

PREPARED BY:

Name: Tom Alabastro  
Hyde Park Facilities, Inc.

Address: 1525 East 53<sup>rd</sup> Street  
Chicago, Illinois 60615



Doc#: 1307113014 Fee: \$50.00  
Karen A. Yarbrough RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/12/2013 09:08 AM Pg: 1 of 7

RETURN TO:

Name: Tom Alabastro  
Hyde Park Facilities, Inc.

Address: 1525 East 53<sup>rd</sup> Street, Suite #400  
Chicago, Illinois 60615

(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.: 0316415078

Leaking UST Incident No.: 20121242

Hyde Park Facilities, Inc, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1525 East 53<sup>rd</sup> Street, Suite #400, Chicago, Illinois 60615, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attached
2. Common Address: 1525 East 53<sup>rd</sup> Street, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 20.11.418.005, 20.11.418.006, 20.11.418.007, 20.11.418.008, 20.11.419.040, 20.11.419.042.
4. Site Owner: Hyde Park Facilities, Inc
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

RRH

Attachment: Legal Description

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## Legal Description

PARCEL 1: Lot 1, Lot 2 (except the south 15 feet thereof) Lot 3 and the North 41 feet 10 inches of Lot 4 (except the West 22 feet of said Lots 3 and 4) and the East 25 feet of Lot 17 (except the south 15 feet thereof) and the East 23 feet of lot 38 in Block 31 La Hyde Park in the East  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 11, Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 2: The West  $\frac{1}{2}$  of the Original Lake Park Avenue lying East and adjoining Parcel 1 aforesaid;

PARCEL 3: Lot 4 (except the north 41 feet 13 inches thereof and except the West 22 feet thereof) and Lots 5, 6 and 7 (excepting there from the west 22 feet of said lots 5, 6 and 7) and the East 120 feet of Lots 8 and 9 in B in Block 33 in Hyde Park, a subdivision in the East  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 11, Township 3E North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 4: The West  $\frac{1}{2}$  of Original Lake Park Avenue lying East and adjoining Parcel 3 aforesaid;

Parcel 5: Lots 4 to 9 (except that part of said lots taken for street) on Block 32 in Hyde Park, being a Subdivision of the East  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  and the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 31, Township 38 North, Range 14 East of the Third Principal Meridian;

PARCEL 6: Lots 4, 5, 6, 7, 8 and 9 (except that part of Lots 4, 7 8 and 9 taken for street) in Subdivision of Lots 1, 2 and 3 in Block 32 in Hyde aforesaid;

PARCEL 7: That part of the 14 foot alley lying South of and adjoining Lots 4, 5 and 6 and North of and adjoining Lot 7 (except that part of said alley lying East of the West line of the street as opened by resolution of the City Council passed August 25, 1966 and recorded October 25, 1966 as Doc. 1997(969) in the subdivision of Lots 1, 2 and 3 in Block 32 in Hyde Park aforesaid;

PARCEL 8: The East 21 feet of Original Lake Park Avenue lying West of adjoining parcels 5, 6 and 7 aforesaid;

PARCEL 9: All that part of the East  $\frac{1}{2}$  of Original Lake Park lying West of and adjoining Parcel 4, aforesaid, all in Cook County, Illinois.



# UNOFFICIAL COPY ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

JOHN J. KIM, DIRECTOR

217/524-3300

**CERTIFIED MAIL**

7012 0470 0001 2997 7213

FEB 15 2013

Hyde Park Facilities, Inc.  
Attn: Tom Alabastro  
1525 East 53<sup>rd</sup> Street, Suite #400  
Chicago, Illinois 60615

*①  
②  
7012 ORIGINAL TO RECEIVED  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/15/12 BY 60321  
MAIL ROOM*

Re: LPC #0316415078/Cook County  
Chicago/Hyde Park Facilities, Inc.  
1525 East 53<sup>rd</sup> Street  
Leaking UST Incident No. 20121242 -- NFR Letter  
Leaking UST Technical File

Dear Mr. Alabastro:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated December 21, 2012 and was received by the Illinois EPA on December 24, 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 Early Action Tier 1 Remediation Objectives Compliance Report and the Licensed Professional Engineer Certification submitted pursuant to Section 57.6 of the Act and 35 Ill. Adm. Code 734.135(d) indicate the remediation objectives have been met.

Based upon the certification by Robert Swale, a Licensed Professional Engineer, Hyde Park Facilities, Inc., 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

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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:

1. Hyde Park Facilities, Inc., 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. 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

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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 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.
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.

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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 avoidance of this Letter.

## OTHER TERMS

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 Avoidance 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 avoidance, explain the provisions for appeal, and describe the facts in support of the avoidance. Specific acts or omissions that may result in the avoidance 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;

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- 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:

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, Robert Harlow, at (217) 524-7650.

Sincerely,



Thomas A. Henninger  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

TAH:RRH\

Attachments: Leaking Underground Storage Tank Environmental Notice  
Legal Description

c: Underground Storage Tank Specialist, Inc.  
BOL File