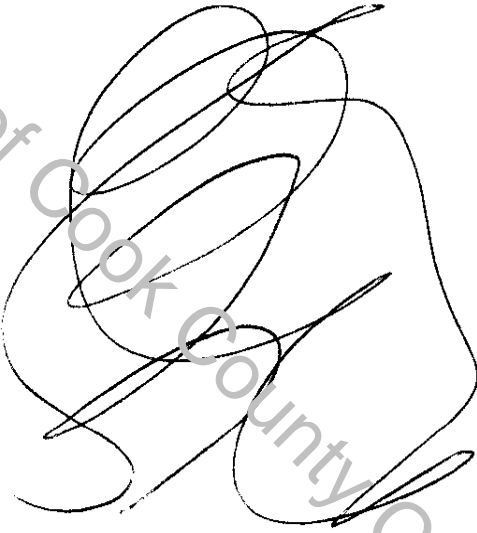
Joyce L. Mynie, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

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: Mr. Michael Lawrence, PE, Project Manager, TRC Environmental Corporation, 230 West Monroe Street, Suite 2300, Chicago, Illinois 60606

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A large, handwritten signature in black ink is written over the diagonal watermark. The signature is highly stylized and appears to be a cursive name, possibly "Michael Lawrence".

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SITE REMEDIATION PROGRAM

TABLE A: REGULATED SUBSTANCES OF CONCERN

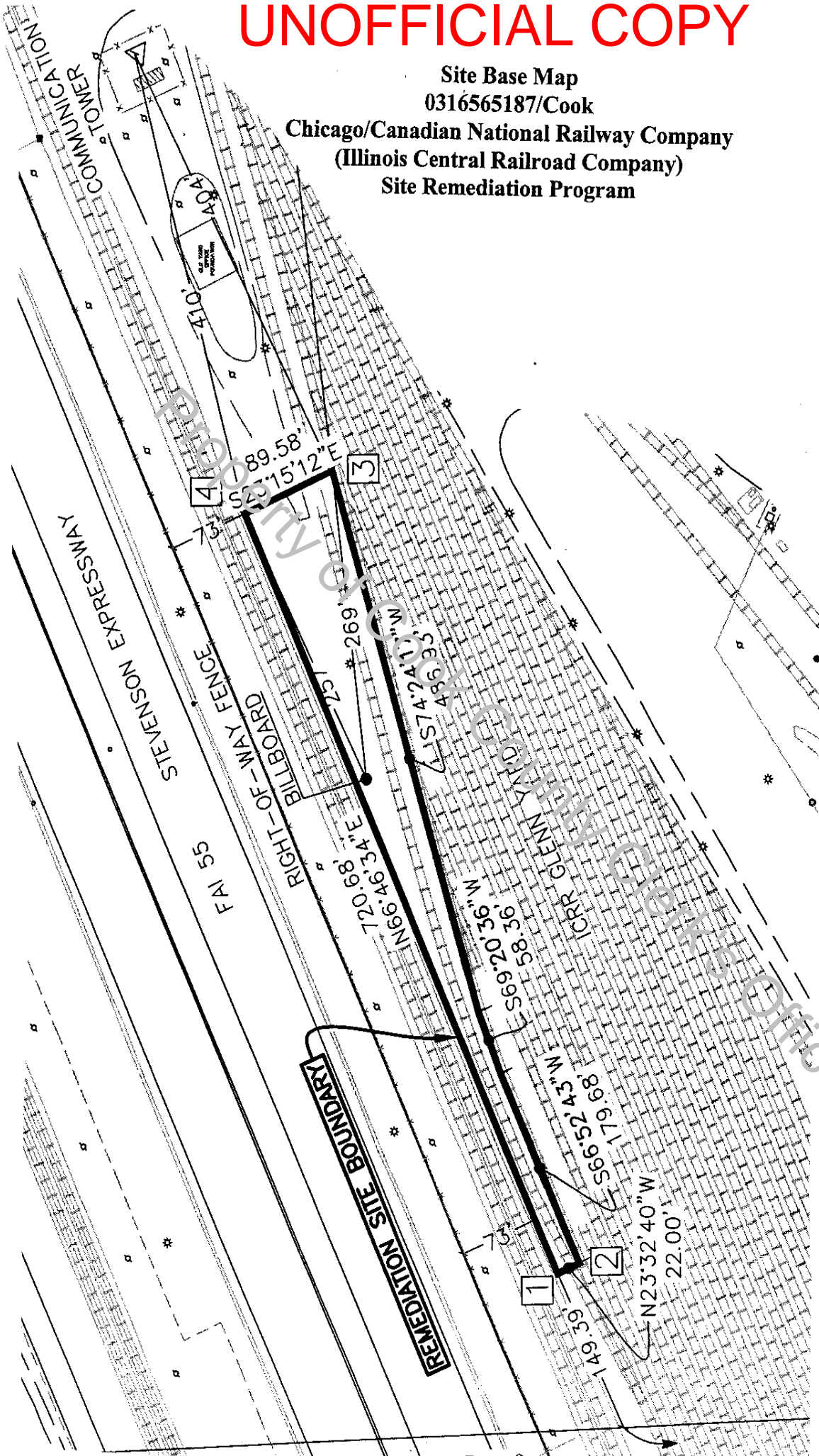
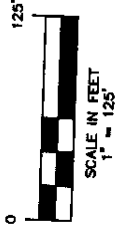
0316565187/Canadian National Railway Company(Illinois Central Railroad Company)

Volatile Organic Compounds Contaminants

CAS No.	Compound Name
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
95-47-6	o-Xylene
106-42-3	m&p-Xylene
64-17-5	Ethanol

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Site Base Map
 0316565187/Cook
 Chicago/Canadian National Railway Company
 (Illinois Central Railroad Company)
 Site Remediation Program



- LEGEND:
- ▭ REMEDIATION SITE BOUNDARY
 - △ COMMUNICATIONS TOWER
 - 48" DIA. STEEL BILLBOARD SIGN POST
 - RAILROAD TRACK

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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: _____	
Title: _____	
Company: _____	
Street Address: _____	
City: _____	State: _____ Zip Code: _____ Phone: _____
Site Information	
Site Name: _____	
Site Address: _____	
City: _____	State: _____ Zip Code: _____ County: _____
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. _____	
<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> <p>Owner's Signature: _____ Date: _____</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__</p> <p>_____ Notary Public</p>	

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.