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Doc#: 1217439076 Fee: \$76.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 06/22/2012 12:04 PM Pg: 1 of 20

PREPARED BY:

Name: Shell Oil Products US
Attn: John Robbins

Address: 6358 West 111th Street
Chicago Ridge, Illinois 60415

RETURN TO:

Name: Shell Oil Products US
Attn: John Robbins

Address: 20945 S. Wilmington Avenue
Carson CA 90810

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF COOK COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA No.: 0310485029

Leaking UST Incident No.: 20081039

Shell Oil Products US, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 20945 S. Wilmington Avenue, Carson CA 90810, has performed investigative and/or remedial activities for the site identified as:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attachment
2. Common Address: 6358 West 111th Street, Chicago Ridge, Illinois
3. Real Estate Tax Index/Parcel Index Number: 24-17-305-005-0000
4. Site Owner: RDK Ventures, LLC
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

HAC:LS

Attachment: Site Base Map
Legal Property Description
Groundwater Ordinances for Chicago Ridge and Worth

Leaking Underground Storage Tank Environmental Notice

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

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Exhibit A
Legal Description

CC#136989

ONE ACRE IN SQUARE FORM IN THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THE CIRCUIT COURT OF COOK COUNTY, CASE NO. 81117072 FOR THE WIDENING OF 111TH STREET AND RIDGELAND AVENUE: THE WEST 50.0 FEET AND THE SOUTH 50.0 FEET, ALSO ALL THAT PART LYING SOUTHWESTERLY OF A LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID WEST 50.0 FEET A DISTANCE OF 38.0 FEET NORTH OF THE NORTH LINE OF SAID SOUTH 50.0 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH 50.0 FEET A DISTANCE OF 23.0 FEET EAST OF THE EAST LINE OF SAID WEST 50.0 FEET OF THE ONE ACRE IN SQUARE FORM IN THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS).

ALSO KNOWN AS (SURVEYOR'S DESCRIPTION)

A TRACT OF LAND BEING ONE ACRE IN SQUARE FORM IN THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS, INCLUDING THEREFROM THE PROPERTY WHICH WAS CONDEMNED IN THE CIRCUIT COURT OF COOK COUNTY, CASE NO. 81117072 FOR THE WIDENING OF 111TH STREET AND RIDGELAND AVENUE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8, IN BLOCK 13 OF WARREN J. PETER'S SUBDIVISION AS RECORDED ON DECEMBER 4, 1950 AS DOCUMENT NUMBER 1496523 OF THE COOK COUNTY ILLINOIS RECORDS; THENCE NORTH 90° 00' 00" WEST A DISTANCE OF 135.72 FEET; THENCE NORTH 31° 59' 46" WEST A DISTANCE OF 44.80 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF RIDGELAND AVENUE; THENCE NORTH 01° 06' 40" WEST, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 120.72 FEET TO THE SOUTHWEST CORNER OF LOT 9 OF SAID SUBDIVISION; THENCE SOUTH 10° 00' 00" EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 9 AND THE PROLONGATION THEREOF, A DISTANCE OF 158.72 FEET; THENCE SOUTH 01° 06' 40" EAST, A DISTANCE OF 158.72 FEET TO THE POINT OF BEGINNING CONTAINING 24,751 SQUARE FEET, OR 0.57 ACRES MORE OR LESS.

Tax Parcel ID No.24-17-005-0000

Address: 6358 W/ 111th St., Chicago Ridge, IL 60415-2161

136989/6766

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION

I, Charles E. Tokar, do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of Chicago Ridge, Illinois, a municipal corporation, legally organized and existing under and by the virtue of the laws of the State of Illinois, and, as such, I have the custody of the official files, records and seal of said Village.

I, further, certify that the attached foregoing ordinance is a true, full and correct copy entitled:

ORDINANCE # 01-09-06

AN ORDINANCE AMENDING SECTION 90-57 OF DIVISION 2 OF CHAPTER 90 OF THE REVISED MUNICIPAL CODE OF THE VILLAGE OF CHICAGO RIDGE, COOK COUNTY, ILLINOIS

RECEIVED

DEC 26 2001

JEPA/BOL

The above was adopted by the Board of Trustees of said Village at its regular meeting held on the 18TH day of SEPTEMBER, 2001 at Chicago Ridge, Illinois at which meeting a quorum was present and acting throughout.

IN WITNESS, WHEREOF, I have affixed my official seal and signature of said Village, this 18TH day of SEPTEMBER, 2001.



Charles E. Tokar, Village Clerk

SEAL

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

ORDINANCE NO. 01-09-06

VILLAGE OF CHICAGO RIDGE

AN ORDINANCE AMENDING SECTION 90-57 OF DIVISION 2 OF CHAPTER 90 OF THE REVISED MUNICIPAL CODE OF THE VILLAGE OF CHICAGO RIDGE, COOK COUNTY, ILLINOIS.

BE IT ORDAINED by the President and Board of Trustees of the Village of Chicago Ridge, Cook County, Illinois, as follows:

SECTION 1. That Section 90-57 of Division 2 of Chapter 90 of the Revised Municipal Code of the Village of Chicago Ridge shall be amended to read as follows:

Section 90-57 Mandatory Connection, Use of Water Wells.

(A) Definitions. For the purpose of this section, unless the context requires otherwise, the following terms shall be construed as herein defined:

(1) "Plumbing system" shall mean the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation, lawn sprinkler systems, from the source of private water supply on the premises or from a main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work or assemble. Plumbing includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system five (5) feet beyond the foundation walls.

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(2) "Potable water" shall mean water which meets the requirements of applicable state law and regulations for drinking, culinary, and domestic purposes.

(3) "Public water supply" shall mean all mains, pipes and structures through which water is obtained and distributed to the public by the Village of Chicago Ridge, including any wells and well structures, intakes, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use.

(B) Use of Public Water System Required. All residences, buildings and other structures located within the corporate limits of the Village of Chicago Ridge that have a plumbing system installed on the premises and which provides potable water through such system shall be properly connected to either the Village's public water supply system.

(C) Private Wells Prohibited.

(1) It shall be unlawful to drill or install any well for the purpose of securing water for use in any residence, building or structure within the Village.

(2) It shall be unlawful to use water in a plumbing system from any well drilled, dug or installed in violation of the provisions of this Ordinance.

SECTION 2. That if any section, paragraph, clause, phrase or part of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this ordinance, and the application of these provisions to any persons or circumstances shall not be affected thereby.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

SECTION 4. That this ordinance shall be in full force and effect from and

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after its passage as provided by law.

SECTION 5. That this ordinance is authorized to be published in pamphlet form.

PASSED and APPROVED this 18th day of Sept., 2001.

VILLAGE OF CHICAGO RIDGE

By: Eugene L. Siegel
Eugene L. Siegel
President

ATTEST:

Charles E. Tokar
Charles E. Tokar, Village Clerk

AYES:

NAYS:

Maurice Lecha
Daniel Bedon
James J. Samarin
Quanta Brooks
Ronald Brock

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THE VILLAGE OF WORTH
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 11-35

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD AT OR WITHIN THE AREA OF THE VILLAGE OF WORTH THAT IS DESIGNATED ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF (6358 W. 111TH STREET)

RANDY KELLER, Village President
BONNIE PRICE, Village Clerk

RICHARD DZIEDZIC
PETER KATS
COLLEEN MCELROY
MARY RHEIN
JAMES SERPICO
MARY WERNER
Trustees

Published in pamphlet form by authority of the President and Village Clerk of the Village of Worth on 12/20/11
Village of Worth - 7112 West 111th Street - Worth, Illinois 60482

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ORDINANCE NUMBER 11-35

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD AT OR WITHIN THE AREA OF THE VILLAGE OF WORTH THAT IS DESIGNATED ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF (6358 W. 111TH STREET)

WHEREAS, certain properties in or adjacent to the Village of Worth, Illinois have been used over a period of time for commercial or industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the Village of Worth may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Village of Worth desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WORTH, ILLINOIS:

Section One. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section Two. Use of groundwater as a potable water supply prohibited.

Except for such uses or methods in existence before the effective date of this ordinance, the use of, or attempted use of, groundwater from within the corporate limits of the Village of Worth in that area of the Village of Worth as depicted on Exhibit A attached hereto and made a part hereof adjacent to the northeast intersection of Ridgeland Avenue and 111th Street, as a potable water supply, by the installation or drilling of wells or by any other method, is hereby prohibited. This prohibition expressly includes the Village of Worth.

Section Three. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$500.00 for each violation.

Section Four. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

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"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Five. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Six. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Seven. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Property of Cook County Clerk's Office

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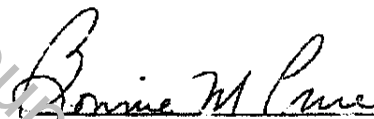
STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

CERTIFICATION

I, Bonnie Price, DO HEREBY CERTIFY that I am the duly qualified and elected Clerk of the Village of Worth, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Worth, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of Ordinance No. 11-35, "AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD AT OR WITHIN THE AREA OF THE VILLAGE OF WORTH THAT IS DESIGNATED ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF (6358 W. 111TH STREET)" adopted and approved by the President and Board of Trustees of the Village of Worth, Illinois on December 20, 2011.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Worth, Cook County, Illinois this 20 day of December, 2011.



 BONNIE PRICE
 Village Clerk
 Village of Worth, Cook County, Illinois

Clerk's Office


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ADOPTED by the President and Board of Trustees of the Village of Worth, Cook County.

Illinois this 20 day of December 2011, pursuant to a roll call vote, as follows:

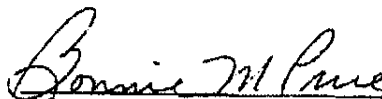
	YES	NO	ABSTAIN	ABSENT	PRESENT
DZEDZIC	X				X
KATS	X				X
MCELROY	X				X
RHEIN	X				X
SERPICO	X				X
WERNER	X				X
PRESIDENT KELLER					X
TOTAL	6	0	0	0	7

APPROVED by the President of the Village of Worth, Cook County, Illinois on this 20 day of December 2011.



 RANDY KELLER
 VILLAGE PRESIDENT

ATTEST:



 BONNIE PRICE
 VILLAGE CLERK

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Property of Cook County Clerk's Office



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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

RECORDING REQUIREMENTS FOR NO FURTHER REMEDIATION LETTERS

Introduction

The Illinois Environmental Protection Agency's (Illinois EPA) Bureau of Land/Leaking Underground Storage Tank Section issues a No Further Remediation (NFR) Letter after a demonstration of compliance with Title XVI of the Environmental Protection Act and applicable regulations is made. The NFR Letter signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with, (2) all corrective action concerning the remediation of the occurrence has been completed, and (3) no further corrective action concerning the occurrence is necessary so long as the site is used in accordance with the terms and conditions of the NFR Letter.

Significance

When properly recorded, the NFR Letter holds legal significance for all applicable parties outlined at Section 57.10(d) of the Environmental Protection Act. (See 415 ILCS 5/57.10(d).) If not properly recorded, the Illinois EPA will take steps to void the NFR Letter in accordance with the regulations.

Duty to Record

The duty to record the NFR Letter is *mandatory*. You *must* submit the NFR Letter, with a copy of any applicable institutional controls proposed as part of a corrective action completion report, to the Office of the Recorder or the Registrar of Titles of the county in which the site is located *within 45 days after receipt of the NFR Letter*. You must record the NFR Letter and any attachments. The NFR Letter shall be filed in accordance with Illinois law so that it forms a permanent part of the chain of title to ensure current and future users of the property will be informed of the conditions and terms of approval including level of remediation; land use limitations; and preventive, engineering, and institutional controls. A certified or otherwise accurate and official copy of the NFR Letter and any attachments, as recorded, must be submitted to the Illinois EPA. Failure to record the NFR Letter in accordance with the regulations will make the NFR Letter voidable.

For More Information

Please refer to Tiered Approach to Corrective Action Objectives (TACO) Fact Sheet 3 available from the Illinois EPA by calling 1-888-299-9533 or by accessing it on the Illinois EPA Web site at <http://www.epa.state.il.us/land/taco/3-no-further-remediation-letters.html>.

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760
Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462
Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

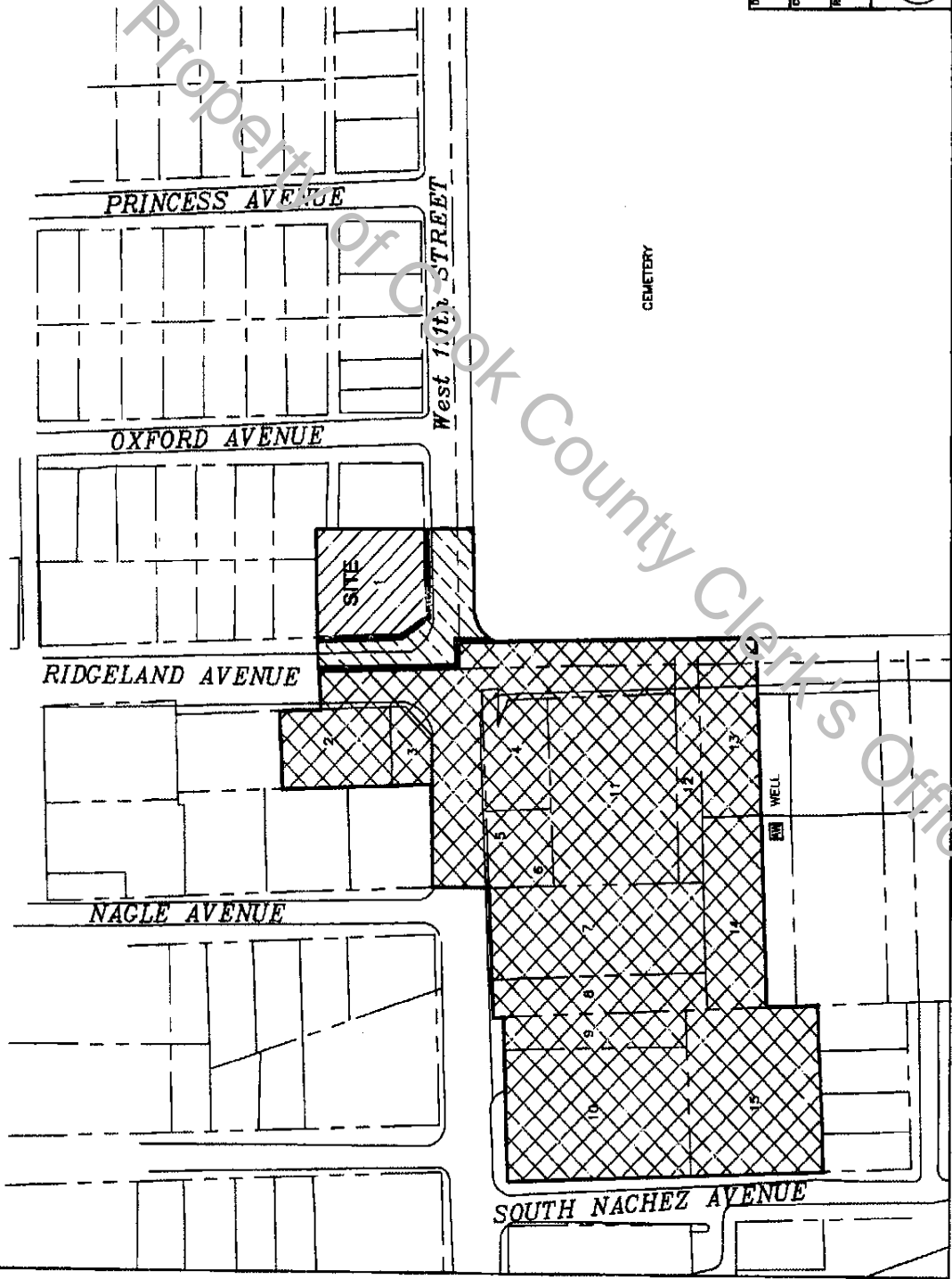
Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000
Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463
Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800
Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

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LEGEND

- | | |
|--------------------------|---|
| --- | PROPERTY BOUNDARY |
| - - - | CURB LINE |
| ABANDONED POTABLE WELL | |
| 24-17-305-005-0000 | |
| 24-18-415-008-0000 | |
| 24-18-415-005-0000 | |
| 24-19-209-052-0000 | |
| 24-19-209-015-0000 | |
| 24-19-209-021-0000 | |
| 24-19-209-035-0000 | |
| 24-19-209-034-0000 | |
| 24-19-239-001-0000 | |
| 24-19-239-008-0000 | |
| 24-19-209-028-0000 | |
| 24-19-208-029-0000 | |
| 24-19-209-047-0000 | |
| 24-19-209-046-0000 | |
| 24-19-239-007-0000 | |
| [Cross-hatch pattern] | AREA SUBJECT TO VILLAGE OF WORTH LIMITED GROUNDWATER ORDINANCE |
| [Diagonal lines pattern] | AREA SUBJECT TO VILLAGE OF CHICAGO RIDGE GROUNDWATER ORDINANCE RESTRICTION NOTIFICATIONS |
| [Vertical lines pattern] | AREA SUBJECT TO GROUNDWATER USE RESTRICTION BY THE VILLAGE OF CHICAGO RIDGE GROUNDWATER ORDINANCE |



DESIGNED BY: E.V. (N.J.)	INSTITUTIONAL CONTROL MAP
CHECKED BY:	
REVIEWED BY:	SHELL OIL PRODUCTS US SHELL SERVICE STATION MAP # 136889 6336 WEST 111th STREET CHICAGO RIDGE, ILLINOIS
NORTH	Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505
SCALE IN FEET 0 APPROXIMATE 150	
DATE 2-6-11	FIGURE 2



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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/524-3300

CERTIFIED MAIL

JUN 08 2012

7009 2820 0001 7495 0835

Shell Oil Products US
 Attn: John Robbins
 20915 S. Wilmington Avenue
 Carson CA 90810

Re: LPC #0310485029 -- Cook County
 Chicago Ridge/Shell Service Station #1369899
 6358 West 111th Street
 Leaking UST Incident No. 20081039
 Leaking UST Technical file

Dear Mr. Robbins:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated February 8, 2012 and was received by the Illinois EPA on February 9, 2012. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and Public Act 96-0908 on June 8, 2010, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and the Licensed Professional Engineer Certification submitted pursuant to Section 57.7(b)(1) of the Act and 35 Ill. Adm. Code 734.135(d) indicate the remediation objectives have been met.

Based upon the certification by David G. Tully, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

4302 N. Main St., Rockford, IL 61103 (815)987-7760
 595 S. State, Elgin, IL 60123 (847)608-3131
 2125 S. First St., Champaign, IL 61820 (217)278-5800
 2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
 5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462
 2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
 100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

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1. Shell Oil Products US, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. In addition, the Groundwater Ordinances (photocopies attached) must be filed as an attachment of this Letter with the Office of the Recorder or Registrar of Titles of the applicable county. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, an accurate and official copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were

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established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.

2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: There are no land use limitations. It has been demonstrated that the groundwater under the site meets Class II (General Resource) groundwater criteria rather than Class I (Potable Resource) groundwater. Groundwater classifications are defined at 35 Ill. Adm. Code 620.Subpart B.
3. The land use limitation specified in this Letter may be revised if:
 - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.

Engineering: None.

Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.

Groundwater Use Ordinance

Village of Chicago Ridge Ordinance 01-09-06 and Village of Worth Ordinance Number 11-35 effectively prohibit the installation of potable water supply wells (and the use of such wells) and are acceptable institutional controls under the following conditions:

Each affected or potentially affected (as shown through contaminant modeling) property owner and the Villages of Chicago Ridge and Worth must receive written notification from the owner or operator desiring to use the ordinance as an institutional control that groundwater remediation objectives have been approved by the Illinois EPA. Written proof of this notification shall be submitted to the Illinois EPA in accordance with 35

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Page 4

Ill. Adm. Code 742.1015(b) and (c) within 45 days from the date this Letter is recorded. The notification shall include:

- a. The name and address of the unit of local government;
- b. The citation of the ordinance used as an institutional control in this Letter;
- c. A description of the property being sent notice by adequate legal description or by reference to a plat showing the boundaries;
- d. A statement that the ordinance restricting the groundwater use was used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
- e. A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
- f. A statement as to where more information may be obtained regarding the ordinance.

The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:

- a. Modification of the referenced ordinance to allow potable uses of groundwater.
- b. Approval of a site-specific request, such as a variance, to allow use of groundwater at the site.
- c. Violation of the terms of a recorded institutional control.

As a part of its corrective action, the leaking underground storage tank site has relied upon the Village of Chicago Ridge Ordinance 01-09-06 and Village of Worth Ordinance Number 11-35 that prohibits potable uses of groundwater as defined therein.

5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan, if applicable, may result in voidance of this Letter.

OTHER TERMS

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Page 5

6. Any contaminated soil and/or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Bureau of Land - #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

8. Pursuant to 35 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide Notice of Voidance to the owner or operator of the leaking underground storage tank system(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance of this Letter include, but shall not be limited to:
 - a. Any violation of institutional controls or industrial/commercial land use restrictions;
 - b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - c. The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
 - d. The failure to comply with the recording requirements for the Letter;
 - e. Obtaining the Letter by fraud or misrepresentation; or
 - f. Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

Submit an accurate and official copy of this Letter, as recorded, to:

UNOFFICIAL COPY

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Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Lizz Schwartzkopf, at 217/557-8763.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:LS

Attachments: Leaking Underground Storage Tank Environmental Notice
Village of Worth Groundwater Ordinance
Site Map
Legal Property Description

c: GES
BOL File

Property of Cook County Clerk's Office