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PREPARED BY:

Name: Mr. Michael LaMont, Vice President
Rush University Medical Center

Address: 1750 West Harrison Street
Suite 301
Chicago, IL 60612



Doc#: 1002934024 **Fee:** \$54.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 01/29/2010 09:36 AM Pg: 1 of 10

RETURN TO:

Name: Mr. Michael LaMont, Vice President
Rush University Medical Center

Address: 1750 West Harrison Street
Suite 301
Chicago, IL 60612

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: 0316286262

Rush University Medical Center, the Remediation Applicant, whose address is 1750 West Harrison Street, Suite 301, Chicago, IL 60612 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:

LOTS 1 TO 16, INCLUSIVE; TOGETHER WITH THE EAST 1/2 OF 16.5 FOOT WIDE NORTH/SOUTH ALLEY, VACATED BY ORDINANCE PASSED SEPTEMBER 1, 1965 AND RECORDED JANUARY 11, 1966 AS DOCUMENT 19707484 IN BLOCK 1 IN SUTTON'S ADDITION TO CHICAGO IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF LOT 1 AFORESAID, ACQUIRED FOR STREET PURPOSES PURSUANT TO ORDINANCE PASSED JULY 8, 1969 IN CIRCUIT COURT OF COOK COUNTY CASE NO. 70L14802, LYING NORTH OF A LINE DRAWN FROM A POINT IN THE WEST LINE OF LOT 1 AFORESAID, A DISTANCE OF 2.00 FEET SOUTH (AS MEASURED ALONG SAID WEST LINE) FROM THE NORTHWEST CORNER OF LOT 1 AFORESAID TO A POINT IN THE EAST LINE OF LOT 1 AFORESAID, A DISTANCE OF 10.00 FEET SOUTH (AS MEASURED ALONG SAID EAST LINE) FROM THE NORTHEAST CORNER OF LOT 1 AFORESAID;

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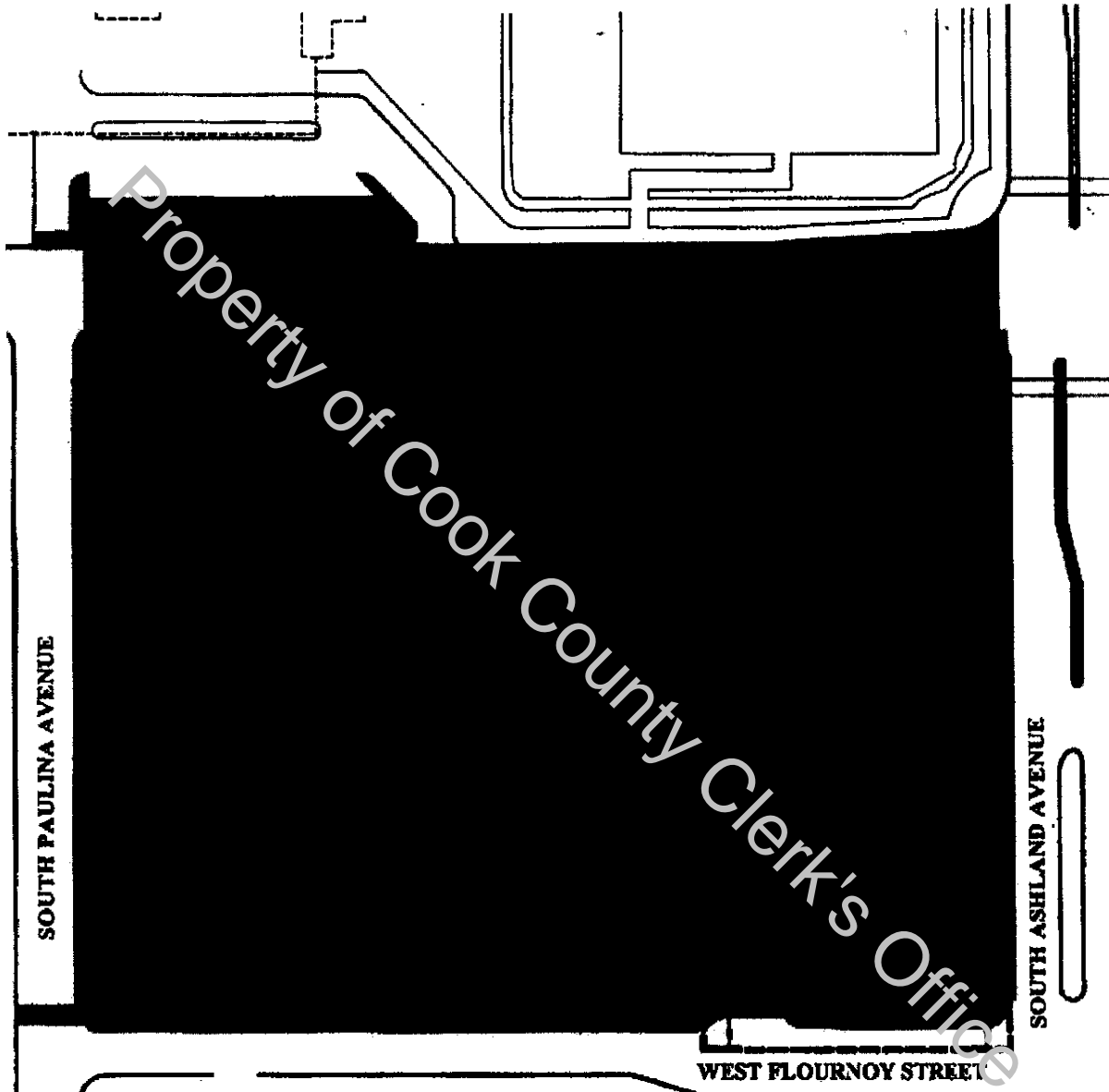


2. **Common Address:** 1611 W. Harrison Street, Chicago, IL 60612
3. **Real Estate Tax Index/Parcel Index Number:** 17-18-407-033
4. **Remediation Site Owner:** Rush University Medical Center
5. **Land Use:** Residential or Industrial/Commercial

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Site Base Map
0316286262/Cook
Chicago/Rush University Medical Center (Parcel 2)
Site Remediation Program



LEGEND:
----- ADJOINING BUILDINGS
----- REMEDIATION SITE/PROPERTY BOUNDARY



NORTH

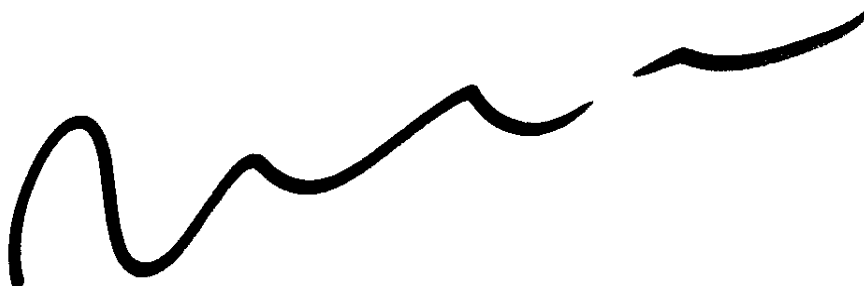


SCALE IN FEET

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bcc: Records Unit
Bob O'Hara
Sherri Oxencis
Rick Lucas

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Property of Cook County Clerk's Office

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

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

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

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name: _____	
Title: _____	
Company: _____	
Street Address: _____	
City: _____ State: _____ Zip Code: _____ Phone: _____	
Site Information	
Site Name: <u>ORTHOPEDIC BUILDINGS</u>	
Site Address: <u>1611 W. HARRISON</u>	
City: <u>CHICAGO</u> State: <u>IL</u> Zip Code: <u>60612</u> County: <u>COOK</u>	
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. _____	
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>1/15/10</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>15th</u> day of <u>Jan.</u> , 20 <u>10</u>	
<u>[Signature]</u> Notary Public	<div style="border: 2px dashed black; padding: 5px; width: fit-content; margin: 0 auto;"> <p style="text-align: center; margin: 0;">"OFFICIAL SEAL"</p> <p style="text-align: center; margin: 0;">JACQUELINE BURGESS</p> <p style="text-align: center; margin: 0;">NOTARY PUBLIC, STATE OF ILLINOIS</p> <p style="text-align: center; margin: 0;">MY COMMISSION EXPIRES 2/16/2011</p> </div>

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/54 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR letter. Failure to do so may void the NFR letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

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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

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

November 10, 2009

CERTIFIED MAIL

Mr. Michael LaMont, Vice President
Rush University Medical Center
1750 West Harrison Street
Suite 301
Chicago, Illinois 60612

Re: 0316286262 Cook County
Chicago /Rush University Medical Center (Parcel 2)
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. LaMont:

The *Remedial Action Completion Report – Parcel 2* (dated November 6, 2009/Log Number 09-43042) as prepared by URS Corporation for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency (“Illinois EPA”). This Report demonstrates that the remedial action was completed in accordance with the *Remedial Action Plan* (November 6, 2009/Log Number 09-43042) and 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site (Parcel 2), consisting of 2.1 acres, is located at 1611 W. Harrison Street, Chicago, IL 60612. 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 17, 2009 is Rush University Medical Center.

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 N. Main St., Rockford, IL 61103 • (815) 987-7760
Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131
Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462
Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000
Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463
Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800
Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

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“THE SIGNATURES OF THE PARTIES EXECUTING THIS DOCUMENT
ARE COPIES AND ARE NOT ORIGINAL SIGNATURES.”

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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 Industrial/Commercial land use.

Institutional Controls:

- 3) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).

Other Terms

- 4) 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.
- 5) 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

- 6) 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.
- 7) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Rush University Medical Center;
 - 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.
- 8) 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.
- 9) 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
- 10) 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. Jim Mergen at (217) 524-1659.

Sincerely,

Joyce L. Munie
by AAL

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

Attachment (2): Property Owner Certification of No Further Remediation Letter under the
Site Remediation Program Form
Notice to Remediation Applicant

cc: Ms. Patricia M. Bryan
URS Corporation
100 South Wacker Drive
Suite 500
Chicago, Illinois 60606

Ms. Lorez Mitchell
Power/Jacobs
1750 W. Harrison Street
Room 301 JS
Chicago, Illinois 60612-3324

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