

# UNOFFICIAL COPY



Doc#: 0927234050 Fee: \$74.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 09/29/2009 11:33 AM Pg: 1 of 20

**PREPARED BY:**

Name: Mitchell Simborg  
American National Bank Trust #10-2775-07

Address: 6532-6534 South Menard Street  
Bedford Park, Illinois 60638

**RETURN TO:**

Name: Mitchell Simborg  
American National Bank Trust #10-2775-07

Address: 1149 West 175<sup>th</sup> Street  
Homewood, Illinois 60430

**(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: #0310125205

Leaking UST Incident No.: #20071329

American National Bank Trust #10-2775-07, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1149 West 175<sup>th</sup> Street, Homewood, Illinois, 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 Legal Description
2. Common Address: 6532-6534 South Menard Street, Bedford Park, Illinois
3. Real Estate Tax Index/Parcel Index Number: 19-20-216-045-0000
4. Site Owner: American National Bank Trust #10-2775-07
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

**UNOFFICIAL COPY****TICOR TITLE INSURANCE COMPANY  
COMMITMENT FOR TITLE INSURANCE**

ORDER NO.: 2000 990037323 N

SCHEDULE A (CONTINUED)

**5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:****PARCEL 1:**

LOT 2 (EXCEPT THAT PART LYING NORTHWEST OF A CURVED LINE CONVEXED NORTHWESTERLY WITH RADIUS OF 191.5 FEET BEING TANGENT TO THE NORTH SIDE OF SAID LOT 2, 191.5 FEET EAST OF THE NORTHWEST CORNER AND RUNNING THENCE SOUTHWESTERLY TO THE WEST SIDE) ALSO THAT PART OF LOT 3 LYING NORTHWEST OF A CURVED LINE CONVEXED NORTHWESTERLY WITH RADIUS OF 191.5 FEET BEING TANGENT TO THE NORTH SIDE OF SAID LOT 3, 191.5 FEET EAST OF THE NORTHWEST CORNER AND RUNNING THENCE SOUTHWESTERLY TO THE WEST SIDE; ALL IN SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, BEING A SUBDIVISION OF THE WEST 678 FEET OF THE EAST 1955 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

**PARCEL 2:**

THE NORTH 16 FEET OF LOT 3 (EXCEPT THAT PART LYING WEST OF A CURVED LINE CONVEXED NORTHWESTERLY WITH A RADIUS OF 191.5 FEET BEING TANGENT TO THE NORTH LINE OF SAID LOT 3, 191.5 FEET EAST OF THE NORTHWEST CORNER THEREOF AND RUNNING THENCE SOUTHWESTERLY TO THE SOUTH LINE OF SAID NORTH 16 FEET); ALL IN THE SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, BEING A SUBDIVISION OF THE WEST 678 FEET OF THE EAST 1955 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

**PARCEL 3:**

THAT PART OF LOTS 1 AND 2 IN SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, A PLAT OF SUBDIVISION OF THE WEST 678 FEET OF THE EAST 1955 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS::

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTH 43 FEET OF LOT 1 AFORESAID, WHICH IS 220.05 FEET EAST OF THE WEST LINE THEREOF; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID LOT 1 TO THE EAST LINE THEREOF; THENCE SOUTH ALONG SAID LINE 43 FEET TO THE EAST CORNER BETWEEN LOTS 1 AND 2 AFORESAID; THENCE WEST ALONG THE LINE BETWEEN SAID LOTS TO THE POINT OF TANGENCY OF A CURVE WHICH IS 191.60 FEET EAST OF THE WEST CORNER BETWEEN SAID LOTS 1 AND 2; THENCE SOUTHWESTERLY ALONG A CURVED LINE, CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 191.60 FEET TO AN INTERSECTION WITH THE WEST LINE OF LOT 2 AFORESAID; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 18.50 FEET; THENCE NORTHEASTERLY ON A CURVED LINE, CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 220.22 FEET, A DISTANCE OF 330.80 FEET TO THE POINT OF BEGINNING WHICH IS ALSO THE POINT OF TANGENCY OF THE LAST DESCRIBED CURVED WITH THE NORTH LINE OF THE SOUTH 43 FEET OF LOT 1 IN SECOND INDUSTRIAL SUBDIVISION AFORESAID;

**PARCEL 4:**

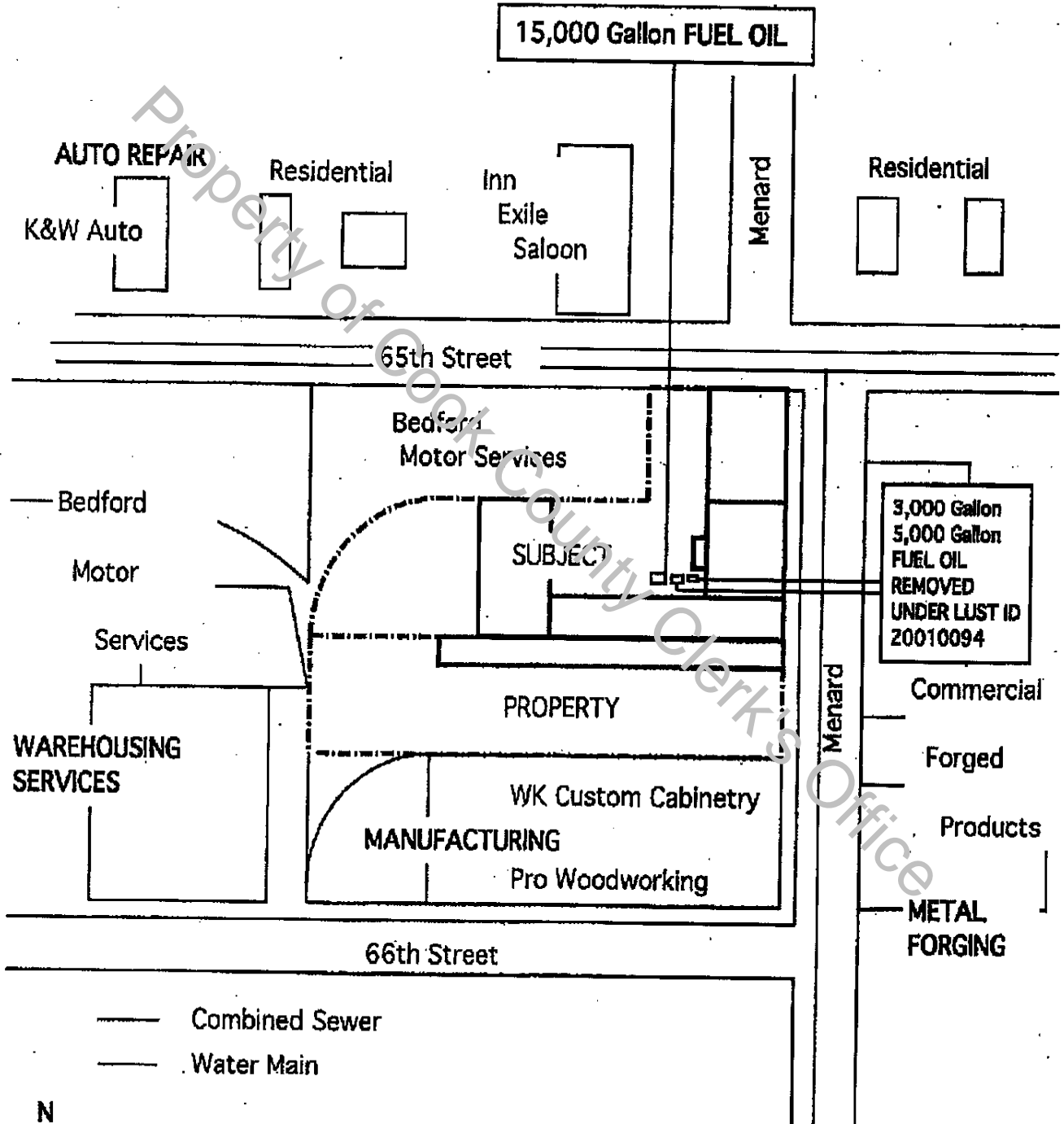
THAT PART OF LOT 1 LYING NORTH OF THE SOUTH 43 FEET AND EAST OF THE WEST 496.33 FEET IN THE SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, ACCORDING TO A

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6534 SOUTH MENARD  
 BEDFORD PARK, ILLINOIS

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SITE MAP



*Noble & Associates Inc.*

12/03/07

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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

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

7007 0220 0000 0149 5335

FEB 21 2008



American National Bank Trust #10-2775-07  
Attention: Mitchell Simborg  
1149 West 77<sup>th</sup> Street  
Homewood, Illinois 60430

Doc#: 0816308129 Fee: \$62.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/11/2008 11:50 AM Pg: 1 of 9

Re: LPC# 0310125205 -- Cook County  
Bedford Park / American National Bank Trust #10-2775-07  
6532-6534 South Merand Street  
Leaking UST Incident No. #20010094  
Leaking UST Technical File

Trace

Dear Mr. Simborg:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report (report) submitted for the above-referenced incident. This report is dated January 21, 2008 and was received by the Illinois EPA on January 28, 2008. Citations in this letter are from the Environmental Protection Act (Act) in effect prior to June 24, 2002, and 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 732.300(b) and 732.409(b) indicate the remediation objectives set forth in 35 Ill. Adm. Code 732.408 have been met.

Based upon the certification by George Noble, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), 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), 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. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

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 • COLLINGSVILLE - 2009 Mall Street, Collingsville, IL 62234 - (618) 346-5120  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

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Page 2

1. American National Bank Trust #10-2775-07, 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.
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

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Page 3

attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: There are no land use limitations.

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: None.  
 Engineering: None.  
 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.
5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved Corrective Action Plan, if applicable, may result in voidance 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:

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

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8. Pursuant to 35 Ill. Adm. Code 732.704, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide Notice of Voidance to the owner or operator of the leaking underground storage tank system(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:

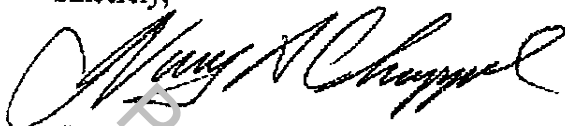
Illinois Environmental Protection Agency  
Bureau of Land - #24  
Leaking Underground Storage Tank Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276

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If you have any questions or need further assistance, please contact the Illinois EPA project manager, Eric Kuhlman, at 217-785-5715.

Sincerely,



Harry A. Chappel, P.E.  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

HAC:EK:HV

Attachments: Leaking Underground Storage Tank Environmental Notice  
Legal Description  
Site Base Map(s)

c: Noble & Associates, Inc.  
BOL File

Property of Cook County Clerk's Office



**UNOFFICIAL COPY****PREPARED BY:**

Name: Mitchell Simborg  
American National Bank Trust #10-2775-07

Address: 6532-6534 South Menard Street  
Bedford Park, Illinois 60499

**RETURN TO:**

Name: Mitchell Simborg  
American National Bank Trust #10-2775-07

Address: 1149 West 175<sup>th</sup> Street  
Homewood, Illinois 60430

**(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: #0310125205

LUST Incident No.: #20010094

American National Bank Trust #10-2775-07, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1149 West 175<sup>th</sup> Street, Homewood, Illinois, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map(s):

1. Legal Description or Reference to a Plat Showing the Boundaries: see Legal Description
2. Common Address: 6532-6534 South Menard Street, Bedford Park, Illinois
3. Real Estate Tax Index/Parcel Index Number: 19-20-216-045-0000
4. Site Owner: American National Bank Trust #10-2775-07
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

**LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE**

**UNOFFICIAL COPY**

TICOR TITLE INSURANCE COMPANY  
 COMMITMENT FOR TITLE INSURANCE

ORDER NO.: 2000 990037323 N

SCHEDULE A (CONTINUED)

## 5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

## PARCEL 1:

LOT 2 (EXCEPT THAT PART LYING NORTHWEST OF A CURVED LINE CONVEXED NORTHWESTERLY WITH RADIUS OF 191.5 FEET BEING TANGENT TO THE NORTH SIDE OF SAID LOT 2, 191.5 FEET EAST OF THE NORTHWEST CORNER AND RUNNING THENCE SOUTHWESTERLY TO THE WEST SIDE) ALSO THAT PART OF LOT 3 LYING NORTHWEST OF A CURVED LINE CONVEXED NORTHWESTERLY WITH RADIUS OF 191.5 FEET BEING TANGENT TO THE NORTH SIDE OF SAID LOT 3, 191.5 FEET EAST OF THE NORTHWEST CORNER AND RUNNING THENCE SOUTHWESTERLY TO THE WEST SIDE; ALL IN SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, BEING A SUBDIVISION OF THE WEST 678 FEET OF THE EAST 1966 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

## PARCEL 2:

THE NORTH 16 FEET OF LOT 3 (EXCEPT THAT PART LYING WEST OF A CURVED LINE CONVEXED NORTHWESTERLY WITH A RADIUS OF 191.5 FEET BEING TANGENT TO THE NORTH LINE OF SAID LOT 3, 191.5 FEET EAST OF THE NORTHWEST CORNER THEREOF AND RUNNING THENCE SOUTHWESTERLY TO THE SOUTH LINE OF SAID NORTH 16 FEET); ALL IN THE SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, BEING A SUBDIVISION OF THE WEST 678 FEET OF THE EAST 1966 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

## PARCEL 3:

THAT PART OF LOTS 1 AND 2 IN SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, A PLAT OF SUBDIVISION OF THE WEST 678 FEET OF THE EAST 1966 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:;

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTH 43 FEET OF LOT 1 AFORESAID, WHICH IS 220.05 FEET EAST OF THE WEST LINE THEREOF; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID LOT 1 TO THE EAST LINE THEREOF; THENCE SOUTH ALONG SAID LINE 43 FEET TO THE EAST CORNER BETWEEN LOTS 1 AND 2 AFORESAID; THENCE WEST ALONG THE LINE BETWEEN SAID LOTS TO THE POINT OF TANGENCY OF A CURVE WHICH IS 191.60 FEET EAST OF THE WEST CORNER BETWEEN SAID LOTS 1 AND 2; THENCE SOUTHWESTERLY ALONG A CURVED LINE, CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 191.60 FEET TO AN INTERSECTION WITH THE WEST LINE OF LOT 2 AFORESAID; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 18.50 FEET; THENCE NORTHEASTERLY ON A CURVED LINE, CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 220.22 FEET, A DISTANCE OF 330.80 FEET TO THE POINT OF BEGINNING WHICH IS ALSO THE POINT OF TANGENCY OF THE LAST DESCRIBED CURVED WITH THE NORTH LINE OF THE SOUTH 43 FEET OF LOT 1 IN SECOND INDUSTRIAL SUBDIVISION AFORESAID;

## PARCEL 4:

THAT PART OF LOT 1 LYING NORTH OF THE SOUTH 43 FEET AND EAST OF THE WEST 496.33 FEET IN THE SECOND INDUSTRIAL SUBDIVISION, CLEARING, ILLINOIS, ACCORDING TO A

# UNOFFICIAL COPY

## TICOR TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE

ORDER NO.: 2000 990037323 N

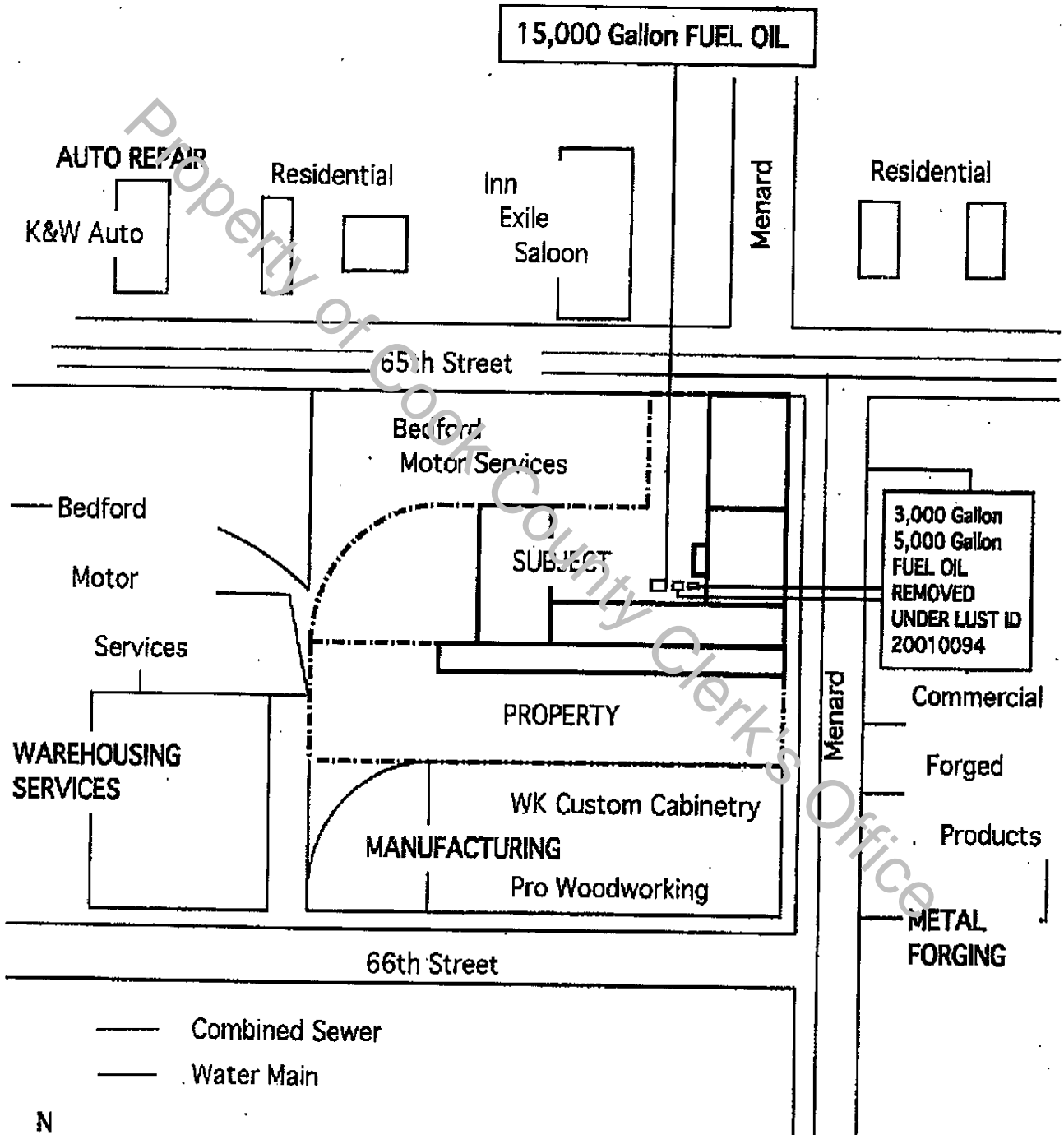
SCHEDULE A (CONTINUED)

PLAT OF THE SUBDIVISION OF THE WEST 578 FEET OF THE EAST 1955 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED NOVEMBER 14, 1912 AS DOCUMENT 5081284, IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office

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6534 SOUTH MENARD  
 BEDFORD PARK, ILLINOIS  
 SITE MAP



N  
 Scale 1" = 200'

*Noble & Associates Inc.*

12/03/07

**UNOFFICIAL COPY****ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-0276 - (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

217/782-6762

**CERTIFIED MAIL**

7007 0220 0000 0149 5298

FEB 21 2008



American National Bank Trust #10-2775-07  
 Attention: Mitchell Simborg  
 1149 West 173<sup>rd</sup> Street  
 Homewood, Illinois 60430

Doc#: 0816308130 Fee: \$38.00  
 Eugene "Gene" Moore RHSP Fee: \$10.00  
 Cook County Recorder of Deeds  
 Date: 02/11/2008 11:50 AM Pg: 1 of 2

Re: LPC# 0310125705 -- Cook County  
 Bedford Park / American National Bank Trust #10-2775-07  
 6532-6534 South Meard Street  
 Leaking UST Incident No. #20071329  
 Leaking UST Technical File

Dear Mr. Simborg:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the 45-Day Report for the above-referenced incident. The report, dated January 8, 2008, was received by the Illinois EPA on January 9, 2008. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2007, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The 45-Day Report is approved pursuant to 35 Ill. Adm. Code 734.505(b) and 734.510(a); therefore, the 45-day reporting requirements of Section 57.6 of the Act and 35 Ill. Adm. Code 734.210(d) have been satisfied.

The Illinois EPA requires that the owner or operator submit a site investigation plan and budget for the subsequent stage of investigation (including the results of the Stage 1 site investigation and a summary of actual costs) or a site investigation completion report (if the extent of contamination is defined) within 90 days of the date of this letter pursuant to Sections 57.7(a) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 734.305. Please note that the Illinois EPA does not require the submission of a budget if the owner or operator does not intend to seek payment from the Underground Storage Tank Fund.

This action does not constitute any decision or determination regarding the timeliness of the submittal of the 45-Day Report. This decision does not waive or otherwise preclude any enforcement action the Illinois EPA may initiate in response to any apparent violation of timely submittal requirements.

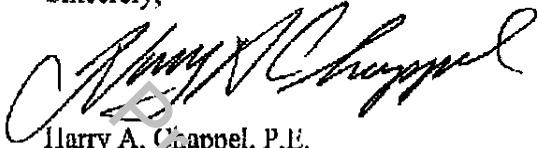
ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (817) 291-4000  
 ELGIN - 595 South State, Elgin, IL 60123 - (815) 600-3131 • PEORIA - 3415 N. University St., Peoria, IL 61614 - (309) 693-5463  
 BUREAU OF LANDS - PEORIA - 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 Main Street, Collinsville, IL 62234 - (618) 346-5120  
 MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

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Page 2

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Eric Kuhlman, at 217-785-5715.

Sincerely,



Harry A. Chappel, P.E.  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

HAC:EK:HV

c: Noble & Associates, Inc.  
BOI File

Property of Cook County Clerk's Office

# 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

### RECORDING REQUIREMENTS FOR NO FURTHER REMEDIATION LETTERS

#### Introduction

The Illinois Environmental Protection Agency's (Illinois EPA) Bureau of Land/Leaking Underground Storage Tank Section issues a No Further Remediation (NFR) Letter after a demonstration of compliance with Title XVI of the Environmental Protection Act and applicable regulations is made. The NFR Letter 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 so long as the site is used in accordance with the terms and conditions of the NFR Letter.

#### Significance

When properly recorded, the NFR Letter holds legal significance for all applicable parties outlined at Section 57.10(d) of the Environmental Protection Act. (See 415 ILCS 5/57.10(d).) If not properly recorded, the Illinois EPA will take steps to void the NFR Letter in accordance with the regulations.

#### Duty to Record

The duty to record the NFR Letter is *mandatory*. You *must* submit the NFR Letter, with a copy of any applicable institutional controls proposed as part of a corrective action completion report, to the Office of the Recorder or the Registrar of Titles of the county in which the site is located *within 45 days after receipt of the NFR Letter*. You must record the NFR Letter and any attachments. The NFR Letter shall be filed in accordance with Illinois law so that it forms a permanent part of the chain of title to ensure current and future users of the property will be informed of the conditions and terms of approval including level of remediation; land use limitations; and preventive, engineering, and institutional controls. A certified or otherwise accurate and official copy of the NFR Letter and any attachments, as recorded, must be submitted to the Illinois EPA. Failure to record the NFR Letter in accordance with the regulations will make the NFR Letter voidable.

#### For More Information

Please refer to Tiered Approach to Corrective Action Objectives (TACO) Fact Sheet 3 available from the Illinois EPA by calling 1-888-299-9533 or by accessing it on the Illinois EPA Web site at <http://www.epa.state.il.us/land/taco/3-no-further-remediation-letters.html>.

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 291-4000  
 ELGIN - 595 South State, Elgin, IL 60121 - (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

**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

217/782-6762

**CERTIFIED MAIL**

7007 0220 0000 0149 5403

FEB 21 2008

American National Bank Trust #10-2775-07  
 Attention: Mitchell Simborg  
 1149 West 7<sup>th</sup> Street  
 Homewood, Illinois 60430



Doc#: 0816308128 Fee: \$52.00  
 Eugene "Gene" Moore RHP Fee: \$10.00  
 Cook County Recorder of Deeds  
 Date: 08/11/2008 11:50 AM Pg: 1 of 9

Re: LPC# 0310125205 -- Cook County  
 Bedford Park / American National Bank Trust #10-2775-07  
 6532-6534 South Main Street  
 Leaking UST Incident No. #20071329  
 Leaking UST Technical File

Dear Mr. Simborg:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report (report) submitted for the above-referenced incident. This report was dated January 24, 2008 and was received by the Illinois EPA on January 25, 2008. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Early Action Tier 1 Remediation Objectives Compliance Report and the Licensed Professional Engineer Certification submitted pursuant to Section 57.6 of the Act and 35 Ill. Adm. Code 734.135(d) indicate the remediation objectives have been met.

Based upon the certification by George Noble, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), 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), 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. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

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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1. American National Bank Trust #10-2775-07, 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.
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

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attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: There are no land use limitations.

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: None.  
  
Engineering: None.  
  
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.
5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan, if applicable, may result in voidance 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:

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

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8. Pursuant to 35 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide Notice of Voidance to the owner or operator of the leaking underground storage tank system(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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If you have any questions or need further assistance, please contact the Illinois EPA project manager, Eric Kuhlman, at 217-785-5715.

Sincerely,



Harry A. Chappel, P.E.  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

HAC:EK:HV

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

c: Noble & Associates, Inc.  
BOL File

Property of Cook County Clerk's Office