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PREPARED BY:

Name: Ms. Lynn Crivello
Chicago Public Schools

Address: 125 South Clark Street
17th Floor
Chicago, IL 60602



Doc#: 1019318059 Fee: \$58.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 07/12/2010 02:38 PM Pg: 1 of 12

RETURN TO:

Name: Ms. Lynn Crivello
Chicago Public Schools

Address: 125 South Clark Street
17th Floor
Chicago, IL 60602

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: 0316286346

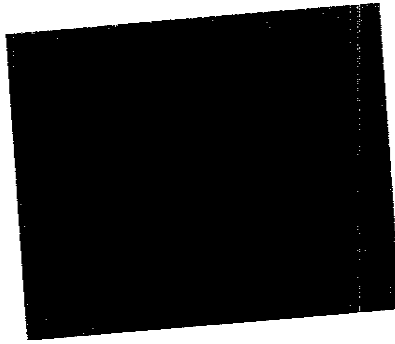
Chicago Public Schools, the Remediation Applicant, whose address is 125 South Clark Street, Chicago, IL 60603 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:
Parcel 1 - Lots 68 thru lot 75 all inclusive in Kralovec and Honomichi's Subdivision of Block 13 in Johnson and Lee's subdivision of the Southwest Quarter of Section 20, Township 39 North, Range 14 East of the Third Principal Meridian and abutting vacated alleys per documents no. 16763350 and 23402550, received November 26, 1956 and March 1, 1976, respectively and also those parcels of land bounded by the Right-of-Ways and closure of South Blue Island Avenue and West 21st Place as per document no. 23402551, recorded March 1, 1976, and except that parcel of land dedicated for the widening of West 22nd Street, all in Cook County, Illinois.

Parcel 2 - Lots 1, 2, 3, and 4 in H.L. Lewis' Subdivision of Block 14 (except the south 14 feet of said lots taken for widening of West 22nd Street also known as Cermak Road) in Johnston and Lee's Subdivision of the Southwest 1/4 of Section 20, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.
2. Common Address: 2150 South Laflin Avenue, Chicago, IL
3. Real Estate Tax Index/Parcel Index Number: Parcel 1 / 17-20-329-032, 17-20-329-017. Parcel 2 / 17-20-331-004, 17-20-331-005, 17-20-331-006, 17-20-331-007

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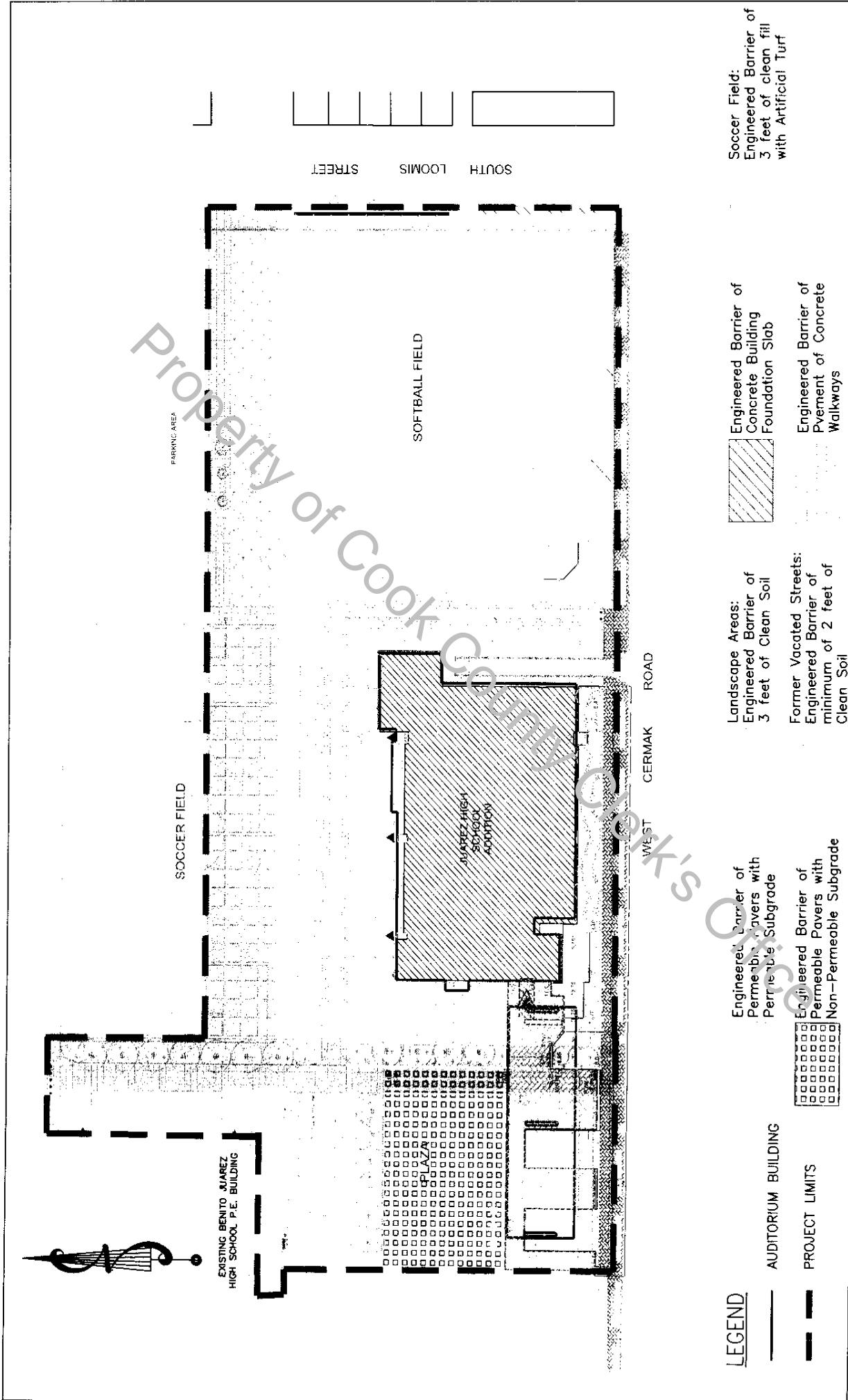
- 4. Remediation Site Owner: Chicago Public Schools
- 5. Land Use: Residential



A handwritten signature in black ink, appearing to be 'M. J. ...'.

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- LEGEND**
- AUDITORIUM BUILDING
 - PROJECT LIMITS
 - Engineered Barrier of Permeable Pavers with Permeable Subgrade
 - Engineered Barrier of Permeable Pavers with Non-Permeable Subgrade
 - Landscape Areas: Engineered Barrier of 3 feet of Clean Soil
 - Former Vacated Streets: Engineered Barrier of minimum of 2 feet of Clean Soil
 - Engineered Barrier of Concrete Building Foundation Slab
 - Engineered Barrier of Pavement of Concrete Walkways
 - Soccer Field: Engineered Barrier of 3 feet of clean fill with Artificial Turf

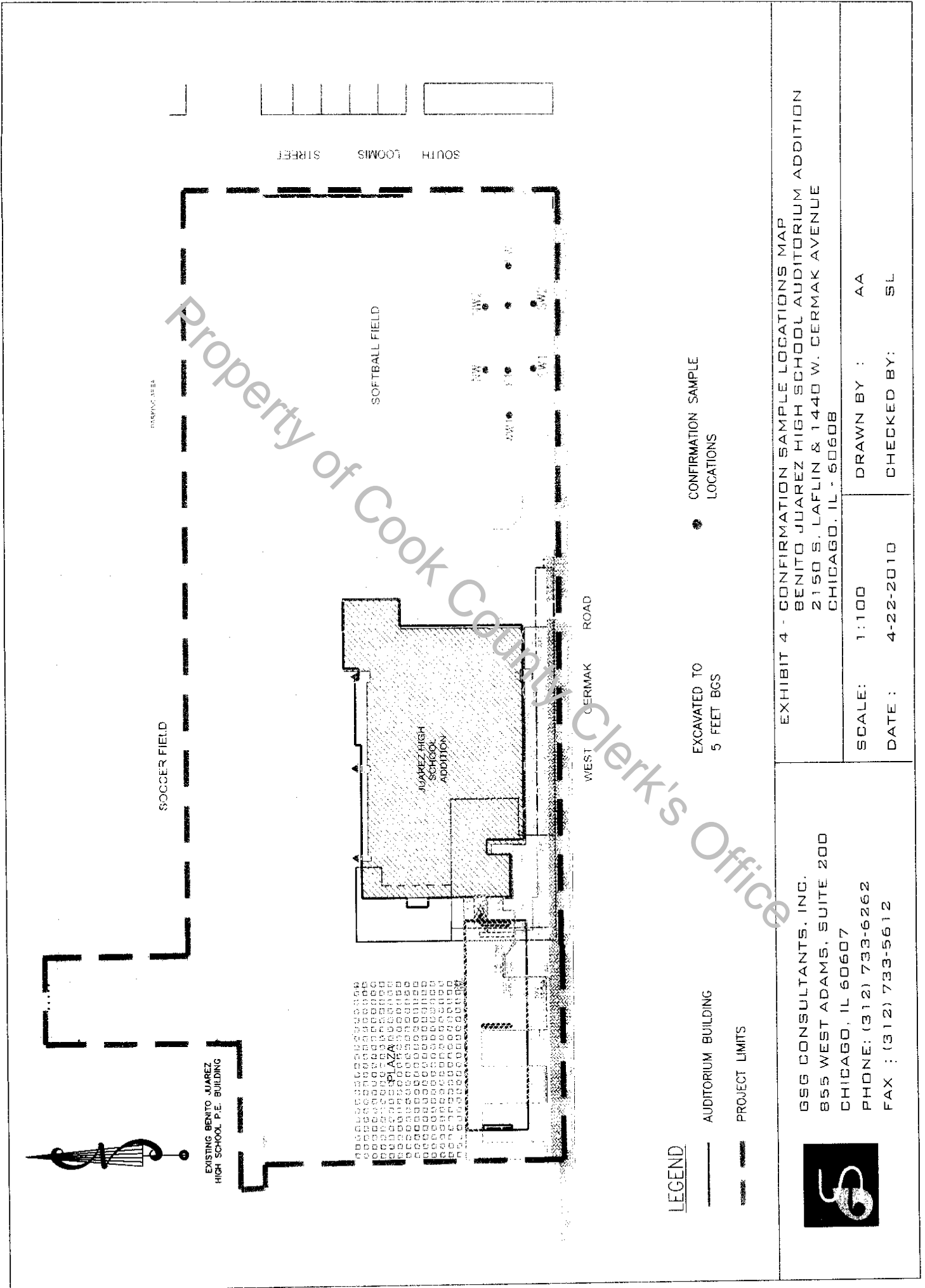
GSG CONSULTANTS, INC.
 855 WEST ADAMS, SUITE 200
 CHICAGO, IL 60607
 PHONE: (312) 733-6262
 FAX : (312) 733-5612

EXHIBIT 5 - ENGINEERED BARRIERS LOCATION MAP
 BENITO JUAREZ HIGH SCHOOL AUDITORIUM ADDITION
 2150 S. LAFLIN & 1440 W. CERMAK AVENUE
 CHICAGO, IL - 60608

SCALE: 1:100
 DATE : 4-22-2010

DRAWN BY : AA
 CHECKED BY: SL

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Property of Cook County Clerk's Office

EXHIBIT 4 - CONFIRMATION SAMPLE LOCATIONS MAP
BENITO JUAREZ HIGH SCHOOL AUDITORIUM ADDITION
 2150 S. LAFLIN & 1440 W. CERMAK AVENUE
 CHICAGO, IL - 60608

SCALE: 1:100 DRAWN BY : AA
 DATE : 4-22-2010 CHECKED BY: SL

GSG CONSULTANTS, INC.
 855 WEST ADAMS, SUITE 200
 CHICAGO, IL 60607
 PHONE: (312) 733-6262
 FAX : (312) 733-5612



LEGEND

- AUDITORIUM BUILDING
- PROJECT LIMITS
- EXCAVATED TO 5 FEET BGS
- CONFIRMATION SAMPLE LOCATIONS

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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.

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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.



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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

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

June 22, 2010

CERTIFIED MAIL

7008 1830 0001 4712 9009

Ms. Lynn Crivello
Chicago Public Schools
125 South Clark Street
17th Floor
Chicago, IL 60602

Re: 0316286346 /Cook
Chicago /Benito Juarez High School
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Ms. Crivello:

The *Remedial Action Completion Report* (received May 24, 2010/Log Number 10-44874), as prepared by GSG Consultants, 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 May 9, 2007/log 07-33695) and 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 2.9 acres, is located at 2150 South Laflin 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 January 4, 2007 is Chicago Public Schools

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 • 4102 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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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.

Engineering Controls:

- 3) Clean soil barriers: Landscape Areas and Soccer Field which are comprised of a minimum of 3 feet of clean soil and the Former Vacated Streets which is comprised of a minimum of 2 feet of clean soil covering the areas shown in the attached Site Base Map, must remain over the contaminated soils. These clean soil barriers must be properly maintained as engineered barriers to inhibit ingestion exposure to the contaminated media.
- 4) The concrete barrier which consists of concrete pavers and concrete walkways, as shown in the attached Site Base Map, must remain over the contaminated soils. This concrete cap barrier must be properly maintained as an engineered barrier to inhibit ingestion exposure to the contaminated media.
- 5) The building, as shown in the attached Site Base Map, must remain over the contaminated soils. This building must be properly maintained as an engineered barrier to inhibit ingestion exposure to the contaminated media.

Institutional Controls:

- 6) Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), effectively prohibits the installation and the use of potable water supply wells and is an acceptable institutional control under the following conditions:
 - a) Where a groundwater ordinance is used to assure long-term protection of human health, the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by the City of Chicago along with this Letter.
 - b) The Remediation Applicant shall provide written notification to the City of Chicago and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
 - i) The name and address of the local unit of government;
 - ii) The citation of Section 11-8-390

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- iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
 - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
 - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
 - vi) A statement as to where more information may be obtained regarding the ordinance.
- c) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date this Letter is recorded 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

- d) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
- i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
 - iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date this Letter is recorded of written notification to the City of Chicago and affected property owner(s) of the intent to use Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter.

Other Terms

- 7) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

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- 8) 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.
- 9) 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

- 10) 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 provision is 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;
 - 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.

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11) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) Chicago Public Schools;
- 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;
- 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.

12) 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.

13) 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:


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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

14) 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. Rick Lucas at (217) 524-3267.

Sincerely,



Joyce L. Murie, 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:

Commissioner
 Chicago Department of Environment
 25th Floor
 30 North LaSalle Street
 Chicago, Illinois 60602-2575

Ala Sassila
 GSG Consultants, Inc.
 855 West Adams Street
 Suite 200
 Chicago, IL60607

Records Unit
 Bob O'Hara
 Rick Lucas