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K.U.

PREPARED BY:

Name: Chartered Enterprises, LLC
Attn: Mr. Mark Swanson

Address: 5410 West Roosevelt Road
Chicago, Illinois 60644



Doc#: 1019640063 Fee: \$56.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/15/2010 10:45 AM Pg: 1 of 11

RETURN TO:

Name: Chartered Enterprises, LLC
Attn: Mr. Mark Swanson

Address: 5410 West Roosevelt Road
Chicago, Illinois 60644

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0310515388

Chartered Enterprises, LLC, the Remediation Applicant, whose address is 5410 West Roosevelt Road, Chicago, Illinois 60644, has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

- Legal description or Reference to a Plat Showing the Boundaries: Legal Description-
 PARCEL 1:
 LOTS 70, 71, AND 72 IN T.P. PHILLIPS SUBDIVISION OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼
 (EXCEPT THE EAST 33 FEET THEREOF) IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 13 EAST OF
 THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

 PARCEL 2:
 LOTS 73, 74, 75, AND 76 IN T.P. PHILLIPS SUBDIVISION OF THE NORTHWEST ¼ OF THE
 SOUTHWEST ¼ (EXCEPT THE EAST 33 FEET THEREOF) IN SECTION 22, TOWNSHIP 39 NORTH,
 RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
- Common Address: 1823-1837 South Cicero Avenue, Cicero, Illinois
- Real Estate Tax Index/Parcel Index Number(s): 16-22-301-012-0000,
 16-22-301-013-0000,
 16-22-301-014-0000,
 16-22-301-015-0000,
 and 16-22-301-016-0000

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4. Remediation Site Owner: Chartered Enterprises, LLC
5410 West Roosevelt Road
Chicago, Illinois 60644
5. Land Use: Industrial/Commercial Land Usage
6. Site Investigation: Focused

See NFR letter for other terms.

Property of Cook County Clerk's Office

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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 1, 2010

CERTIFIED MAIL

7008 1830 0001 4716 1771

Chartered Enterprises, LLC
Attn: Mr. Mark Swanson
5410 West Roosevelt Road
Chicago, Illinois 60644

Re: 0310515388-Cook County
Cicero/Chartered Enterprises, LLC (dba- Ducky's Car Wash)
1823-1837 South Cicero Avenue
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Swanson:

The combined *Site Investigation/Remedial Action Completion Report* (received November 12, 2009/Log No. 09-43108), as prepared by MHEEnvironmental, Inc. for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the Site are equal to or are above the existing levels of regulated substances and the combined *Site Investigation/Remedial Action Completion Report* shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.5 acres, is located at 1823-1837 South Cicero Avenue, Cicero, 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 November 12, 2009/Log No. 09-43108), is Chartered Enterprises, LLC.

This focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms 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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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation, consist of the regulated substances of concern that have been successfully addressed that are detailed in the attached Table A.
- 2) The Remediation Site is restricted to Industrial/Commercial land use.
- 3) 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; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

- 4) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Engineering Controls:

- 5) The asphalt barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

Other Terms

- 6) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.
- 7) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 20040880 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 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:

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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 title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance 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.

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

- a) Chartered Enterprises, LLC;
- b) The owner and operator of the Remediation Site;
- c) Any parent corporation or subsidiary of the owner of the Remediation Site;

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- 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 Chartered Enterprises, LLC property.
- 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:

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

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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 the Chartered Enterprises, LLC property, you may contact the Illinois EPA project manager, Russell H. Irwin, at (217) 524-2084.

Sincerely,

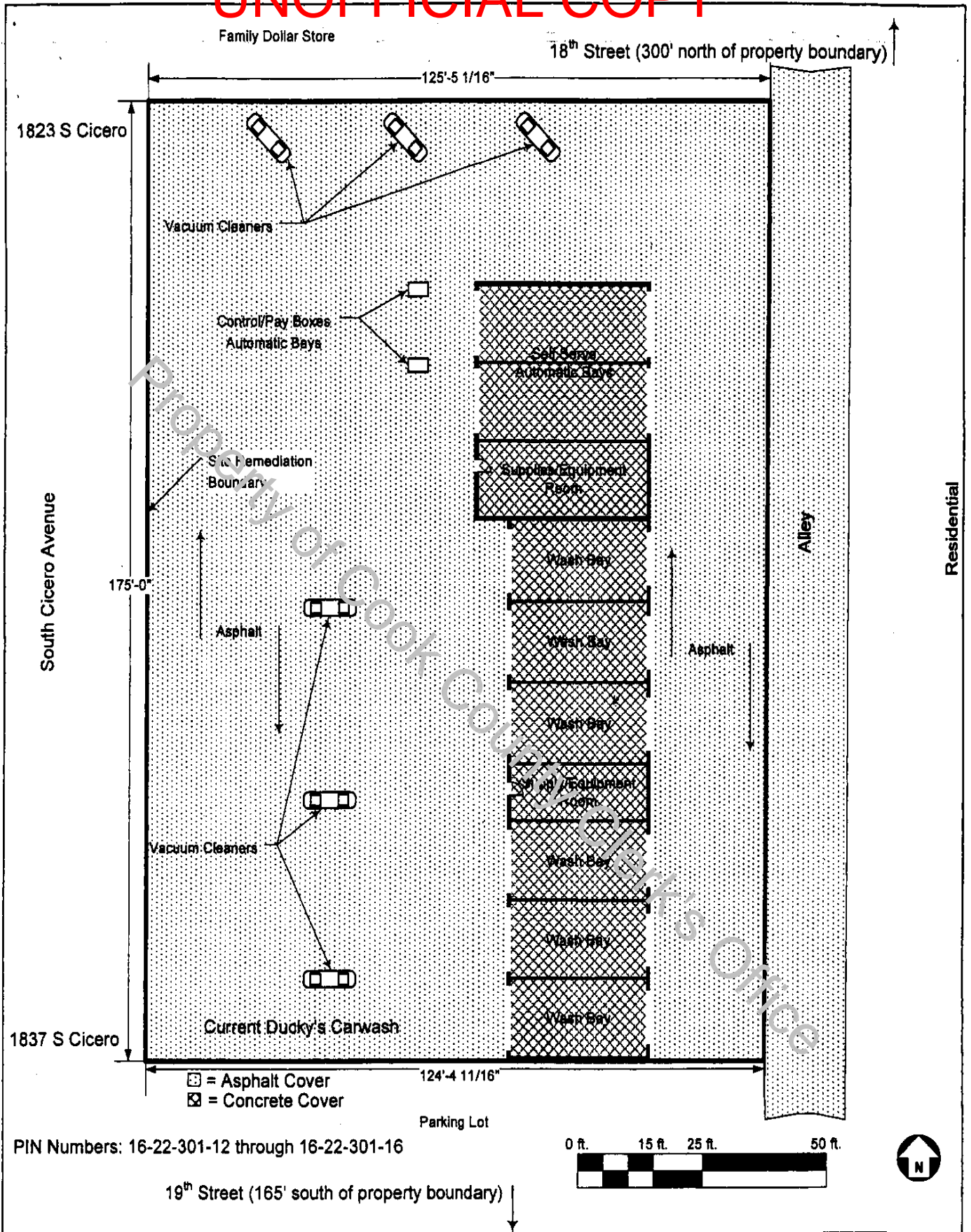


Joyce L. Manie, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

Attachments (5): Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Table A: Regulated Substances of Concern
Property Owner Certification of No Further Remediation Letter under the
Site Remediation Program Form
Instructions for Filing the NFR Letter

cc: Mr. Mark H. Elliott; MHEEnvironmental, Inc.
Bureau of Land Records Unit
Mr. Robert O'Hara
Mr. Rick Lucas
Mr. Hernando Albarracin; IEPA/BOL/LUST Section

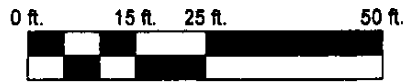
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= Asphalt Cover
 = Concrete Cover

Parking Lot

PIN Numbers: 16-22-301-12 through 16-22-301-16



19th Street (165' south of property boundary)

MHENVIRONMENTAL, INC.

2016 N. Cleveland Ave. 1S
 Chicago, Illinois 60614
 Phone: (773) 525-0813
 Mobile: (312) 371-7889
 E-Mail: mhenv@rcn.com

Base Map

0310515388-Cook County
 Cicero/Chartered Enterprises, LLC (dba/ Ducky's Carwash)
 1823-1837 South Cicero Site
 RemediationProgram/TechnicalReport

SIZE	FSCM NO	DWG NO	REV
SCALE 1:300			SHEET 1 OF 1

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SITE REMEDIATION PROGRAM
TABLE A: REGULATED SUBSTANCES OF CONCERN
0310515388 – COOK COUNTY
CHARTERED ENTERPRISES, LLC
(d/b/a-Ducky's Car Wash)
1823-1837 South Cicero Avenue, Cicero, Illinois

Volatile Organic Compounds

CAS No.	Compound Name
67-64-1	Acetone
107-02-8	Acrolein (Propenal)
107-13-1	Acrylonitrile
71-43-2	Benzene
108-86-1	Bromobenzene
74-97-5	Bromochloromethane
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone (MEK)
135-98-9	sec-Butylbenzene
98-06-6	tert-Butylbenzene
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
124-48-1	Chlorodibromomethane (Dibromochloromethane)
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
95-49-8	2-Chlorotoluene
106-43-4	4-Chlorotoluene
96-12-8	1,2-Dibromo-3-Chloropropane
74-95-3	Dibromomethane
106-93-4	1,2-Dibromomethane
75-71-8	Dichlorodifluoromethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
156-60-5	<i>trans</i> -1,2-Dichloroethene
156-59-2	<i>cis</i> -1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
142-28-9	1,3-Dichloropropane
594-20-7	2,2-Dichloropropane
563-58-6	1,1-Dichloropropene
10061-02-6	<i>trans</i> -1,3-Dichloropropene
10061-01-5	<i>cis</i> -1,3-Dichloropropene

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100-41-4	Ethylbenzene
591-78-6	2-Hexanone
74-88-4	Iodomethane (Methyl Iodide)
98-82-8	Isopropylbenzene (Cumene)
99-87-6	p-Isopropyltoluene
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone (MIBK)
1634-04-4	Methyl Tertiary Butyl Ether (MTBE)
91-20-3	Naphthalene
103-65-1	n-Propylbenzene
100-42-5	Styrene
127-18-4	Tetrachloroethene
630-20-6	1,1,1,2-Tetrachloroethane
79-34-5	1,1,2,2-Tetrachloroethane
79-01-6	Trichloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
75-69-4	Trichlorofluoromethane
96-18-4	1,2,3-Trichloropropane
95-63-6	1,2,4-Trimethylbenzene
108-67-8	1,3,5-Trimethylbenzene
108-88-3	Toluene
108-05-4	Vinyl Acetate
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

Semivolatile Organic Compounds

CAS No.	Compound Name
83-32-9	Acenaphthene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
50-32-8	Benzo(a)pyrene
205-99-2	Benzo(b)fluoranthene
191-24-2	Benzo(g,h,i)perylene
207-08-9	Benzo(k)fluoranthene
218-01-9	Chrysene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
85-01-8	Phenanthrene
129-00-0	Pyrene

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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:	<u>Chartered Enterprises - Rockford, LLC</u>
Title:	<u>Mark T. Swanson, Manager</u>
Company:	<u>Chartered Enterprises - Rockford, LLC</u>
Street Address:	<u>5410 West Roosevelt Road</u>
City:	<u>Chicago</u> State: <u>IL</u> Zip Code: <u>60644</u> Phone: <u>(773) 626-4600</u>
Site Information	
Site Name:	<u>Cicero/Ducky's Car Wash</u>
Site Address:	<u>1823-1837 South Cicero Avenue</u>
City:	<u>Cicero</u> State: <u>IL</u> Zip Code: <u>60804</u> County: <u>Cook</u>
Illinois inventory identification number:	<u>0310515388</u>
Real Estate Tax Index/Parcel Index No.	<u>16-22-301-012-0000; 16-22-301-013-0000;</u> <u>16-22-301-014-0000; 16-22-301-015-0000; 16-22-301-016-0000</u>
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:	By: <u><i>Mark T. Swanson</i></u> Date: <u>6/28/10</u>
Mark T. Swanson, Manager	
SUBSCRIBED AND SWORN TO BEFORE ME this <u>28</u> day of <u>June</u> , 20 <u>10</u>	
<u><i>Caryl Highland</i></u> Notary Public	

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.