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Doc#: 1315510070 Fee: \$52.00
Affidavit Fee:
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 06/04/2013 12:24 PM Pg: 1 of 8

PREPARED BY:

Name: Francis Parker School
Robert Haugh

Address: 330 West Webster Avenue
Chicago, IL 60614

RETURN TO:

Name: Francis Parker School
Robert Haugh

Address: 330 West Webster Avenue
Chicago, IL 60614

THE ABOVE SPACE FOR RECORDER'S OFFICE

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

Illinois State EPA Number: 0316075293

Francis Parker School, the Remediation Applicant, whose address is 330 West Webster Avenue, Chicago, IL 60614 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries: That part of Lots 6 through 34, both inclusive, and vacated streets and alleys in Anita, a subdivision of part of Block 15 in Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14 East of the Third Principal Meridian together with part of Block 15 aforesaid described as follows: Beginning at the Southeast corner of Lot 10 in Anita Subdivision aforesaid; thence North 89°50'58" West 344.58 Feet along the South line of Lot 10 and its Westerly extension; thence North 00°02'19" East 209.87 Feet; thence North 89°45'13" East 42.78 Feet; thence South 00°14'47" East 2.34 Feet; thence South 89°56'00" East 51.13 Feet; thence North 00°21'34" East 74.81 Feet; thence North 89°47'42" East 39.97 Feet; thence South 00°10'03" East 26.70 Feet; thence North 86°47'58" East 14.33 Feet; thence North 02°32'56" East 9.31 Feet; thence North 76°50'36" East 9.65 Feet; thence North 00°56'16" East 8.86 Feet; thence South 88°48'45" East 12.58 Feet; thence South 01°11'15" West 14.84 Feet; thence North 89°57'02" East 172.58 Feet to the East line of Lot 6 in Anita Subdivision aforesaid; thence South 00°11'35" East 262.13 Feet along the East lines of Lot 6 through 10, both inclusive, in Anita Subdivision aforesaid to the Point of Beginning, in Cook County, Illinois.

2. Common Address: 330 West Webster Avenue, Chicago, IL

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3. Real Estate Tax Index/Parcel Index Number: 14-33-204-011-0000; 14-33-204-010-0000;
14-33-204-018-0000.
4. Remediation Site Owner: Francis Parker School
5. Land Use: Residential
6. Site Investigation: Comprehensive

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The Remediation Site is approved for Residential and/or Industrial/Commercial land use.
- 2) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

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

Preventive Controls:

- 4) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below 3 feet must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 5) The clean soil barrier, which is comprised of a minimum of 18 inches of clean soil, or 16 inches of clean soil and 2 inches of crushed stone, underlain by a Mirafi 140 NL/O Nonwoven Geotextile membrane, and overlain by either two inches of pad and 1 inch of Astroturf field, or 3 inches of wood fiber chips covering the area shown on the attached Site Base Map, must remain over the contaminated soils. This barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

Other Terms

- 6) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.

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- 7) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 8) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
 Attn: Freedom of Information Act Officer
 Division of Records Management #16
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

- 9) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
- a) Any violation of institutional controls or the designated land use restrictions;
 - b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
 - d) The failure to comply with the recording requirements for this Letter;
 - e) Obtaining the Letter by fraud or misrepresentation;
 - f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
 - g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.

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- 10) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Francis Parker School;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
 - k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 11) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Francis Parker School property.
- 12) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

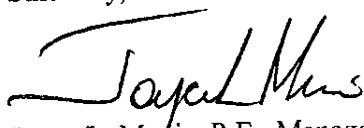
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Mr. Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

13) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the Francis Parker School property, you may contact the Illinois EPA project manager, Rhett M. Rossi at 217 524-3300.

Sincerely,



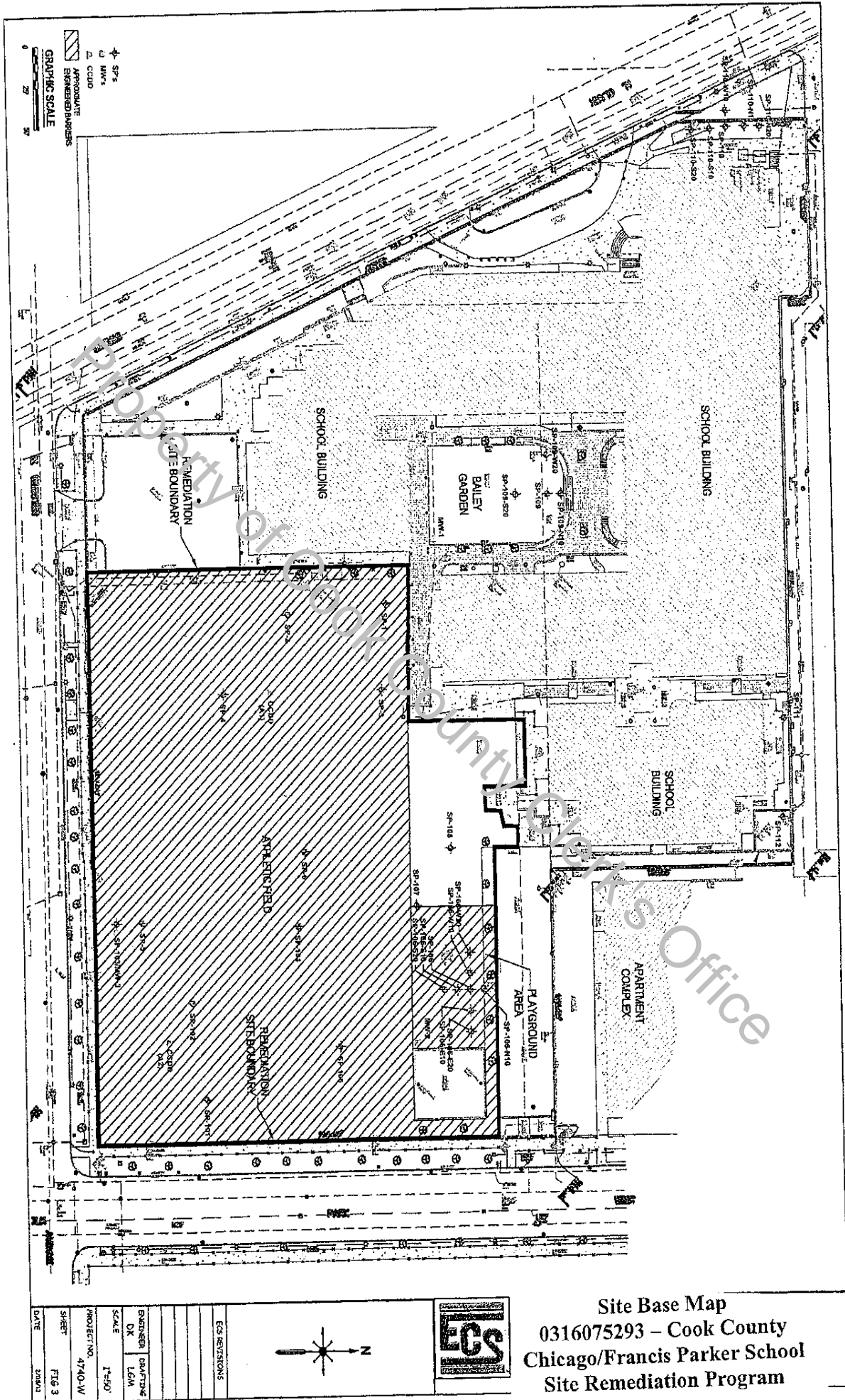
Joyce L. Munie, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form
Instructions for Filing the NFR Letter

cc: ECS Midwest, LLC
Attn: Mr. David Kwasiborski
1575 Barclay Boulevard
Buffalo Grove, IL 60089

Bureau of Land File
Mr. Robert O'Hara

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DATE	2/28/13
SHEET	FIG 3
PROJECT NO.	4740-W
SCALE	1"=50'
DRAWN BY	DK
CHECKED BY	LSM
DATE	
REVISIONS	
DESCRIPTION	

Site Base Map
 0316075293 – Cook County
 Chicago/Francis Parker School
 Site Remediation Program