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PREPARED BY:



Name: St. Augustine College
Address: 1333 West Argyle Street
Chicago, IL 60640

Doc#: 0930119041 Fee: \$54.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 10/28/2009 01:15 PM Pg: 1 of 10

RETURN TO:

Name: St. Augustine College
Address: 1333 West Argyle Street
Chicago, IL 60640

(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: 0316035107

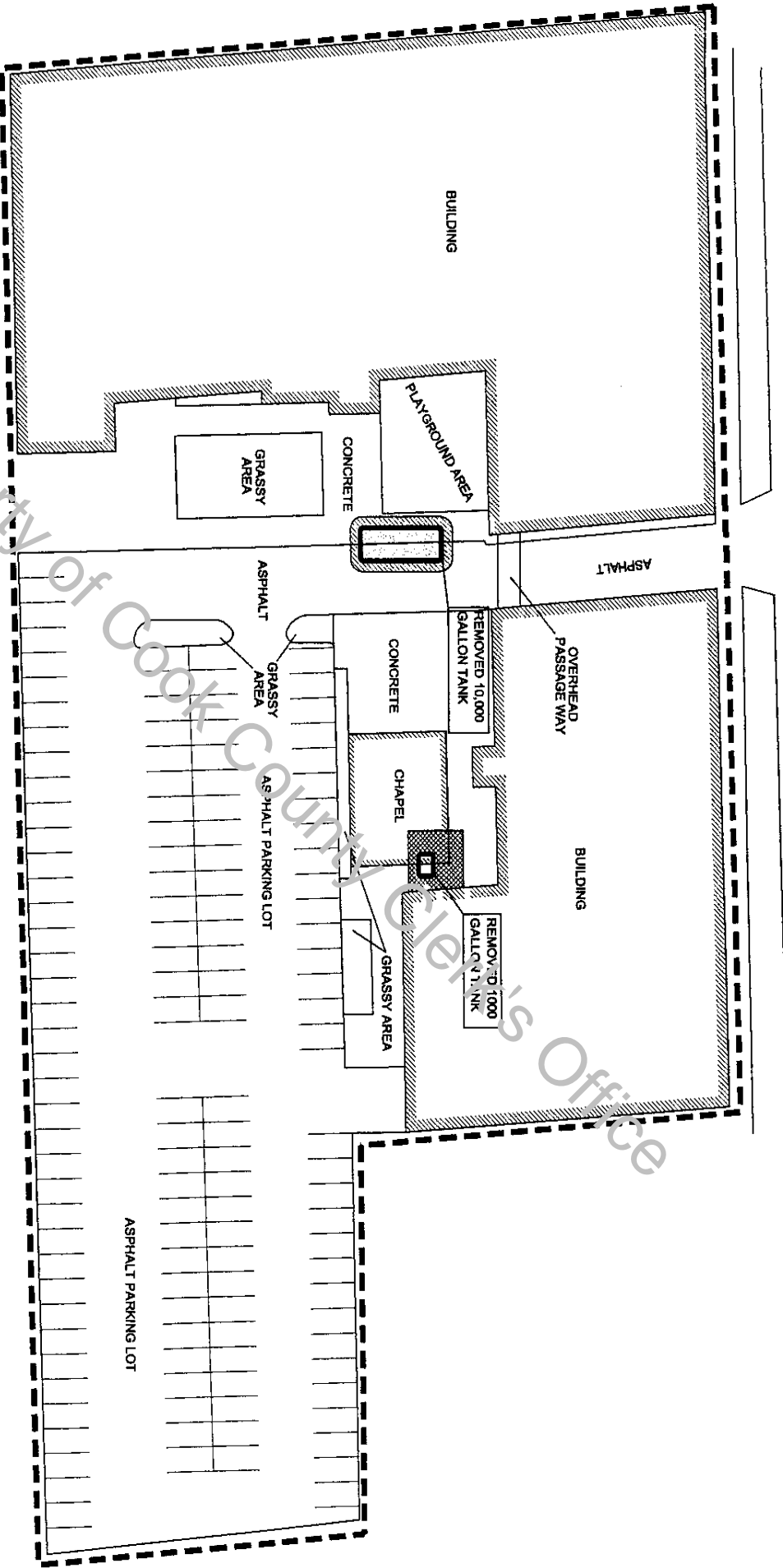
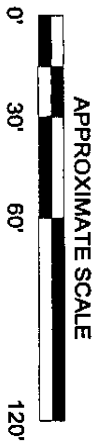
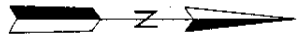
Leaking UST Incident No.: 951531

St. Augustine College, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1333 West Argyle Street, Chicago, 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 Attachment.
2. Common Address: 1333 West Argyle Street, Chicago.
3. Real Estate Tax Index/Parcel Index Number: 14-08-314-008, 14-08-314-013 and 14-08-314-012.
4. Site Owner: St. Augustine College
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply.
6. See the attached No Further Remediation Letter for other terms.

STP

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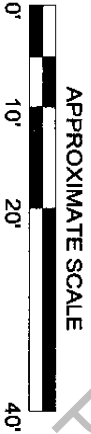
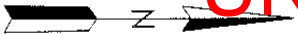
LEGEND

- APPROXIMATE PROPERTY BOUNDARY
- [Hatched Box] APPROXIMATE LOCATION OF EXCAVATION AREA (BACK FILLED)
- [Dotted Box] APPROXIMATE LOCATION OF EXCAVATED AREA (OFFSITE DISPOSAL)

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SITE BASE MAP ST. AUGUSTINE COLLEGE 1333 WEST ARGYLE, CHICAGO LPC# 0318035107	
WEAVER BOOS CONSULTANTS	
CHICAGO, IL (312)922-1030	NAPERVILLE, IL SPRINGFIELD, IL COLUMBUS, OH DENVER, CO
DRAWN BY: JMJ3 DATE: 3/4/09	GRIFFITH, IN SOUTH BEND, IN FORT WORTH, TX ST. LOUIS, MO
REVIEWED BY: PC CAD: AUGSBLOC.DWG	FILE: 1055-301 FIGURE 2

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NOTES: APPROXIMATE UST AND SOIL EXCAVATION LOCATIONS ADAPTED FROM HISTORIC GABRIEL 45-DAY ENVIRONMENTAL REPORTS THAT ARE REFERENCED IN THE WEAVER BOOS CACR.
PROPERTY BOUNDARY AND LAYOUT ADAPTED FROM GOOGLE EARTH.
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- LEGEND**
- LOCATION OF IN-PLACE ENGINEERED BARRIER
 - SOIL PROBE LOCATIONS
 - SOIL PROBE/TEMPORARY MONITORING WELL
 - APPROXIMATE LOCATION OF EXCAVATION AREA (BACK FILLED)
 - APPROXIMATE LOCATION OF EXCAVATED AREA (OFFSITE DISPOSAL)

APPROXIMATE LOCATION OF SOIL PROBES, TEMPORARY MONITORING WELLS, AND ENGINEERED BARRIER	
ST. AUGUSTINE COLLEGE 1333 WEST ARGYLE, CHICAGO	
WEAVER BOOS CONSULTANTS	
CHICAGO, IL (312)922-1030	NAPERVILLE, IL CHICAGO, IL (312)922-1030
COLUMBUS, OH BENVER, CO	GRIFITH, IN SOUTH BEND, IN FORT WORTH, TX ST. LOUIS, MO
DRAWN BY: JWS	DATE: 3/4/09
REVIEWED BY: PC	FILE: 1055-301

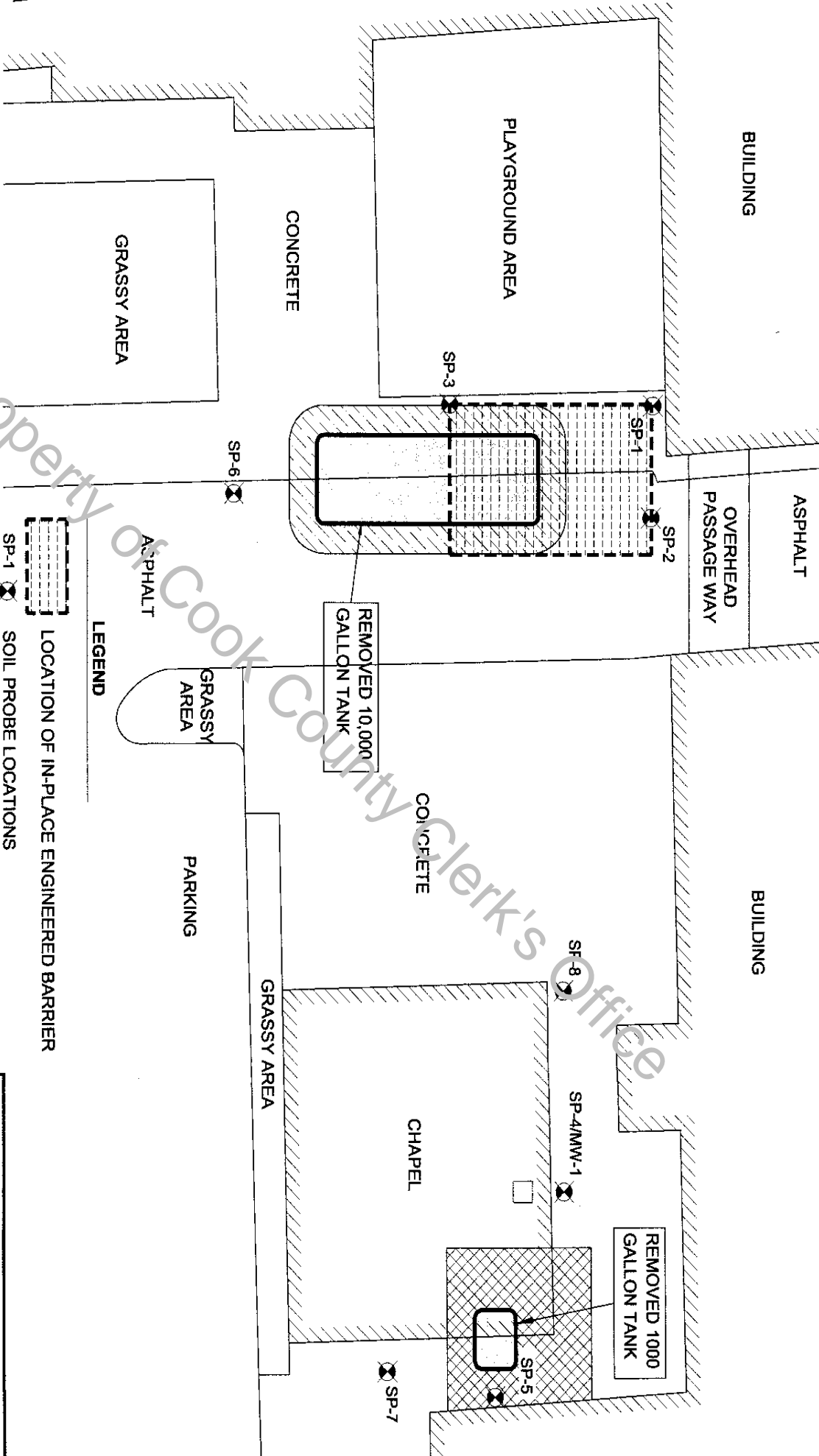


FIGURE 4

UNOFFICIAL COPY**EXHIBIT A****LEGAL DESCRIPTIONS**

PARCEL 1: (14-08-314-008; 1333-45 W. ARGYLE)

THE SOUTH 127.00 FEET OF A TRACT OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, 647.6 FEET WEST OF THE EAST LINE OF SAID 1/4 OF SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, A DISTANCE OF 140.77 FEET; THENCE SOUTHEASTERLY ON A LINE PARALLEL TO THE CENTERLINE OF GREEN BAY ROAD (NOW NORTH CLARK STREET), 310.0 FEET MORE OR LESS TO A POINT IN A LINE PARALLEL TO AND 61 RODS 16.4 FEET NORTH OF THE SOUTH LINE OF SAID SECTION (MEASURED ALONG CENTERLINE OF GREEN BAY ROAD), BEING THE NORTH LINE OF A STRIP OF LOT AND CONVEYED BY HARRY L. REYNOLD'S TO THE CATHOLIC BISHOP OF CHICAGO RECORDED AS DOCUMENT 512177; THENCE EAST ALONG SAID PARALLEL LINE 140.77 FEET MORE OR LESS TO THE WESTERLY LINE OF RUFUS C. HALL'S ADDITION TO ARGYLE; THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF RUFUS C. HALL'S ADDITION TO ARGYLE, 310.05 FEET, MORE OR LESS TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: (14-08-314-013; 1333-45 W. ARGYLE)

A TRACT OF LAND IN THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS:

BEGINNING AT THE NORTH LINE OF SAID SOUTH 1/2 AT A POINT 788.37 FEET WEST OF THE EAST LINE OF SAID 1/4 SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTH 1/2, A DISTANCE OF 400.00 FEET; THENCE SOUTHERLY PARALLEL TO THE CENTERLINE OF GREEN BAY ROAD (NOW CLARK STREET), 309.00 FEET, MORE OR LESS TO A POINT IN A LINE PARALLEL TO AND 62 RODS AND 7/10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION MEASURED ALONG THE CENTERLINE OF SAID GREEN BAY ROAD; THENCE EAST ALONG SAID PARALLEL LINE, 400.00 FEET; THENCE NORTHERLY AND IN A STRAIGHT LINE, 309.00 FEET MORE OR LESS TO PLACE OF BEGINNING, (EXCEPTING FROM SAID TRACT THAT PART LYING WESTERLY AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, A DISTANCE OF 190.53 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH ON A LINE FORMING AN

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ANGLE OF 86 DEGREES, 19 MINUTES, 30 SECONDS (MEASURED FROM EAST TO SOUTH) WITH THE LAST DESCRIBED LINE, 196.67 FEET; THENCE EAST ON A LINE FORMING AN ANGLE OF 93 DEGREES, 33 MINUTES, 00 SECOND (MEASURED FROM NORTH TO EAST) WITH THE LAST DESCRIBED LINE, 87.86 FEET; THENCE SOUTH TO A POINT ON THE SOUTH LINE OF SAID TRACT, 109.05 FEET WEST OF THE SOUTHEAST CORNER OF SAID TRACT; AND EXCEPT THE NORTH 33.00 FEET TAKEN FOR ARGYLE STREET), IN COOK COUNTY, ILLINOIS.

PARCEL 3: (14-08-314-012; 1333-45 W. ARGYLE)

A TRACT OF LAND IN THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS:

BEGINNING AT THE NORTH LINE OF SAID SOUTH 1/2 AT A POINT 788.37 FEET WEST OF THE EAST LINE OF SAID 1/4 SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTH 1/2, A DISTANCE OF 400.00 FEET; THENCE SOUTHERLY PARALLEL TO THE CENTERLINE OF GREEN BAY ROAD (NOW CLARK STREET), 309.00 FEET, MORE OR LESS TO A POINT IN A LINE PARALLEL TO AND 62 RODS AND 7/10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION, MEASURED ALONG THE CENTERLINE OF SAID GREEN BAY ROAD; THENCE EAST ALONG SAID PARALLEL LINE, 400.00 FEET; THENCE NORTHERLY AND IN A STRAIGHT LINE, 309.00 FEET, MORE OR LESS TO PLACE OF BEGINNING (EXCEPTING FROM SAID TRACT THAT PART LYING EASTERLY AND NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, A DISTANCE OF 190.53 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH ON A LINE FORMING AN ANGLE OF 86 DEGREES, 19 MINUTES, 30 SECONDS (MEASURED FROM EAST TO SOUTH) WITH THE LAST DESCRIBED LINE, 196.67 FEET; THENCE EAST ON A LINE FORMING AN ANGLE OF 93 DEGREES, 33 MINUTES, 00 SECOND (MEASURED FROM NORTH TO EAST) WITH THE LAST DESCRIBED LINE, 87.86 FEET; THENCE SOUTH TO A POINT ON THE SOUTH LINE OF SAID TRACT, 109.05 FEET WEST OF THE SOUTHEAST CORNER OF SAID TRACT; AND EXCEPT THE NORTH 33.00 FEET TAKEN FOR ARGYLE STREET), IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

7007 2560 0003 2089 7871

SEP 15 2009

St. Augustine College
 Attn: Andrew C. Sund
 1333 West Argyle Road
 Chicago, IL 60640

Re: LPC # 0316035107—Cook County
 Chicago/Spanish Episcopal
 1333 West Argyle Road
 Leaking UST Incident No. 951531-- NFR Letter
 Leaking UST Technical File

Dear Mr. Sund:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated June 23, 2009 and was received by the Illinois EPA on June 29, 2009. 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 Corrective Action Completion Report and the Licensed Professional Engineer Certification submitted pursuant to Section 57.7(b)(1) of the Act and 35 Ill. Adm. Code 734.135(d) indicate the remediation objectives have been met.

Based upon the certification by Michael B. Maxwell, 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:

1. St. Augustine College, the owner or operator of the underground storage tank system(s).

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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 attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall

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not be used in a manner inconsistent with the following land use limitation: The groundwater under the site shall not be used as a potable water supply.

3. The land use limitation specified in this Letter may be revised if:
 - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. **Preventive:** The groundwater under the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used as a potable supply of water. No person shall construct, install, maintain, or utilize a potable water supply well. In accordance with Section 3.65 of the Act, "potable" means generally fit for human consumption in accordance with accepted water supply principles and practices.

Engineering: A concrete/asphalt barrier that is sufficient in thickness to inhibit the inhalation and ingestion of the contaminated media must remain over the contaminated soil as outlined in the attached Site Base Map. This concrete/building barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media. See attached site map for the location of the engineered barrier.

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 avoidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.

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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

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, Steve Putrich, at 217-782-6762.

Sincerely,



Michael T. Lowder
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

MTL:STP:stp\

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Base Maps (2)
Legal Description

c: Weaver Boos Consultants
BOL File

Property of Cook County Clerk's Office