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This instrument prepared by:

Real Estate Division,  
Atlantic, Naval Facilities  
Engineering Command  
6506 Hampton Blvd.  
Norfolk, Virginia 23508-1278

After recording return to:

Real Estate Division,  
Atlantic, Naval Facilities  
Engineering Command  
6506 Hampton Blvd.  
Norfolk, Virginia 23508-1278



Doc#: 1204618037 Fee: \$142.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 02/15/2012 12:54 PM Pg: 1 of 53

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**QUITCLAIM DEED FOR THE CONVEYANCE OF**

**GLENVIEW 118**

8823560

**THIS QUITCLAIM DEED**, made this 10<sup>th</sup> day of January, 20 12, by and between the **UNITED STATES OF AMERICA**, Department of the Navy (the "DoN"), hereinafter called the **GRANTOR**, and **MIDWEST FAMILY HOUSING, LLC**, an Illinois limited liability company, hereinafter called the **GRANTEE**, whose address is c/o Midwest Military Communities, LLC, 50 Public Square, Terminal Tower, Suite 1360, Cleveland, Ohio 44113.

**WITNESSETH:**

**WHEREAS**, GRANTOR under the authority contained in 10 U.S.C. § 2878 has determined that the conveyance of the Property, as defined below, on the terms set forth herein, will be in the public interest and has otherwise satisfied and complied with all reporting requirements, notification periods, the applicable award and letting procedure and other statutory limitations prescribed in the solicitation documents and the authorizing legislation, and all required findings and determinations have been made and other conditions satisfied; and

**WHEREAS**, GRANTOR shall quitclaim to GRANTEE certain real property located at the former Naval Air Station Glenview under the custody and control of the DoN situated in Cook County, Illinois, all as more particularly described on Exhibit "A" attached hereto and all buildings and improvements located thereon, and all and singular rights, tenements, hereditaments, easements and appurtenances belonging, or in any way appertaining thereto, including fixtures, structures, and facilities, alleys, roads, streets, ways, strips, and any equipment, utilities and utilities infrastructure, alterations, additions, infrastructure, all tangible and intangible personal property located thereon or used in connection with the ownership and

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operation thereof, and attached fixtures located in, on and under the real property, and any means of ingress and egress appurtenant thereto (collectively, the “**Property**”); and

**WHEREAS**, Grantor owns those two (2) parcels of real property, each of which are adjacent to the Property as identified on Exhibit “C” attached hereto and made a part hereof (the “**Grantor-Retained Property**”); and

**WHEREAS**, GRANTOR has found and determined that the Property is suitable for conveyance pursuant to the Finding of Suitability, dated November, 2005 (the “**FOS**”) and an Environmental Condition of Property report dated ~~November 30, 2011~~ (“**ECP**”), and a Site Investigation Report which are attached hereto as Exhibits “B-1”, “B-2” and “B-3”, respectively, and made a part hereof.

**NOW THEREFORE**, GRANTOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby convey, transfer, remise, release and forever quitclaim without warranty to the GRANTEE, its successors and assigns, all of GRANTOR’S right, title and interest in and to the Property:

**I. RESERVING, HOWEVER**, to the GRANTOR the following Easement:

**A.** GRANTOR hereby reserves for itself and its agents, contractors, tenants, licensees, lessees, guests, invitees, grantees, employees, representatives, successors and assigns, a non-exclusive, perpetual right and easement of access on, over, and across those portions of the Property which are, from time to time, designated or used as roads in order to provide access from the Grantor-Retained Property to the “**Access Right of Way**” located on the northern portion of the real property (the “**Adjacent Parcel**”) conveyed by two (2) Deeds each dated October 12, 2007 and each recorded on October 22, 2007 as document numbers 0729540239 and 0729540240, respectively, and located adjacent to both the Property and the Grantor-Retained Property, said Deeds granting access rights over said “**Access Right of Way**” for the benefit of both the Property and the Grantor-Retained Property. The access easement rights reserved hereby shall be for both pedestrian and vehicular purposes over said roadways on the Property and shall automatically terminate when roads on the Property are dedicated for public use, so long as said dedicated roads provide access between the Grantor-Retained Property and the aforesaid northern “**Access Right of Way**” on the Adjacent Parcel or such other “**Access Right of Way**” as is permitted under the terms of said Deeds to be substituted for said original northern “**Access Right of Way**”.

**II. SUBJECT TO THE FOLLOWING NOTICES, COVENANTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS**, which shall be binding upon and enforceable against the GRANTEE, its successors and assigns, in perpetuity:

**A. COVENANTS, RESTRICTIONS AND EASEMENTS.** GRANTEE agrees to accept conveyance of the Property subject to all existing covenants, conditions, restrictions, easements, rights-of-way, reservations, rights, agreements, and encumbrances recorded and unrecorded.

**B. PROPERTY CONVEYED “AS IS” “WHERE IS.”** Except as otherwise provided herein, or as otherwise provided by law, the GRANTEE acknowledges that it

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has inspected, is aware of, and accepts the condition and state of repair of the Property, and that the Property is conveyed "as is" and "where is" without any representation, promise, agreement, or warranty on the part of the GRANTOR regarding such condition and state of repair, or regarding the making of any alterations, improvements, repairs or additions. The GRANTEE further acknowledges that the GRANTOR shall not be liable for any latent or patent defects in the Property, except to the extent required by applicable law.

**C. FLOODPLAIN.** To the extent that any portion of the Property lies within a floodplain as defined in Section 6(c) of Executive Order No. 11988, dated May 24, 1977, the use of that portion of the Property may be subject to the National Flood Insurance Program.

**D. PROPERTY COVERED BY NOTICE, DESCRIPTION, ACCESS RIGHTS, AND COVENANTS MADE PURSUANT TO SECTION 120(h)(3)(A) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980 (CERCLA) (42 U.S.C. § 9620(h)(3)(A)).** For the Property, the GRANTOR provides the following notice, description, and covenants and retains the following access rights:

1. **Notices Pursuant to Section 120(h)(3)(A)(i)(I) and (II) of CERCLA (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II)).** Pursuant to section 120(h)(3)(A)(i)(I) and (II) of CERCLA, available information regarding the type, quantity, and location of hazardous substances and the time at which such substances were stored, released, or disposed of, as defined in section 120(h) is (a) provided to GRANTEE in the FOS, the ECP and the Site Investigation Report dated November 9, 2011, prepared by Bradburne, Briller & Johnson, LLC and attached hereto as Exhibits "B-1", "B-2 and "B-3" respectively, and made a part hereof and (b) identified in the Report of Phase II Environmental Site Assessment, Former Naval Air Station Glenview, Naval Region Midwest Family Housing Privatization, prepared by MACTEC Engineering and Consulting, Inc., dated December 9, 2005.

2. **Description of Remedial Action Taken, if Any, Pursuant to Section 120(h)(3)(A)(i)(III) of CERCLA (42 U.S.C. § 9620(h)(3)(A)(i)(III)):** Pursuant to section 120(h)(3)(A)(i)(III) of CERCLA, a description of the remedial action taken, if any, on the Property is provided in the FOS, the ECP and the Site Investigation Report.

3. **Covenant Pursuant to Section 120(h)(3)(A)(ii) and (B) of CERCLA (42 U.S.C. § 9620(h)(3)(A)(ii) and (B)):** Pursuant to section 120(h)(3)(A)(ii) and (B) of CERCLA, the GRANTOR warrants that:

a. all remedial action necessary to protect human health and the environment with respect to any hazardous substance identified pursuant to section 120(h)(3)(A)(i)(I) of CERCLA remaining on the Property has been taken before the date of this Quitclaim Deed; and

b. any additional remedial action found to be necessary after the date of this Quitclaim Deed shall be conducted by the GRANTOR.

4. **Access Rights Pursuant to Section 120(h)(3)(A)(iii) of CERCLA (42 U.S.C. § 9620(h)(3)(A)(iii)):**

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a. The GRANTOR retains and reserves a perpetual and assignable easement and right of access on, over, and through the Property, to enter upon the Property in any case in which a remedial action or corrective action is found to be necessary on the part of the GRANTOR without regard to whether such remedial action or corrective action is on the Property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, test-pitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the GRANTOR to meet its responsibilities under applicable laws and as provided for in this instrument. Such easement and right of access shall be binding on the GRANTEE and its successors and assigns and shall run with the land.

b. In exercising such easement and right of access, the GRANTOR shall provide the GRANTEE or its successor(s) or assigns, as the case may be, with reasonable notice of its intent to enter upon the Property and exercise its rights under this clause, which notice may be severely curtailed or even eliminated in emergency situations. The GRANTOR shall use reasonable means to avoid and to minimize interference with the GRANTEE's and the GRANTEE's successors' and assigns' quiet enjoyment of the Property. At the completion of work, the work site shall be reasonably restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the GRANTOR. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the GRANTEE, nor its successors or assigns, for the exercise of the easement and right of access hereby retained and reserved by the GRANTOR.

c. In exercising such easement and right of access, neither the GRANTEE nor its successors or assigns, as the case may be, shall have any claim at law or equity against the GRANTOR or any officer or employee of the GRANTOR based on actions taken by the GRANTOR or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this clause; Provided, however, that nothing in this paragraph shall be considered as a waiver by the GRANTEE and its successors and assigns of any remedy available to them under the Federal Tort Claims Act.

**E. LEAD BASED PAINT (LBP).** The GRANTEE acknowledges that the GRANTOR assumes no liability for costs or any damages for personal injury, illness, disability, or death to the GRANTEE, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with LBP on the Property, arising after the conveyance of the Property from the GRANTOR to the GRANTEE, whether the GRANTEE has properly warned, or failed to properly warn, the persons injured.

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## F. ASBESTOS CONTAINING MATERIALS.

1. The GRANTEE is hereby informed and does acknowledge that asbestos or asbestos containing materials ("ACM") have been found in the past. However, remediation efforts have been completed and subsequent environmental analysis, including that which is contained in the Site Investigation Report attached hereto as Exhibit "B-3" has confirmed that there is no current evidence of any ACM on the Property. GRANTOR covenants that it has provided to GRANTEE all documentation regarding the past presence of any known ACM, and the GRANTEE acknowledges receipt of documentation.

2. The GRANTEE covenants and agrees that it shall require for itself, and for all future transferees of the Property, in its use and occupancy of the Property, compliance with all applicable Federal, State and local laws. The GRANTEE acknowledges that the GRANTOR assumes no liability for costs or any damages for personal injury, illness, disability, or death to the GRANTEE, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with ACM on the Property, arising after the conveyance of the Property from the GRANTOR to the GRANTEE, whether the GRANTEE has properly warned, or failed to properly warn, the persons injured.

**G. GRANTEE INDEMNITY FOR SUBSEQUENT RELEASES.** The GRANTEE releases and holds harmless the GRANTOR from any response action or corrective action necessary for any release or threatened release of hazardous substances which first occurred in or on the Property following the date of transfer and during the GRANTEE's period of ownership that is determined to be the result of the GRANTEE's actions or of the actions of a third party, which actions are not related to United States Department of Defense activities. The GRANTEE indemnifies the GRANTOR for damages and response actions resulting from the GRANTEE's actions or the actions of a third party during GRANTEE's period of ownership. The GRANTEE specifically covenants and agrees that, simultaneously with or prior to any subsequent transfer of any or all of the Property by the GRANTEE, the GRANTEE shall notify such transferee or transferees that the provisions of this Section G shall apply to such transferee or transferees and their respective successors and assigns for so long as they shall own any or all of the Property.

**H. RADON.** The GRANTEE covenants and agrees to (i) conduct, or require future transferees to conduct, radon screening on the Property and (ii) provide any building or structure on the Property with and maintain or require future transferees of the Property to provide and maintain an active or passive radon mitigation unit if the amount of radon in any such building or structure is greater than 4 Picocuries per liter of air. Further, the GRANTEE covenants and agrees to comply with, or require future transferees of the Property to comply with, EPA and state standards regarding the maintenance of active or passive radon mitigation units.

**I. NON-DISCRIMINATION.** GRANTEE covenants not to discriminate upon the basis of race, color, religion, disability, sex, age or national origin in the use, occupancy, sale, or lease of the Property, or in its employment practices conducted thereon. The

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UNITED STATES OF AMERICA shall be deemed a beneficiary of this covenant without regard to whether it remains the owner of any land or interest therein in the locality of the Property hereby conveyed and shall have the sole right to enforce this covenant in any court of competent jurisdiction.

**J. GRANTOR IS BENEFICIARY OF NOTICES, COVENANTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS.** The GRANTOR shall be deemed a beneficiary of the notices, covenants, restrictions, reservations and conditions set forth in this Section II without regard to whether it remains the owner of any land or interest therein in the locality of the Property hereby conveyed and shall have the right to enforce the notices, covenants, restrictions, reservations and conditions in any court of competent jurisdiction.

**K. NOTICES, COVENANTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS** set forth in this Quitclaim Deed, unless subsequently released or expressly limited or conditioned, are a binding servitude on the Property, shall inure to the benefit of and be binding upon the GRANTOR and GRANTEE, their successors and assigns, and will be deemed to run with the Property in perpetuity.

**L. ANTI-DEFICIENCY ACT.** Nothing in this Quitclaim Deed shall be interpreted to require obligations of any payment by GRANTOR that is in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341.

**M. UTILITIES.** The GRANTEE covenants, in perpetuity, that it shall not relocate facilities used in connection with overhead and underground transmission and distribution of any and all utilities serving the Grantor-Retained Property, including but not limited to cable, electrical, water, stormwater, sanitary and natural gas ("Utilities"), in, over, under, across, along and upon the surface of the Property for the benefit of the Grantor-Retained Property without GRANTOR's prior written consent, which consent shall not be unreasonably withheld so long as GRANTEE has previously obtained the consent of the governmental or quasi-governmental agency or company providing such Utility service to be relocated. GRANTEE, for itself and its successors and assigns, hereby covenants that any relocation of a Utility consented to by GRANTOR, its successors and assigns in ownership of the Grantor-Retained Property shall be accomplished in such a manner so that there is no disruption of, or diminution in quality or quantity of service of, any Utility serving the Grantor-Retained Property.

**III. HEADINGS.** The headings, titles and captions in this Quitclaim Deed have been inserted only for convenience and in no way define, limit, extend, or describe the scope or intent of this Quitclaim Deed.

[SIGNATURE PAGES FOLLOW]

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IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name and on its behalf by its duly authorized officer and its seal affixed the day and year first above written.

UNITED STATES OF AMERICA,  
DEPARTMENT OF THE NAVY

By: Jana L. Hubner (SEAL)  
Jana L. Hubner  
Naval Facilities Engineering Command Atlantic  
Department of the Navy

Property of

COMMONWEALTH  
-STATE OF VIRGINIA )  
CITY/COUNTY OF NOFOLK )

to-wit:

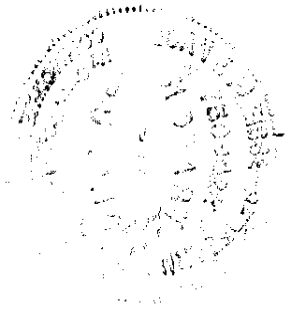
I, JOAN PUISSE RICHARDSON Notary Public for the Commonwealth of Virginia, do hereby certify that JANA L. HUBNER as the PPV DIRECTOR of the Naval Facilities Engineering Command Atlantic of the Department of the Navy for the United States of America, personally known to me to be the person whose name is ascribed to the attached Quitclaim Deed, appeared before me on this day in person and acknowledged that he signed and delivered the said instrument as her free and voluntary act, and as the free and voluntary act of the United States of America, Department of the Navy, for the uses and purposes set forth therein.

Given under my hand this 18<sup>th</sup> day of JANUARY, 2012.

[Signature]  
NOTARY PUBLIC

My Commission expires 1/31/2015

(SEAL)







**UNOFFICIAL COPY****EXHIBIT A  
LEGAL DESCRIPTION OF THE PROPERTY****PARCEL 1:**

THAT PART OF LOT 1 IN GLENVIEW NAVAL SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 21, AND PART OF THE NORTHWEST QUARTER OF SECTION 27 AND PART OF THE NORTH HALF OF SECTION 28, ALL IN TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF RECORDED DECEMBER 28, 2009 AS DOCUMENT 0936218044, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID LOT 1 FOR THE NEXT six (6) COURSES; (1) THENCE SOUTH 89 DEGREES 54 MINUTES 07 SECONDS EAST, 908.75 FEET; (2) THENCE SOUTH 00 DEGREES 11 MINUTES 26 SECONDS WEST, 45.03 FEET; (3) THENCE SOUTH 89 DEGREES 52 MINUTES 05 SECONDS EAST, 222.96 FEET; (4) THENCE SOUTH 00 DEGREES 07 MINUTES 55 SECONDS WEST, 746.97 FEET; (5) THENCE NORTH 89 DEGREES 52 MINUTES 05 SECONDS WEST, 264.68 FEET; (6) THENCE SOUTH 00 DEGREES 07 MINUTES 55 SECONDS WEST, 130.29 FEET TO A POINT ON THE EASTERLY EXTENSION OF A SOUTHERLY LINE OF SAID LOT 1; THENCE SOUTH 89 DEGREES 44 MINUTES 10 SECONDS WEST, ALONG SAID SOUTHERLY LINE AND IT'S EASTERLY EXTENSION, 296.06 FEET; THENCE ALONG THE SOUTHERLY, WESTERLY AND EASTERLY LINES OF SAID LOT 1 FOR THE NEXT FIVE (5) COURSES; (1) THENCE NORTH 15 DEGREES 42 MINUTES 15 SECONDS WEST, 64.60 FEET; (2) THENCE NORTH 75 DEGREES 07 MINUTES 37 SECONDS WEST, 638.78 FEET; (3) THENCE NORTH 88 DEGREES 50 MINUTES 34 SECONDS WEST, 173.18 FEET; (4) THENCE SOUTH 86 DEGREES 51 MINUTES 32 SECONDS WEST, 73.59 FEET; (5) THENCE SOUTH 76 DEGREES 40 MINUTES 55 SECONDS WEST, 86.93 FEET; THENCE NORTH 54 DEGREES 55 MINUTES 43 SECONDS WEST, PERPENDICULAR TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERLY RAILROAD, 88.28 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERLY RAILROAD; THENCE NORTH 31 DEGREES 04 MINUTES 17 SECONDS EAST, ALONG SAID SOUTHEASTERLY LINE, 817.15 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PARCEL 2:**

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY RESERVATION IN DEEDS FOR UNITED STATES OF AMERICA TO MIDWEST FAMILY HOUSING LLC DATED OCTOBER 12, 2007 AND RECORDED OCTOBER 22, 2007 AS DOCUMENT 0729540239 AND AS SET FORTH IN DEED FROM MIDWEST FAMILY HOUSING LLC TO THE VILLAGE OF GLENVIEW DATED OCTOBER 12, 2007 AND RECORDED OCTOBER 22, 2007 AS DOCUMENT 0729540240 FOR THE PURPOSE OF INGRESS AND EGRESS OVER TWO STRIPS OF LAND ACROSS LAND EAST DESCRIBED AS FOLLOWS: LOT 2 IN GLENVIEW NAVAL OF PART OF THE SOUTHEAST QUARTER OF SECTION 21 AND PART OF THE NORTHWEST QUARTER OF SECTION 27 AND PART OF THE NORTH HALF OF SECTION 28, ALL IN TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF RECORDED DECEMBER 28, 2009 AS DOCUMENT 0936218044, IN COOK COUNTY, ILLINOIS.

**PARCEL 3:**

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT OF EASEMENT FROM UNITED STATES OF AMERICA TO THE VILLAGE OF GLENVIEW DATED MAY 24, 2001 AND RECORDED JUNE 21, 2001 AS DOCUMENT 0010545591 FOR THE PURPOSE OF INGRESS AND EGRESS AND MAINTENANCE OF A PAVED ROAD OVER AND ACROSS THE FOLLOWING REAL ESTATE: THAT PART OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST MOST CORNER OF LOT 10 IN GLENVIEW NAVAL AIR STATION SUBDIVISION NO. 2, BEING A SUBDIVISION OF PART

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OF SECTIONS 15, 21, 22, 23, 26, 27, 28 AND 34, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID POINT BEING ALSO A POINT ON THE WEST LINE OF SHERMER ROAD AS DEDICATED BY SAID SUBDIVISION; THENCE SOUTH 37 DEGREES, 31 MINUTES, 19 SECONDS EAST ALONG SAID WEST LINE OF SHERMER ROAD 37.83 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST 288.06 FEET; THENCE NORTH 00 DEGREES, 05 MINUTES, 16 SECONDS WEST 39.74 FEET TO THE SOUTHWEST MOST CORNER OF SAID LOT 10; THE REMAINING COURSES BEING ALONG THE SOUTHERLY LINE OF SAID LOT 10; THENCE NORTH 89 DEGREES, 48 MINUTES, 19 SECONDS EAST 60.55 FT; THENCE SOUTH 24 DEGREES, 00 MINUTES, 00 SECONDS EAST 10.89 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST 200.10 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PARCEL 4:**

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY PLAT OF EASEMENT BY THE VILLAGE OF GLENVIEW RECORDED JULY 16, 2001 AS PLAT DOCUMENT 0010625383 FOR THE PURPOSE OF INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING REAL ESTATE: LOT 1 IN THE GLEN SUBDIVISION NO. 2, BEING A RESUBDIVISION OF PART OF LOT 10 IN GLENVIEW NAVAL AIR STATION SUBDIVISION NO. 2, BE A SUBDIVISION OF PART OF SECTIONS 15, 21, 22, 23, 26, 27, 28 AND 34, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Address: Vacant land  
West of Shermer, North of West Lake Ave. and  
East of C. & N.W.R.R.  
Glenview, Illinois *60025*

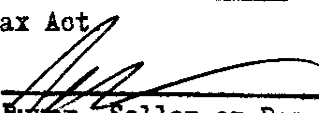
PIN: 04-28-200-081-0000 (this tax number also affects other property)

REAL ESTATE TRANSFER	02/14/2012
 	COOK \$0.00
	ILLINOIS: \$0.00
	TOTAL: \$0.00
04-28-200-081-0000   20111201603238   XWHHMB	

Exempt under provisions of Paragraph b, Section 4,  
Real Estate Transfer Tax Act

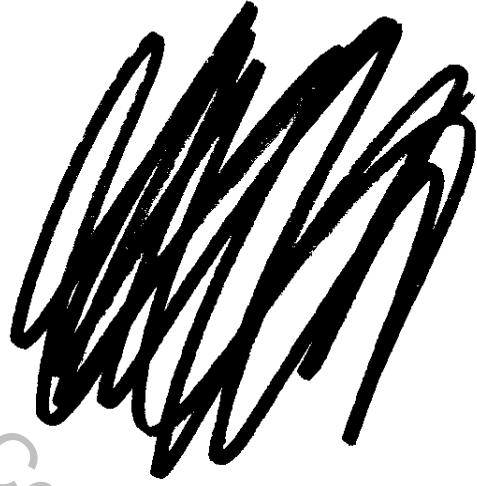
1-18-12

Date

  
Buyer, Seller or Representative

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## EXHIBIT B-1 FINDING OF SUITABILITY ("FOS")



Property of Cook County Clerk's Office

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## FINDING OF SUITABILITY PUBLIC/PRIVATE VENTURE HOUSING PRIVATIZATION NAVAL STATION GREAT LAKES, ILLINOIS

NOVEMBER 2005

### 1.0 PURPOSE

This Finding of Suitability (FOS) documents my determination, as the responsible Department of Defense (DoD) component official, that the real property and associated improvements located on portions of [REDACTED] Naval Air Station (NAS) Glenview, [REDACTED] (Subject Property) are environmentally suitable for inclusion in the Public/Private Venture (PPV) Program authorized by the Naval Defense Authorization Act of 1996 (Public Law 104-106, Section 2001 statute 188). The real property will be leased and the housing units will be transferred by deed. In addition to the lease of property, three disposition parcels will be transferred to the PPV and the [REDACTED] by the PPV Partner to fund construction and renovation activities. The disposition areas are shown in Attachment 1 to this FOS.

This decision is based upon a review of the information contained in the May 2004 Environmental Baseline Study (EBS), Exhibit 1 and the proposed PPV action in the Environmental Assessment (EA). Factors leading to this determination and other pertinent information related to lease and transfer requirements are stated below.

### 2.0 DESCRIPTION OF PROPERTY

The Subject Property consists of [REDACTED] 400 housing units at NAS Glenview, [REDACTED]. These housing units are more completely described in Exhibit 1. [REDACTED] The NAS Glenview property is located at the former NAS Glenview in Cook County, Illinois, approximately 20 miles south of MAYBETA GLENVIEW, [REDACTED]

### 3.0 PAST USE AND PROPOSED REUSE

The Subject Property provided housing for military personnel and their families. Under the PPV, a private developer will enter into a limited partnership with the Department of the Navy to demolish and/or renovate existing family housing within the Subject Property. All family housing will be managed and maintained by the limited partnership for a period of fifty years. The housing units will revert to the Navy at the end of the lease period. Three disposition parcels will be transferred to the PPV and then sold by the PPV Partner to fund construction and renovation activities. These areas are shown in Attachment 1 to this FOS. This includes [REDACTED] and an eastern portion of Glenview shown in Attachment 1.

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## FINDING OF SUITABILITY PUBLIC/PRIVATE VENTURE HOUSING PRIVATIZATION NAVAL STATION GREAT LAKES, ILLINOIS

NOVEMBER 2005

### 4.0 ENVIRONMENTAL FINDINGS

The EBS site visit was conducted in March 2004. All available information concerning the past storage, release or disposal of hazardous substances and/or petroleum products on the Subject Property as collected through record searches, aerial photographs, personnel interviews and on-site visual inspections is contained in Exhibit 1. The following paragraphs summarize those findings and corresponding DoD portion of property classifications assigned to the real property and improvements to be sold/transferred.

#### A. Hazardous Substance Use/Contamination

##### NAS Glenview

The former NAS Glenview is a registered large quantity generator of hazardous wastes, handling over 2,205 pounds per month. No storage or release of hazardous substances has been reported within the NAS Glenview portion of the Subject Property.

Based on visual observations and environmental records reviewed to date, hazardous material storage areas at [REDACTED] NAS Glenview, [REDACTED] are not anticipated to have an adverse impact on the environmental integrity of the Subject Property.

#### B. Petroleum or Petroleum Product Contamination

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**FINDING OF SUITABILITY  
PUBLIC/PRIVATE VENTURE HOUSING PRIVATIZATION  
NAVAL STATION GREAT LAKES, ILLINOIS**

**NOVEMBER 2005**

**NAS Glenview**

The LUST site is located in the NAS Glenview portion of the Subject Property. A number of pentane tanks were located at Orion Circle near Installation Restoration (IR) Site 1. These tanks have been removed and remedial activities completed. A request for closure has been submitted to the IEPA.

**C. Condition of Property Classification**

**NAS Glenview**

IR Site 1 at NAS Glenview is categorized as Category 4, areas where release of hazardous substances has occurred, and all remedial actions necessary to protect human health and the environment have been taken. The remaining Subject Property at NAS Glenview is categorized as Category 2, areas where only a release or disposal of petroleum products or their derivatives has occurred.

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FINDING OF SUITABILITY  
PUBLIC/PRIVATE VENTURE HOUSING PRIVATIZATION  
NAVAL STATION GREAT LAKES, ILLINOIS

NOVEMBER 2005

D. Other Environmental Aspects

1. Asbestos-Containing Material (ACM)

NAS Glenview

An Asbestos Survey was performed in 1998 on the NAS Glenview portion of the Subject Property, which was constructed in 1991. No homogeneous ACM areas were detected. Based on records review and site investigation, ACM is not expected to be present at the NAS Glenview portion of the Subject Property.

The lease will be required under the land lease to property manage ACM in accordance with applicable laws and regulations and an ACM Operations and Maintenance (O&M) Plan.

The lease will also be required under the land lease to property manage Transite impacted soils disturbed during construction activities. Transite impacted soil is found throughout Navy Housing areas. If the Transite impacted soils are disturbed by heavy equipment or regrading activities, the Transite impacted soils will be considered a Special Waste as defined by the State Environmental Protection Agency (SEPA) and shall be disposed of in accordance with the applicable regulations.

2. Lead-Based Paint (LBP)

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NAS Glenview

Due to the date of construction of the buildings (1991 and 1998), LBP is not suspected to be present at the NAS Glenview portion of the Subject Property.

The P/V Partnership will be required by the Lease/Partnership Agreement and/or Deed to properly manage all LBP so as to preclude future risks to human health. Additionally, the P/V Partnership will include Navy policy guidance (Commander, Navy Installations (CNI) Housing Lead Policy of 31 August 2004 and Assistant Secretary of the Navy (ASN) Policy of 23 August 2004) in its LBP Management Plan. In accordance with federal regulatory requirements (24 CFR 35 and 40 CFR 745), a copy of U.S. Environmental Protection Agency (EPA) pamphlet EPA 747-K-04-001, "Protect Your Family From Lead in Your Home," Attachment 2 to this FOS, will be provided to the P/V Partner.

3. Polychlorinated Biphenyls (PCBs)

NAS Glenview

According to NAVSTA Great Lakes Environmental Division, no transformers or other equipment likely to contain PCBs are present on the NAS Glenview portion of the Subject Property. A visual inspection of the transformers which remain showed they were in good condition with no apparent leaks.



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## 5. Radon

The U.S. EPA and the U.S. Geological Survey have evaluated the radon gas exposure in the U.S. Radon gas poses a risk to human health if the geographical area is prone to releasing radon gas and if there is a structure to confine the gas. Each state's county has a zone designation that reflects the average short-term radon measurement that can be expected to be measured in a building without implementation of radon control methods. Radon zone designations range from of

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the highest potential, Zone 1, to the lowest potential, Zone 3. Lake and Cook counties are designated as Zone 2.

NAS Glenview - No radon survey was readily available for the NAS Glenview portion of the Subject Property. However, the housing units were constructed on concrete slabs with a minimal amount of slab penetrations so containment of radon gas is believed to be minimal.

The PPV Partnership will be required via the land lease/Partnership Agreement and/or deed to implement a Radon Management Plan and budget for abating radon in housing not otherwise scheduled for demolition.

6. Adjacent Properties

NAS Glenview

Nine (9) IR sites have been identified throughout NAS Glenview. IR Site 1 is located within the Subject Property. IR Site 2 is located adjacent to the south portion of the Subject Property. Remediation at all of the IR sites is complete and NFRAP status has been received. A complete description of these sites is contained in Exhibit 1.

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**5.0 REQUIREMENTS APPLICABLE TO PROPERTY DISPOSAL**

**A. National Environmental Policy Act (NEPA) Compliance**

An Environmental Assessment (EA) was prepared to assess the potential environmental impacts associated with the Subject Property PPV. A Finding of No Significant Impact (FONSI) was signed on May 26, 2005.

**B. Environmental Compliance / Permits / Orders**

A search of Federal, State and local regulatory databases did not reveal the existence of any environmental permits, orders or outstanding compliance issues associated with the Subject Property.

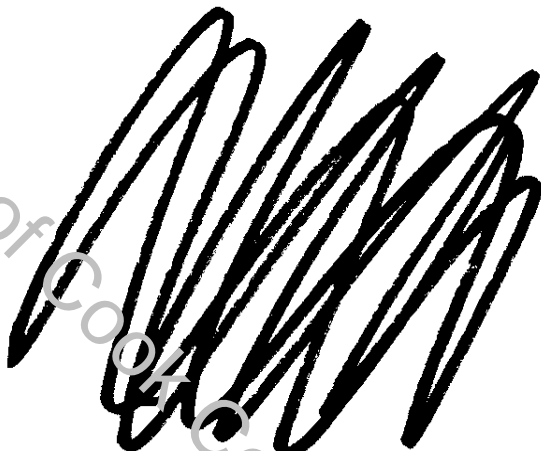
**C. Historic, Cultural and Natural Resources Requirements**

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**NAS Glenview**

Significant cultural resources have not been identified at the Subject Property on NAS Glenview.

These buildings will be transferred with the PPV. The Navy and PPV Partner have signed a programmatic agreement with the Illinois State Historic Preservation Officer to mitigate any potential adverse effects to these properties on account of the PPV.

**D. Notification to Regulatory Agencies / Public**

This FOS was prepared in accordance with DoD guidance concerning Non-Base Realignment and Closure Act (BRAC) real property leases and disposal. Regulatory agency comments were not solicited in connection with this FOS since it is not anticipated that the lease will extend beyond the date of termination of government operations at NAVSTA Great Lakes.

In accordance with DoD guidance, this FOS and the final EBSR will be made part of the lease/transfer documentation provided to the PPV Partnership. Copies of all transfer related documentation not otherwise subject to withholding under the federal Freedom of Information Act (FOIA) will be made available to the public and/or regulatory agencies upon request after they are finalized.

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**NOVEMBER 2005**

**NO SUITABILITY DETERMINATION**

NOW THEREFORE, based upon my review of the information contained in the  
mentioned EBSR, I have determined that the Subject Property is presently suitable  
for the proposed PPV action.

12 Dec 2005  
Date



R. B. RAINES, CAPT, CEC, USN  
Commander  
Southern Division  
Naval Facilities Engineering Command

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## EXHIBIT B-2 ENVIRONMENTAL CONDITION OF PROPERTY ("ECP")

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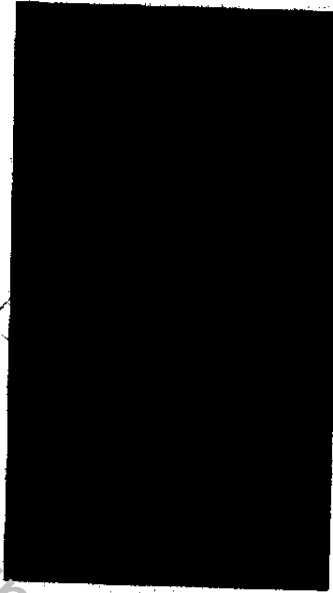
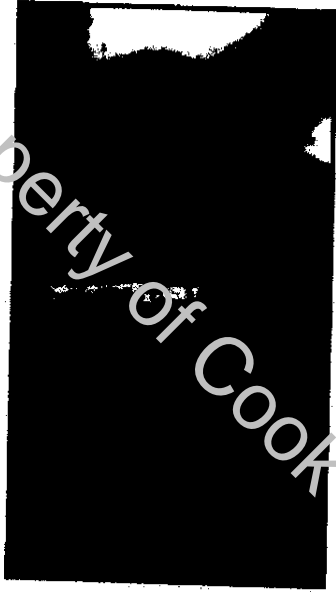
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## Environmental Condition of Property Report

for

Glenview Site 118

Former Glenview Naval Air Station, Naval Station Great Lakes, Illinois



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November 2011

By

NAVFAC Midwest

Integrated Product Team – Environmental



**NAVFAC**  
Naval Facilities Engineering Command




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**ENMFAC**

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## ENVIRONMENTAL CONDITION OF PROPERTY REPORT

### SIGNATURE SHEET

The undersigned testify the contents of this report meet the Department of Defense's (DOD) policy for the completion of an Environmental Condition of Property review.

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Shannon L. Bever, P.E.  
IPT EV BLTL  
NAVFAC Midwest - IPT/EV

11/29/11

Date

Terese A. Van Donsel  
Project Engineer  
NAVFAC Midwest - IPT/EV

11/29/11

Date


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## EXECUTIVE SUMMARY

Naval Facilities Engineering Command (NAVFAC) Midwest Integrated Product Team (IPT) has prepared this Environmental Condition of Property (ECP) report for the Glenview Site 118 property at the former Glenview Naval Air Station, Naval Station Great Lakes. The subject property is located west of Shermer Road in Glenview, Lake County, Illinois, 60026.

This report was developed in conformance with the Department of Navy (DON) Environmental Policy Memorandum 05-06: Streamlined Environmental Procedures Applicable to non-BRAC Real Estate Actions, 05 July 2006. The scope of the review is based on the Option 1 outline, which is applicable for real estate actions that involve the disposal of property outside of the DON. In support of the preparation of this ECP report, NAVFAC Midwest staff inspected the Site and performed a reconnaissance of the surrounding area on July 13, 2011. An additional site visit was conducted on September 14, 2011, in concert with investigational soil boring activities performed by Midwest Family Housing, LLC (MFH).

This Executive Summary provides a brief description of the current and former uses of the subject property and areas of potential environmental concern that were evaluated during the ECP process. Detailed information associated with the summary presented below is provided in the remaining portion of this document.

### SITE DESCRIPTION & HISTORICAL USE

The Glenview Naval Air Station operated from 1923 to 1995. The property reviewed in this ECP was historically used for military housing. Although the date of ownership for the parcel under review could not be determined from readily available information, there have been two separate developments built and then demolished at the site. The property is currently surrounded by residential areas, but land uses adjacent to the subject property also include a day care, a property management office, a cemetery and a railroad.

### AREAS ASSESSED FOR ENVIRONMENTAL CONCERN

The following information was obtained through review of general property information, observation of neighboring properties, research of available historical information, interviews with knowledgeable parties, an environmental record search, and a site reconnaissance.

- **Hazardous Substances** – There is no indication that chemicals containing Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances were stored within Site 118. No use of hazardous substances was identified within the property. However, the southeast portion of Site 118 may have received some limited impact from the Old Fire Fighting Training Area (Installation Restoration Site #1) and the southwest portion of Site 118 may have received some limited impact from Western Old Burn Area #1/Household Waste Landfill (Installation Restoration Site #2). Based on the limited data set, there is no indication that residual contamination in the area would be at a level that would constitute a risk to human health and the environment.
- **USTs/ASTs** – There is no indication that underground storage tanks (USTs) or aboveground storage tanks (ASTs) have historically been located within Site 118. However, a leaking underground storage tank (LUST) site was located adjacent to an area near First Street that is planned for transfer. According to site summary documents, the tanks have been removed, the contamination from historical leaks has been addressed, and the residual soil contaminant concentrations have been found to meet health-based standards.

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- **Solid Waste** - A large pile of crushed asphalt and a large pile of crushed concrete are present at the site. According to the Public Private Venture (PPV) Project Manager, these materials are to remain at the site as the purchaser was planning to either utilize or sell the materials. In addition, there were several areas where household wastes have been dumped at the site and several small piles of landscape waste that are intermixed with solid waste. It is recommended that the solid waste be removed from the site prior to property transfer. The potential presence of two small "former landfill" areas briefly noted in a 1991 report was investigated and resolved through documentation from an individual knowledgeable about past investigations and operations and confirmed via Midwest Family Housing's collection of soil borings from the area on September 14, 2011.
- **Polychlorinated Biphenyls (PCBs)** - There is no information indicating that PCBs were used at the subject property or were released from transformers that could have contained PCB-based fluid.
- **Asbestos Containing Materials (ACM)** - Based on the site history, communications with NAVFAC MW personnel with knowledge of the property and historical activities and operations, and a review of site documents, this review finds that there exists the potential for asbestos and ACM to be present in soil at the site. The most recent sampling is from 2007, where September 2007 sampling in a portion of the site did identify samples positive for asbestos. However, after apparent surface (0 to 6") clearing activities by MFH, follow-up sampling in December of 2007 identified only a single detection of asbestos (at a concentration at less than 1%). There is therefore uncertainty regarding the potential for ACM in deeper disturbed soils and to the west of the sampled area. Because of the similarity between Site 118 and the adjacent Lot 2, this ECP recommends utilization of the institutional controls that the Illinois Environmental Protection Agency established for Lot 2 (as part of the 4(Y) release) for application at Site 118.
- **Lead-Based Paint (LBP)** - While the newer structure that had been built on the site in the 1990's were unlikely to have utilized lead-based paint, it is possible that the structures previously on the site could have used lead-based paint. However, given the extent of site disturbance from two cycles of property demolition, it is unlikely that areas of elevated lead (which are usually shallow and located in close proximity to the structures) would remain or would pose a threat under current conditions.
- **Radiological Materials** - No radiological materials were identified during the site reconnaissance. There is no evidence of any use or release of radiological materials within Site 118.
- **Pesticides and Herbicides** - Pesticides and herbicides were likely used during the operational use of the base. However, no information has been identified regarding the types of chemicals used, the frequency of use, or the volume of chemicals introduced into the environment. There is no information to suggest improper application or accidental release into the environment.
- **Radon** - The United States Environmental Protection Agency (U.S. EPA) and the United States Geological Survey (USGS) consider Lake County, Illinois to be in an area of "moderate or variable" geologic potential. U.S. EPA considers Lake County to be in radon Zone 2, where the indoor average radon level is  $\geq 2$  pico curies per liter (pCi/L) and  $\leq 4$  pCi/L.
- **Munitions and Explosives** - There is no indication that munitions or explosives were stored or used at Site 118.
- **Surrounding Properties** - Potential environmental sites of concern, located within corresponding ASTM search radius distances from the Site were evaluated. No sites were identified that pose a significant risk of contamination to the Site 118 property.

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## ENVIRONMENTAL CONDITION OF PROPERTY

Findings of this ECP report were based on readily available environmental information, previous environmental studies, and federal and state database and file information related to the storage, release, treatment or disposal of hazardous substances or petroleum products. Findings were also based on visual observations from the time of the site visit and coordination with Navy personnel familiar with the property and its history.

In accordance with ASTM Designation D5746-98 (2002), Standard Classification of Environmental Condition of Property Area Types for Defense Base Closure and Realignment Facilities, Glenview Site 118 is generally classified as Type 3, an area or parcels of real property where release, disposal, or migration, or some combination thereof, of hazardous substances has occurred, but at concentrations that do not require a removal or remedial action.

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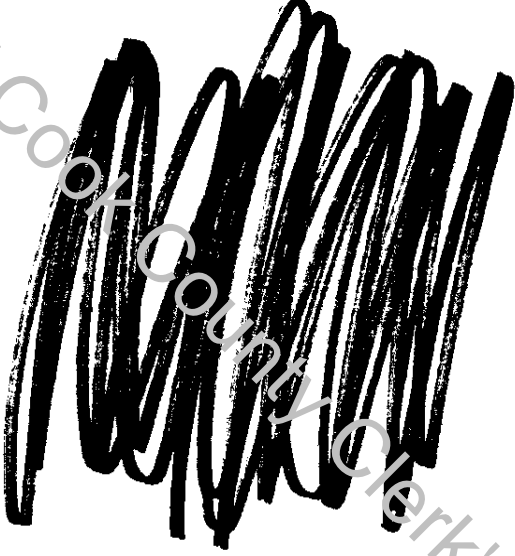
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- APPENDIX C: March 15, 2006 Letter Report from Ms. Mary Jank (MACTEC) to Mr. Brian Conrath of the Illinois Environmental Protection Agency (IEPA) and Associated Correspondence**
- APPENDIX D: September 27, 1991 Letter Report “Asbestos-Containing Debris Evaluation, NAS Glenview, Illinois” from Ms. Barbara L. Epstien (BCM Engineers, Inc.) to Mr. Thomas Snyder (Naval Facilities Engineering Command, Northern Division)**
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- (1) September 15, 2011 Correspondence from Ms. Katelin Lewis (STAT Analysis Corporation) to Ms. Mary Jank (MACTEC) Regarding Seven Samples Collected on September 14, 2011
  - (2) Draft Test Boring Record Logs prepared by Mr. Andrew E. Hastings (AMEC) for September 14, 2011 Soil Borings
- APPENDIX H: 2011 ENVIRONMENTAL FIRSTSEARCH™ REPORT**

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## ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

Page 1 of 7

**Installation:** Site 118, Former Naval Air Station (NAS) Glenview, Naval Station Great Lakes

**Parcel/Site Location and Description:** Former residential neighborhood, currently vacant property with homes demolished. Also referred to as "Lot 1" on the Final Plat of Subdivision, Glenview Naval Subdivision. Historically considered part of an area designated as "S023".

**Proposed Real Estate Action Description:** Transfer of parcels to PPV, with anticipated sale by Midwest Family Housing, LLC.

### SITE SUMMARY INFORMATION

1. Information regarding site uses and any hazardous materials, contamination, or conditions. All available and pertinent files, records, reports and aerial photographs were reviewed and, where necessary, a site inspection and/or personal interviews were conducted to document the environmental conditions of the property to support the proposed real estate action. A summary of the conditions, sources of information (including location), and any required use restrictions is provided for each environmental condition.

#### A. Parcel/Site Uses:

**Prior Uses:** Former residential neighborhood. Prior to that, contained military structures.

**Current Uses:** Property is vacant. Residences have been demolished. Waste concrete and asphalt are stockpiled.

**Future Uses:** Assumed to be residential.

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## ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

Page 2 of 7

B. Contaminants:  Yes  No  UnknownIf yes, identify contaminant and media: See below

The reviewer considered the potential for asbestos in site soils. Investigations of nearby similar parcels noted no friable asbestos in surface soils, but the potential for non-friable asbestos debris in the form of transite. Asbestos-containing debris had been "picked" from Glenview property surface soils over a period of many years, although the extent of impact, if any, at the Site 118 property is not known. Since the Site 118 soils were re-worked after the demolition of the original structures and before the construction of residences in the 1990s, the final disposition and distribution of the soils from the original housing demolition is unknown. MACTEC Engineering and Consulting, Inc (MACTEC) performed shallow grid sampling at 147 locations on the property in 2007, and all but one location were negative for asbestos. A single sample point east of First Street near the Child Development Center was found to contain asbestos (0.56% Chrysotile, 0.06% Amosite). Note that because of the site history there is also a potential for asbestos in deeper soils and in soils to the west of the previously sampled area. This ECP recommends that the institutional control requirements established by the Illinois Environmental Protection Agency for the property immediately adjacent to Site 118 (Site 2) be applied to Site 118.

Polynuclear aromatic hydrocarbons (PAHs) were identified in soils near Installation Restoration Sites #1 (the Old Fire Fighting Training Area) and #2 (the Western Old Burn Area #1/Household Waste Landfill) and also near the pentane leaking underground storage tank (LUST) site. Levels in Site 118 soils near these sites could be elevated but, based on the data review, are unlikely to exceed health-based levels. Although some of the PAH results IR Sites #1 and #2 exceeded Tiered Approach to Corrective Action Objectives (TACO) Tier I residential criteria, the concentrations were determined to be consistent with local calculated background and therefore acceptable to the Illinois Environmental Protection Agency (IEPA). The most recent sampling in the area of the pentane LUST site found PAH samples to be at acceptable levels.

Methane samples near IR#2 were found to be acceptable.

There is a potential for low-level PAHs in surface soils near the waste asphalt stockpile, since the ground asphalt material can more easily leach contaminants to the soil. It is recommended that the surface soil be sampled or replaced after removal of the asphalt pile.

See the ECP Report for additional discussion on the above issues.

Site visit on 11/2/11 noted stained soils with petroleum odor in the area where Bradburne, Briller & Johnson (BB&J) overturned fill soils during test pit activities in the western portion of the property.

Source of information:

- a) March 15, 2006 Letter Report from Ms. Mary Jank (MACTEC) to Mr. Brian Conrath of the Illinois Environmental Protection Agency (IEPA) - ECP Report Appendix C
- b) September 27, 1991 Letter Report "Asbestos-Containing Debris Evaluation, NAS Glenview, Illinois" from Ms. Barbara L. Epstein (BCM Engineers, Inc.) to Mr. Thomas Snyder (Naval Facilities Engineering Command, Northern Division) - ECP Report Appendix D
- c) September 12, 2008 Correspondence from Mr. Clarence Smith (IEPA) to Mr. John Hoyt (Forest City) regarding institutional controls required on adjacent property (Lot 2) to address potential ACM in soils - ECP Report Appendix E
- d) September 16, 2008 Email Correspondence from Ms. Mary Jank (MACTEC) to Mr. John Hoyt (Forest City) regarding leaking electrical equipment - ECP Report Appendix F
- e) Report of Phase I Environmental Site Assessment Update, Former Naval Air Station Glenview, Naval Region Midwest Family Housing Privatization, September 2007
- f) Phase II Environmental Site Assessment, Former Naval Air Station, Glenview Illinois, Naval Region Midwest Family Housing Privatization, December 2005
- g) Report of Phase I Environmental Site Assessment, Former Naval Air Station Glenview, Naval Region Midwest Family Housing Privatization, October 2005
- h) Remediation Plan, Midwest Military Communities, LLC, December 2005
- i) ECP Report Figures 2, 3, 4 and 5

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

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## ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

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C. Hazardous Materials Use:  Yes  No  Unknown  
 Hazardous Materials Storage:  Yes  No  Unknown

Type of HM:

Type of Use and/or Storage:

Source of information: There was no indication during the 13 July 2011 site inspection that hazardous materials are being used or stored at the property.

A review of site records was used to determine whether there was historical use or storage of hazardous materials. The proximity of Site 118 to IR Site #1 raises the potential that some fire-fighting training exercises (which used AVGAS, JP-4 jet fuel, waste oils) could have extended into or impacted the southeast area of the site. Available chemical data indicates the potential for some impacts to soils near IR Site #1, but contaminant concentrations would not be expected to exceed allowable residential criteria.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

D. Treatment, Storage, Disposal of Hazardous Waste:  Yes  No  Unknown

Source of information: Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no indication that hazardous wastes were treated, stored or disposed at the property. See the ECP Report for additional information.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

E. Underground Storage Tanks:  Yes  No  Unknown

UST No. \_\_\_\_\_ Gals. \_\_\_\_\_

Source of information: Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no indication that any underground tanks were or are present within the subject property. Note that there is a potential that heating oil tanks were utilized during the operational era of the base. In addition, five 5,000-gallon underground storage tanks had been located adjacent to Site 118 near the housing office. See the ECP Report for additional information.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

F. Above-Ground Storage Tanks:  Yes  No

AST No. \_\_\_\_\_ Gals. \_\_\_\_\_

Source of information: Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no indication that any above-ground tanks were or are present within the subject property. Note that there is a potential that heating oil tanks were utilized within Site 118 during the operational era of the base. A 2,500-gallon fuel above-ground storage tank had previously been located off-site to the south and west of the subject property, near the old burn area and air fill.

The 2007 Phase I Update noted that an out-of-service generator (that had been used to operate a lift pump for sewage from the former mobile home "park" during power outages) was observed at the northeast corner of First Street and Avenue D. This generator may have been fueled by diesel or propane. No fuel releases were identified. The 13 July 2011 site inspection did not note the presence or absence of the generator.

See the ECP Report for additional information.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

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## ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

Page 4 of 7

G. Presence of Polychlorinated Biphenyl's (PCB's):  Yes  No  Unknown

Source of information: Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no information to suggest the presence of PCBs in site soils. No record or evidence of past transformer leaks for the Site 118 property was found in site files. See the ECP Report for additional information.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

H. Asbestos:  Yes  No  UnknownIf yes:  Friable  Non-friable  Unknown

Source of information: The reviewer considered the potential for asbestos in site soils. Investigations of nearby similar parcels noted no friable asbestos in surface soils, but the potential for non-friable asbestos debris in the form of transite. Asbestos-containing debris had been "picked" from Glenview property surface soils over a period of many years, although the extent of impact, if any, at the Site 118 property is not known. Since the Site 118 soils were re-worked after the demolition of the original structures and before the construction of residences in the 1990s, the final disposition and distribution of the soils from the original housing demolition is unknown. MACTEC Engineering and Consulting, Inc (MACTEC) performed shallow grid sampling at 147 locations on the property in 2007, and all but one location were negative for asbestos. A single sample point east of First Street near the Child Development Center was found to contain asbestos (0.56% Chrysotile, 0.06% Amosite). Note that because of the site history there is a potential for asbestos and ACM in deeper disturbed soils and in soil to the west of the evaluated area. See the ECP Report for more information.

While not a traditional Land Use Control, occupational health and safety institutional controls are to be put in place on the adjacent Lot 2 (to the east of Site 118) to provide a framework for addressing any ACM which might be identified during intrusive activities. Such controls should be considered for application at Site 118.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

I. Lead Paint:  Yes  No  Unknown

Source of information: The Phase I Environmental Site Assessments Update referenced above in Section B noted that the presence of lead-based paint was unlikely given the age of the structures at the site. The structures from the 1990's have been demolished. However, there is a potential for low-level residual lead from the possible use of lead-based paint at the original residential structures. Since soils from that era have been disturbed, mixed and amended over the years, the potential for broad elevated lead in soils is low. See the ECP Report for additional information.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

J. Radon:  Yes  No  Unknown

Source of information: No radon survey is available for the property, which is in a U.S. Environmental Protection Agency Zone 2. There are currently no structures on the property.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

K. Radiological Materials:  Yes  No  Unknown

Source of information:

Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no indication that radiological materials were or are present within the subject property.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

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## ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

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L. Solid/Bio-Hazardous Waste:  Yes  No  Unknown

Source of information: Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no evidence of past or current biological waste disposal at the property.

During the 13 July 2011 site inspection and September 19, 2011 site visit, there was construction debris noted at the ground surface, multiple debris piles and stockpiles of waste concrete and waste asphalt, and dumping of what appears to be household wastes.

A household landfill is located to the southwest of the property, outside the parcels to be transferred. The 15 Mar 06 letter report from Mary Jane O'Brian Conrath referenced 2005 gas monitoring data which showed no detections of methane near the landfill. See the ECP Report for additional information.

In ECP Report Figure 3 and in a 27 September 1991 Letter Report "Asbestos-Containing Debris Evaluation, NAS Glenview, Illinois" from Ms. Barbara J. Fostien (BCM Engineers, Inc.) to Mr. Thomas Snyder (Naval Facilities Engineering Command, Northern Division), there are noted two small areas that are marked as former landfills. Resolution of these areas was based on employee knowledge and confirmed by soil borings conducted by Midwest Family Housing on 14 September 2011.

Solid waste appears limited to non-hazardous demolition debris and household wastes. See the ECP Report for additional discussion of these issues.

Site visit on 11/2/11 noted stained soils with petroleum odor in the area where Bradburne, Briller & Johnson (BB&J) overturned fill soils during test pit activities in the western portion of the property.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

M. Munitions and Explosives of Concern:  Yes  No  Unknown

Source of information: Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no evidence that munitions and explosives of concern would be present within the subject property.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

N. Threatened or Endangered Species:  Yes  No  Unknown

Source of information: No threatened or endangered species of concern are anticipated to be within the subject property. See the ECP Report for additional information.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

O. Natural or Cultural Resources:  Yes  No  Unknown

Source of information: Based on the 13 July 2011 site inspection and a review of the records referenced above in Section B, there is no evidence of cultural or natural resources within the subject property.

Note the presence of small wetland areas. See the ECP Report for additional information. The ECP inspection did not include a wetland delineation.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

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## ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

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**P. Use of Adjacent Property:**

Current Use: Vacant property, with former residences demolished. Closed landfill to the southwest of subject property. Cemetery to the north of the subject property. Housing office to the south. Occupational health and safety institutional controls are in place on adjacent Lot 2 (to the east) to provide a framework for addressing any ACM which might be identified during intrusive activities.

Past Use: Military housing, landfill, burn area.

Source of information: Visual inspection, historical information from documents referenced above in Section B, and discussions with Mr. Scott Gordon, PPV Project Manager.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

**Q. Has the site had any Notices of Violation?**  Yes  No.

If yes, please explain:

Source of information: Based on the site history and the documents referenced above in Section B, no operational activities were performed within the subject property, which was a residential neighborhood.

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

**R. Additional information or comments regarding questions shown above (attach sheet(s) if additional room is needed):**

Source of information:

Land Use Controls:  Yes  No

If yes, please identify and explain in detail in Section 2 below.

**2. List of Land Use Controls required for Real Estate Action:**

\* Asbestos Note - Because of the similarities between and proximity of Site 118 and Lot 2, this ECP recommends that the occupational health and safety institutional controls that Illinois EPA has required for adjacent Lot 2 be applied at Site 118.

\* Adjacent Property Notes - (1) It is noted that land use controls are assumed to be in place for the landfill area to the southwest of the Site 118. (2) Occupational health and safety institutional controls are to be put in place on adjacent Lot 2 (to the east) to provide a framework for addressing any ACM which might be identified during intrusive activities.

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## ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

### 3. Certification:

Based on the records reviews, site inspections, and interviews conducted for the proposed real estate action, the environmental conditions of the property are as stated in this document and this property is suitable for outgrant or transfer with the inclusion of the Land Use Controls identified above.

Environmental Professional:

*Teresa A. VanDonsel*  
Signature

Teresa A. VanDonsel  
Print Name

Environmental Engineer  
Title

11/30/11  
Date

Real Estate Professional:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Property Owner (Activity or Region):

*[Signature]*  
Signature

Joel K. Sensenig  
Print Name

Public Works Officer  
Title

01 DEC 2011  
Date

Property of Cook County Clerk's Office



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## EXHIBIT B-3 SITE INVESTIGATION REPORT



Property of Cook County Clerk's Office

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November 9, 2011

Mr. Charles Byrum, Esq.  
Meltzer, Purtill & Stelle LLC  
300 South Wacker Drive, Suite 3500  
Chicago, Illinois 60606

Re: **Site Investigation Letter Report**  
**The Glen**  
**Glenview, Illinois**  
**Project No. R1106114**

Dear Mr. Byrum:

Bradburne, Briller & Johnson, LLC (BB&J) is pleased to provide Meltzer, Purtill & Stelle LLC this *Letter Report of Additional Site Investigation* (Letter Report) for the approximately 25-acre property located in Glenview, Illinois (Subject Property). See Figure 1 for a Site Location Map. BB&J understands Pulte Homes (Pulte) is interested in acquiring the Subject Property from Midwest Family Housing, LLC (MFH) for redevelopment as a planned residential subdivision. This work was performed in accordance with BB&J Proposal No. P1106114, dated October 6, 2011, and contains background information, a description of field activities, and a presentation of findings and conclusions from the site investigation.

## BACKGROUND

The Subject Property currently consists of a lightly vegetated, vacant land. Asphalt roadways and concrete building pads associated with a former residential development are present in portions of the Subject Property. The Subject Property also contains several asphalt and crushed concrete debris piles situated east of 1<sup>st</sup> Street, in addition to a man-made, elevated earthen mound located in the southwest corner. The Subject Property is bordered by largely vacant land to the north and east, residential property to the south, and the Chicago and Northwestern Railroad to the west.

The Subject Property is located within the boundaries of the former Glenview Naval Air Station (NAS), which operated from the 1920s through the 1990s. The Subject Property reportedly consisted of agricultural property as early as 1938. From sometime in the 1960s, military barracks were located onsite but were removed in approximately 1990, and replaced with single family military homes. The single family homes were removed between 2005 and 2008. The Subject Property has been vacant since 2008.

As described in documents provided by MFH to Pulte on September 12, 2011 and thereafter, the Subject Property and adjoining parcels have been the subject of subsurface investigations since 1991 to identify potential constituents of concern (COCs) associated with their historic use. An *Asbestos-Containing Debris Evaluation Report*, prepared by BCM Engineers, Inc. (BCM Report), dated September 27, 1991

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identified (1) "trace amounts (i.e., less than 1%)" of asbestos in 17 out of the 100 soil samples collected at the Subject Property and adjoining property, and (2) one soil sample containing 5% asbestos on the southeast portion of the Subject Property. Historical documentation suggested that subsequent remedial activities were conducted in response to the findings of the BCM Report as presented in the *Asbestos Soil Sampling at S023 and S013 Area*, prepared by MACTEC and dated November 8, 2007 (2007 MACTEC Report). The 2007 MACTEC Report includes interviews with key site personnel regarding the remedial work, including Navy employee, Mr. Jerry Cencula, who worked at the Subject Property when the asbestos was identified. According to the 2007 MACTEC Report, Mr. Cencula stated that "the landscape contractor was tasked with tilling the soil and handpicking asbestos materials from the soils in the housing area." The MACTEC Report also quotes Mr. Cencula as describing the removal as "a massive effort."

The Naval Facilities Engineering Command (NAVFAC) Midwest Integrated Product Team (IPT) conducted an inspection of the Subject Property on September 14, 2011. On September 19, 2011 the NAVFAC issued an Environmental Condition of Property report (New ECP Report)<sup>1</sup>. The New ECP Report incorporated the historical documentation referencing asbestos and other hazardous substance use at the Subject Property referenced in the documentation recently provided to Pulte by MFH. The purpose of the New ECP Report was to summarize the findings of NAVFAC's assessment of potential areas of environmental concern associated with historical U.S. Military operations at and in the vicinity of the Subject Property. The New ECP Report identified several potential areas of environmental concern that may pose a threat to human health and the environment with respect to hazardous substances identified pursuant to section 120(h)(3)(A)(i)(I) of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). These included:

- Asbestos Containing Materials (ACM)

*"...this review finds that there exists the potential for asbestos and ACM to be present in soil at the site....There is therefore uncertainty regarding the potential for ACM in deeper disturbed soils and to the west of the sampled area."*

- Lead-Based Paint (LBP)

*"While the newer structure that had been built on the site in the 1990's were unlikely to have utilized lead-based paint, it is possible that the structures previously on the site could have used lead-based paint."*

Based on these findings, Pulte requested additional site investigation activities to determine if ACM was present at the Subject Property and the scope of any remedial actions that might be required by the Department of the Navy pursuant to Section 120(h) of CERCLA. Additionally, if during this investigation field observations indicated the potential presence of other COCs, such as LBP, soil samples would also be collected for specific analytes (other than asbestos) based on the nature of the material encountered.

<sup>1</sup> The New ECP Report, dated September 2011, is a revised version of an earlier ECP Report, dated September 2010 (Old ECP Report). The Old ECP Report did not identify asbestos or lead-based paint as an environmental concern.

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## FIELD ACTIVITIES

To further investigate the conditions of the Subject Property and the potential for ACM to be present, BB&J performed the following four tasks:

- **Task 1** – Conducted a visual inspection to determine the extent of potential construction debris on the ground surface at the Subject Property;
- **Task 2** – Excavated test pits to evaluate the potential presence of construction debris in subsurface fill;
- **Task 3a** – Collected and analyzed construction debris from the test pits and/or surrounding surface areas for asbestos content;
- **Task 3b** – Collected and analyzed air samples within the immediate vicinity of the test pits for asbestos content; and
- **Task 4** – Collected and analyzed soil samples from test pits where anomalous odors, materials, or colors were identified during field activities.

### Task 1 – Visual Inspection of Subject Property

Between October 17 through 20, 2011, Mr. Michael Couvreur and Ms. Kelli Johnson of BB&J and Mr. Brad Bower of Jensen Environmental Management of Glen Ellyn, Illinois (Jensen) examined the surface condition across the Subject Property. Various pieces of construction-type debris were observed throughout the Subject Property. BB&J documented the debris type and confirmed the location using a Topcon® GRS-1<sup>2</sup>. The debris was visually inspected to conclude whether or not the material could potentially be ACM or contain LBP.

The observed types of building construction debris across the Subject Property's surface (See Figure 2 for locations) included the following:

- Floor tiles of various patterns,
- Floor tile mastic;
- Pipe fitting;
- Drop-tile ceiling;
- Dry wall; and
- Linoleum flooring.

See Task 3a for further information regarding analysis of suspect ACM. Neither BB&J nor Jensen observed suspect LBP debris; therefore, no debris was submitted for lead analysis.

### Task 2 – Test Pit Excavation

On October 17 through 20, 2011, Mr. Couvreur of BB&J oversaw the excavation of 18 test pits throughout the Subject Property. Test pits were excavated using a back hoe by BB&J's subcontractor Robinette Demolition Inc., of Oakbrook Terrace, Illinois (RDI). Test pit locations were pre-determined based on historical or existing information and were selected to investigate the following areas of concern:

<sup>2</sup> In ideal conditions the Topcon® GRS-1 is able to provide geographic coordinates with sub-foot accuracy. During the site investigation BB&J was able to obtain a horizontal accuracy of approximately  $\pm 0.85$  feet.

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- Current stockpiles of asphalt and crushed concrete located on the northeast portion of the Subject Property;
- Surface soil in the vicinity of previous sample locations collected in past investigations which identified ACM above 1%<sup>3</sup>, located east of 1<sup>st</sup> Street;
- Former drainage swale / stream channel that had been backfilled and located in the south and southwest portions of the Subject Property;
- Earthen berm on the southwest portion of the Subject Property; and
- Site-wide coverage at locations where irregular surface features and/or subsurface fill was previously encountered.

The 18 test pit locations are depicted on Figure 2. Testing Service Corporation (TSC) conducted geotechnical soil borings at the Subject Property on December 21, 2010. The TSC boring logs included the depth of fill and the depth at which each was terminated. Consequently, 13 TSC soil borings, conducted in 2010, are also shown on Figure 2 along with these two data sets for each location.

The dimensions of the test pits were approximately four feet in width and 10 feet in length. Typical completion depth of each test pit ranged from 13 to 18 feet below ground surface (feet bgs). Excavation activities were terminated upon reaching native soil. BB&J observed and characterized the soil from each test pits as they were excavated to document the presence, or lack thereof, of construction debris, predominant soil types encountered, and anomalous odors or colors. The majority of the pits revealed fill material within the zero to four foot bgs interval and native clay material within the four to 15 foot interval (refer to Attachment A for Test Pit Logs). However, the following anomalies were observed during excavation:

- Test Pit (TP) 4 located in northwest portion of the Subject Property – BB&J observed a layer of black silty clay at the four to five foot bgs interval. Cinders were observed within this layer. As a result of the anomalous cinders, BB&J extended TP-4 in an attempt to delineate the extent of the cinders and black-colored soil. With TP-4 as the center point, BB&J extended the pit in four directions; northeast, northwest, southeast and southwest (i.e., in an “X”-shaped pattern). The northeast, northwest, southeast and southwest portions of TP-4 extended at a distance of 53.5, 57.2, 55.3, and 100 feet from the TP-4 center, respectively. The northeast and southeast excavations were terminated due to the presence of electrical utility lines. BB&J was only able to observe the horizontal extent of the black material in the northwest excavation. In the northwest excavation, observations of the black material ceased at 57.2 feet from the center of TP-4, at which point this portion of the excavation was terminated.

The cinder material appeared to be localized within the center of the X-patterned test pit; cinders were not observed further than 25 feet off center in any direction. However, the black material was observed at the same depth throughout the enlarged excavation. The horizontal extent of the black material was only achieved in the northwest portion. Refer to Figure 2 for a depiction of the enlarged excavation.

In the southwest part of the enlarged TP-4 excavation, at 90 feet off center, BB&J encountered black material and a petroleum-type odor at five to six feet bgs. A representative sample was

<sup>3</sup> Results below the USEPA “action level” of 1% asbestos are considered negative for ACM.

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collected from the black, odorous soil (see Task 3). To delineate the extent of the odor and black material, BB&J extended the test pit 115.8 feet in the northwest direction; however, the odor appeared to be limited to the location of its original discovery (see Figure 2).

- Test Pit 10 located in northeast portion of the Subject Property, immediately west of 1<sup>st</sup> Street – BB&J observed a layer of anomalous black clay at the 3.0 to 4.5 foot bgs interval. BB&J did not detect odors or observe debris material associated with the anomalous black soil. A representative sample was collected from the black soil (see Task 3).
- Test Pit 11 located in northeast portion of the Subject Property, south of Avenue E – BB&J observed a layer of anomalous black clay at the 7.5 to 8.5 foot bgs interval. BB&J did not detect odors or observe debris material associated with the black soil. A representative sample was collected from the black soil (see Task 3).

All test pits were backfilled with the excavated material and returned to surface grade by RDI.

### Task 3a – Building Construction Debris Sample Collection and Analysis

The scope of work included the collection of building construction debris encountered within the test pits. Building construction debris was only encountered in one location (TP-4) and in the form of combusted material (cinders). A representative sample of this material was collected by BB&J's subcontractor Jensen. Jensen's representative, Mr. Brad Bower is an Illinois Department of Health Services-certified asbestos inspector. This sample was submitted for laboratory analysis of asbestos using the polarized light microscopy (PLM) – Gravimetric method.

BB&J also authorized Jensen to collect a total of 11 representative bulk samples of the debris materials described in Task 1. Samples were submitted to TEM Incorporated of Glen Ellyn, Illinois (TEM Inc.) for asbestos analysis using the PLM – Gravimetric method. While 11 different and specific types of suspect ACM were collected for analysis, these same materials were observed at many other locations on the ground surface across the Subject Property. Under Jensen's direction only one representative sample of each material type was necessary for laboratory analysis, as the representative sample would confirm the presence of ACM for that material type.

### Task 3b – Air Sampling for Suspect Asbestos

Activity-based sampling (ABS)<sup>4</sup> via Transmission Electron Microscopy (TEM) was performed by BB&J's subcontractor Jensen. Air samples were collected from locations upwind and downwind of each test pit. These samples were submitted to TEM Inc., for TEM analysis of asbestos, to determine (1) whether asbestos was present and (2) if present, asbestos particles were disturbed during excavation activities.

### Task 4 – Soil Sample Analyses for Analytes Other than Asbestos

Three of the test pits exhibited an anomalous petroleum-type odor and / or black color. Consequently, a representative soil sample from each test pit exhibiting these characteristics was submitted for laboratory analyses. The parameters analyzed and rationales are described as follows:

<sup>4</sup> As presented in the United States Environmental Protection Agency's (USEPA) Office of Solid Waste and Emergency Response (OSWER) *Framework for Investigating Asbestos-Containing Superfund Sites*, dated September 2008, personal air sampling via ABS is warranted at the Subject Property to monitor the potential for asbestos (if present) in the air during disturbance activities such as the excavation of the test pits.

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- TP-4 SWX (5-6)<sup>5</sup> – BB&J observed black material and noticed a petroleum-type odor at this location. Because field observations indicated that the material might be petroleum in nature, the sample was submitted to the laboratory for analyses of compounds that might be typically associated with a petroleum product and which included: volatile organic compounds (VOCs) by USEPA Method 8260B; semi-volatile organic compounds (SVOCs) by USEPA Method 8270C; and polychlorinated biphenyls (PCBs) by USEPA Method 8082.
- TP-10 (3-4) – BB&J observed what appeared to be an anomalous black soil at this location. There were no petroleum-type odors. Given these field observations and the absence of a petroleum-type odor, the sample was submitted to the laboratory for analyses of compounds that might be typically associated with a more weathered petroleum release, which included: polynuclear aromatic hydrocarbons (PAHs) by USEPA Method 8270C and VOCs by USEPA Method 8260B.
- TP-11 (7-8) – The same rationale for selecting the appropriate analyses for TP-10 was used for TP-11. TP-11 (7-8) was submitted for laboratory analysis of VOCs by USEPA Method 8260B and PAHs by USEPA Method 8270C.

PAHs are a classification 16 organic compounds<sup>6</sup> that are semi-volatile in nature and commonly associated with petroleum products. The compounds included in a SVOC analyses would include all compounds listed in a PAH analysis plus an additional 52<sup>7</sup>. The 52 additional compounds included in a full SVOC analyses included other analytes that are not necessarily specifically associated with just petroleum sources.

The soil samples were placed on ice in a cooler and delivered under chain of custody to First Environmental Laboratories of Naperville, Illinois for 24-hour rush analysis. All sampling activities were performed in accordance with BB&J's Field Procedures Manual, which is included as Attachment B.

## FINDINGS

The findings of the site investigation are presented by task below.

### Task 1 – Visual Inspection of Subject Property

BB&J observed multiple pieces of small construction debris located throughout the Subject Property. The flooring materials ranged in size from >1 square inch (sq in) to 10 sq in. The size of the pipe fitting, drop tiles and dry wall material ranged from 5 sq in to 12 sq in. Refer to Attachment C for photographic evidence of the construction debris. No evidence of suspect LBP-containing material was observed. Consequently, no samples were collected for lead analysis. Analytical results of the 11 surficial debris samples and the cinder sample collected for asbestos analysis are discussed in Task 3a below.

<sup>5</sup> TP-4 SWX was collected from the area of petroleum odor and black material observed in the extended excavation at TP-4 and located in the southwest arm of the X-shaped pit.

<sup>6</sup> <http://toxics.usgs.gov/definitions/pah.html>

<sup>7</sup> <http://www.epa.gov/region9/qa/pdfs/8270.pdf>

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## Task 2 – Test Pit Excavation

With the exception of cinders observed in TP-4, no construction debris was encountered in the test pits at the Subject Property. With the exception of the anomalous petroleum odor observed in TP-4 and the anomalous black soil observed in TP-4, TP-10 and TP-11, no signs of impacts were observed in the test pits at the Subject Property (Test Pit logs are provided in Attachment A). A summary of test pit observations is provided below:

Test Pit ID	Depth of Fill Material (ft bgs)	Completion Depth of Test Pit	Observations
TP-1	Zero to 15	17	None
TP-2	Zero to eight	18	None
TP-3	Zero to five	14	None
TP-4	Zero to five	15	Black material and cinders observed at four to five ft bgs.
TP-4X	Zero to five	Seven	Petroleum odor and black soil observed at five to six ft bgs in the southwest portion of the X-shaped excavation. Sample taken for analysis.
TP-5	Zero to one	15	None
TP-6	Zero to one	15	Abandoned residential sewer line observed at seven ft bgs.
TP-7	Zero to one	15	None
TP-8	Zero to two	15	None
TP-9	Zero to two	15	None
TP-10	Zero to three	15	Black material observed at three to 4.5 ft bgs. Sample taken for analysis.
TP-11	Zero to nine	14	Black material observed at seven to 8.5 ft bgs. Sample taken for analysis. Groundwater encountered at nine feet bgs.
TP-12	Zero to three	14	None
TP-13	Zero to four	13	Portion of concrete slab, observed at six feet bgs.
TP-14	Zero to three	14	None
TP-15	Zero to four	15	None
TP-16	Zero to three	15	None
TP-17	Zero to three	15	None
TP-18	Zero to one	18	None

Refer to Attachment C for photographic evidence of the test pit excavation.

## Task 3a – Building Construction Debris Sample Collection and Analysis

Jensen provided BB&J with a *Limited Asbestos Sampling Report*, dated October 21, 2011 (Bulk ACM Report), which summarized the results of the 11 surficial samples, and one subsurface sample (cinders observed in TP-4). The samples were analyzed using the PLM – Gravimetric method. All 12 samples tested negative for asbestos. A copy of the Bulk ACM Report is provided in Attachment D.

## Task 3b – Air Sampling for Suspect Asbestos

Jensen provided BB&J with a *TEM Air Monitoring Results* report, dated October 20, 2011 (Air ACM Report), which summarized the results of the TEM analyses. All of the 36 samples (two for each test pit) tested negative for ACM<sup>8</sup>. A copy of the Air ACM Report is provided in Attachment E.

<sup>8</sup> Results below the USEPA “action level” of 1% asbestos are considered negative for ACM.



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## Task 4 – Soil Sample Analyses for Analytes Other than Asbestos

It is BB&J's understanding that Pulte intends to acquire the Subject Property for redevelopment and future residential use. Therefore, laboratory analytical data were compared to the established criteria in the IEPA Tiered Approach to Corrective Action (TACO) residential properties and construction worker remediation objectives<sup>9</sup> (ROs) to evaluate the risk (or lack thereof) posed by potential impacts. Analytical data were also compared to the IEPA Background Concentration of Chemicals for Metropolitan Areas<sup>10</sup> (Background Criteria) to determine whether detected COCs exceeded the established background criteria for the geographical area. See Table 1 for a summary of soil laboratory analytical results. A copy of the analytical report is provided as Attachment F. A summary of the analytical findings are presented below:

- **VOCs** – Of the three samples analyzed for VOCs only acetone in TP-10 was detected at a concentration above the laboratory reporting limit (RL). However, acetone was not detected above any of the applicable TACO ROs. Acetone did not exceed the Background Criteria. Additionally, acetone is a known laboratory contaminant, as indicated in USEPA's Contract Laboratory Program National Functional Guidelines for Superfund Organic Methods Data Review<sup>11</sup>;

**PAHs** – Several PAH compounds were detected above the applicable laboratory RLs in samples collected from TP-4X, TP-10 and TP-11. However, none of the PAHs were reported above the applicable TACO ROs.

Of the PAH compounds detected, the following were detected above the Background Criteria from the soil sample collected from TP-4:

COC	Analytical Result [milligrams per kilogram (mg/kg)]	Background Criteria (mg/kg)
Acenaphthene	1.050	0.13
Fluorene	1.420	0.18
Naphthalene	1.140	0.2
Phenanthrene	2.540	2.5

- **SVOCs** – SVOC compounds other than the aforementioned PAHs (dibenzofuran and 2-methylnaphthalene) were detected above the applicable laboratory RLs in the sample collected from TP-4. However, none of the additional SVOCs<sup>12</sup> were reported above the applicable TACO ROs or non-TACO IEPA ROs<sup>13</sup>.

<sup>9</sup> As identified in Illinois Administrative Code (IAC) Title 35, Section 742, Appendix B, Tables A and B.

<sup>10</sup> As identified in IAC Title 35, Section 742, Appendix A, Table G.

<sup>11</sup> <http://www.epa.gov/superfund/programs/clp/download/somnfg.pdf>

<sup>12</sup> PAH is a classification of 16 organic compounds that are semi-volatile in nature and associated with petroleum products. The compounds included in a SVOC analysis would include all compounds listed in a PAH analysis plus an additional 52. The 52 additional compounds included in a full SVOC analyses included other analytes that are not necessarily and specifically associated with just petroleum sources.

<sup>13</sup> Dibenzofuran and 2-methylnaphthalene are not contained in the TACO Tier I Tables. However, the IEPA does include a listing of remediation objectives for chemicals not contained in the TACO Tier I Tables. These objectives are for convenience only, and can be used with the approval of the program and manager under which remediation is occurring. The development of these objectives is based on the United States EPA's toxicity value hierarchy as specified in the OSWER Directive 9285.7-53.

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Of the additional SVOCs detected in TP-4X, 2-methylnaphthalene was reported at a concentration (0.654 mg/kg) above the respective Background Criteria of 0.1 mg/kg.

- PCBs – No PCBs were detected above the applicable laboratory RLs in the sample collected from TP-4.

## CONCLUSIONS

The additional site investigation activities documented in this Letter Report were completed in response to new information from MFH, as summarized in the NAVFAC New ECP Report, indicating the potential for certain COCs, including asbestos and LBP, to be present at the Subject Property in connection with the use and demolition of former U.S. military housing and the conduct of related operations at the Subject Property. The additional site investigation activities included a visual inspection of the surface of the Subject Property for the presence of debris and the excavation of 18 test pits in areas at the Subject Property most likely to have been potentially impacted based on historical information on site usage.

The site investigation did not identify any evidence of possible LBP present at the Subject Property. Discarded building construction debris with the potential to contain asbestos, including floor tiles, mastic, pipe fittings, drop tile ceilings, dry wall and linoleum flooring, was observed at various locations on the surface of the Subject Property. Samples of the identified debris were submitted for laboratory analysis. As explained in this Letter Report, several test pit excavations encountered certain discolored soils and odors. Samples from these soils were also collected for laboratory analysis for the presence of COCs. Specifically, samples from TP-10 and TP-11 were analyzed for VOCs and PAHs; the sample from TP-4X was analyzed for VOCs, SVOCs, and PCBs.

No test pit samples contained analytes at concentrations exceeding the applicable IEPA TACO, and non-TACO, residential properties and construction worker remediation objectives ROs. All 12 building material samples (11 collected from the Subject Property's surface and one collected at depth in TP-4) were negative for asbestos. Additionally, all 36 air monitoring samples collected during excavation of the test pits were negative for asbestos.

The additional site investigation documented in this Letter Report confirmed the absence of COCs, including ACM and LBP, associated with the former U.S. Military operations at the Subject Property. While the investigation was necessarily limited to those areas of the Subject Property where visual site inspections and test pit excavations were conducted, no conditions were identified by BB&J indicating the presence of risks to human health and the environment associated with the proposed residential development of the Subject Property by Pulte.

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Calculation of the soil remediation objectives was accomplished through use of the risk-based soil screening level (SSL) equations from Section 742 - Appendix C, Table A of TACO. However, although 2-methylnaphthalene is included on the IEPA's list of ROs for chemicals not contained in the TACO Tier I tables, the listing for this constituent notes that it is proposed as a TACO chemical. At this time, it is unknown when 2-methylnaphthalene will be incorporated as a TACO chemical.

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Pulte / Glenview, IL  
Project No. R1106114

If you have any questions or require additional information, please call.

Sincerely,

**BRADBURNE, BRILLER & JOHNSON, LLC**

Michael Couvreur  
Project Scientist

Kevin McCartney, P.G.  
Senior Geologist

J. Tim Bradburne, PG  
Principal

**Attachments:**

- Attachment A – Test Pit Logs*
- Attachment B – BB&J's Field Procedures Manual*
- Attachment C – Photographic Log*
- Attachment D – Bulk ACM Report*
- Attachment E – Air ACM Report*
- Attachment F – Soil Sampling Analytical Results*

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## EXHIBIT C LEGAL DESCRIPTION OF THE GRANTOR-RETAINED PROPERTY

LOTS 3 AND 4 IN GLENVIEW NAVAL SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 21, AND PART OF THE NORTHWEST QUARTER OF SECTION 27 AND PART OF THE NORTH HALF OF SECTION 28, ALL IN TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF RECORDED DECEMBER 28, 2009 AS DOCUMENT 0936218044; AND

THAT PART OF LOT 1 IN GLENVIEW NAVAL SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 21, AND PART OF THE NORTHWEST QUARTER OF SECTION 27 AND PART OF THE NORTH HALF OF SECTION 28, ALL IN TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF RECORDED DECEMBER 28, 2009 AS DOCUMENT 0936218044, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID LOT 1 FOR THE NEXT SIX (6) COURSES; (1) THENCE SOUTH 89 DEGREES 54 MINUTES 07 SECONDS EAST, 908.75 FEET; (2) THENCE SOUTH 00 DEGREES 11 MINUTES 26 SECONDS WEST, 45.03 FEET; (3) THENCE SOUTH 89 DEGREES 52 MINUTES 05 SECONDS EAST, 222.96 FEET; (4) THENCE SOUTH 00 DEGREES 07 MINUTES 55 SECONDS WEST, 746.97 FEET; (5) THENCE NORTH 89 DEGREES 52 MINUTES 05 SECONDS WEST, 264.68 FEET; (6) THENCE SOUTH 00 DEGREES 07 MINUTES 55 SECONDS WEST, 130.29 FEET TO A POINT ON THE EASTERLY EXTENSION OF A SOUTHERLY LINE OF SAID LOT 1, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 07 MINUTES 55 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 693.45 FEET TO A SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89 DEGREES 52 MINUTES 05 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 1 A DISTANCE OF 45.22 FEET TO A SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00 DEGREES 07 MINUTES 55 SECONDS EAST ALONG A WEST LINE OF SAID LOT 1 A DISTANCE OF 562.85 FEET TO A POINT ON THE EASTERLY EXTENSION OF A SOUTHERLY LINE OF SAID LOT 1; THENCE NORTH 89 DEGREES 44 MINUTES 10 SECONDS EAST, ALONG SAID SOUTHERLY LINE AND IT'S EASTERLY EXTENSION, 45.22 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS; AND

THAT PART OF LOT 1 IN GLENVIEW NAVAL SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 21, AND PART OF THE NORTHWEST QUARTER OF SECTION 27 AND PART OF THE NORTH HALF OF SECTION 28, ALL IN TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF RECORDED DECEMBER 28, 2009 AS DOCUMENT 0936218044, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID LOT 1 FOR THE NEXT SIX (6) COURSES: (1) THENCE SOUTH 89 DEGREES 54 MINUTES 07 SECONDS EAST, 908.75 FEET; (2) THENCE SOUTH 00 DEGREES 11 MINUTES 26 SECONDS WEST, 45.03 FEET; (3) THENCE SOUTH 89 DEGREES 52 MINUTES 05 SECONDS EAST, 222.96 FEET; (4) THENCE SOUTH 00 DEGREES 07 MINUTES 55 SECONDS WEST, 746.97 FEET; (5) THENCE NORTH 89 DEGREES 52 MINUTES 05 SECONDS WEST, 264.68 FEET; (6) THENCE SOUTH 00 DEGREES 07 MINUTES 55 SECONDS WEST, 130.29 FEET TO A POINT ON THE EASTERLY EXTENSION OF A SOUTHERLY LINE OF SAID LOT 1; THENCE SOUTH 89 DEGREES 44 MINUTES 10 SECONDS WEST, ALONG SAID SOUTHERLY LINE AND IT'S EASTERLY EXTENSION, 296.06 FEET; THENCE ALONG THE SOUTHERLY, WESTERLY AND EASTERLY LINES OF SAID LOT 1 FOR THE NEXT FIVE (5) COURSES; (1) THENCE NORTH 15 DEGREES 42 MINUTES 15 SECONDS WEST, 64.60 FEET; (2) THENCE NORTH 75 DEGREES 07 MINUTES 37 SECONDS WEST, 638.78 FEET; (3) THENCE NORTH 88 DEGREES 50 MINUTES 34 SECONDS WEST, 173.18 FEET; (4) THENCE SOUTH 86 DEGREES 51 MINUTES 32 SECONDS WEST, 73.59 FEET; (5) THENCE SOUTH 76 DEGREES 40 MINUTES 55 SECONDS WEST, 86.93 FEET TO THE POINT OF BEGINNING.

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THENCE NORTH 54 DEGREES 55 MINUTES 43 SECONDS WEST, PERPENDICULAR TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERLY RAILROAD, 88.28 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERLY RAILROAD, ALSO BEING THE WESTERLY LINE OF SAID LOT 1; THENCE SOUTHWEST, SOUTHEAST, EAST AND NORTHEAST ALONG THE WESTERLY, SOUTHERLY AND EASTERLY LINES OF SAID LOT 1 FOR THE NEXT FIFTEEN (15) COURSES; (1) THENCE SOUTH 35 DEGREES 04 MINUTES 17 SECONDS WEST, 445.75 FEET; (2) THENCE SOUTH 47 DEGREES 36 MINUTES 41 SECONDS EAST, 134.18 FEET; (3) THENCE SOUTH 29 DEGREES 08 MINUTES 12 SECONDS EAST, 21.46 FEET; (4) THENCE NORTH 89 DEGREES 56 MINUTES 20 SECONDS EAST, 52.14 FEET; (5) THENCE NORTH 00 DEGREES 07 MINUTES 46 SECONDS EAST, 28.47 FEET; (6) THENCE NORTH 04 DEGREES 21 MINUTES 58 SECONDS WEST, 26.55 FEET; (7) THENCE NORTHERLY 232.45 FEET, ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 249.72 FEET AND WHOSE CHORD BEARS NORTH 17 DEGREES 46 MINUTES 41 SECONDS EAST, 224.14 FEET TO A POINT; (8) THENCE NORTHEASTERLY 10.56 FEET, ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET AND WHOSE CHORD BEARS NORTH 32 DEGREES 09 MINUTES 02 SECONDS EAST, 10.48 FEET TO A POINT; (9) THENCE NORTHEASTERLY 24.56 FEET, ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 57.35 FEET AND WHOSE CHORD BEARS NORTH 32 DEGREES 29 MINUTES 51 SECONDS EAST, 24.38 FEET TO A POINT; (10) THENCE NORTHEASTERLY 54.86 FEET, ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 249.14 FEET AND WHOSE CHORD BEARS NORTH 57 DEGREES 20 MINUTES 48 SECONDS EAST, 54.75 FEET TO A POINT; (11) THENCE EASTERLY 23.01 FEET, ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE RIGHT, HAVING A RADIUS OF 30.14 FEET AND WHOSE CHORD BEARS NORTH 82 DEGREES 11 MINUTES 36 SECONDS EAST, 22.45 FEET TO A POINT; (12) THENCE SOUTH 78 DEGREES 49 MINUTES 24 SECONDS EAST, 2.01 FEET TO A POINT; (13) THENCE EASTERLY 10.82 FEET, ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AND WHOSE CHORD BEARS NORTH 86 DEGREES 00 MINUTES 02 SECONDS EAST, 10.69 FEET TO A POINT; (14) THENCE EASTERLY 4.90 FEET, ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE LEFT, HAVING A RADIUS OF 237.15 FEET AND WHOSE CHORD BEARS NORTH 71 DEGREES 39 MINUTES 16 SECONDS EAST, 4.90 FEET; (15) THENCE NORTH 02 DEGREES 34 MINUTES 31 SECONDS WEST, 91.03 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

RENS: 04-28-200-081-0000  
 04-28-200-082-0000  
 04-28-202-013-0000

Address: Vacant land  
 West of Sherman, North of West Lake Ave.  
 and East of C & N.W.R.R.,  
 Glenview, IL