

# UNOFFICIAL COPY



Doc#: 1330355063 Fee: \$56.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 10/30/2013 02:01 PM Pg: 1 of 10

PREPARED BY:

Name: Halpren, Charna

Address: 1501 N. Kingsbury  
Chicago, Illinois 60622

RETURN TO:

Name: Halpren, Charna

Address: 3541 North Clark Street  
Chicago, Illinois 60657

(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 Number: 0316246428

Leaking UST Incident Number: 20130828 & 20130856

Halpren, Charna, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 3541 North Clark Street, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Map:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attachment
2. Common Address: 1501 N. Kingsbury, Chicago, Illinois Cook County
3. Real Estate Tax Index/Parcel Index Number: 17-05-213-008
4. Site Owner: Halpren, Charna
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

HAC:MW\20130828&20130856.dot

Attachment: Site Map  
Legal Description



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## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/524-3300

**CERTIFIED MAIL**

7012 0470 0001 2974 4471

NOV 22 2013

Charna Halpren  
3541 North Clark Street  
Chicago, Illinois 60657

Re: LPC # 0316246428 -- Cook County  
Chicago/Halpren, Charna  
1501 N. Kingsbury  
Leaking UST Incident No. 20130328 & 20130856 -- NFR Letter  
Leaking UST Technical File

Dear Sir or Madam:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the 45 Day Report/Corrective Action Completion Report submitted for the above-referenced incident. This information was dated August 16, 2013 and was received by the Illinois EPA on August 26, 2013. 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 P.E., 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

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Page 2

environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

1. Halpren, Charna, 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 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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Page 3

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.

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

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:

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Page 4

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:

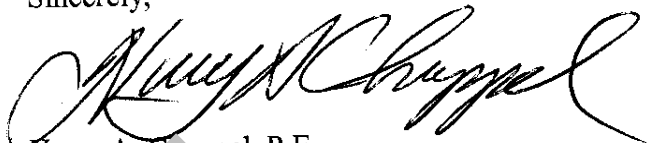
Illinois Environmental Protection Agency  
Bureau of Land - #24  
Leaking Underground Storage Tank Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276

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Page 5

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Mindy Weller, at 217/524-4647.

Sincerely,



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

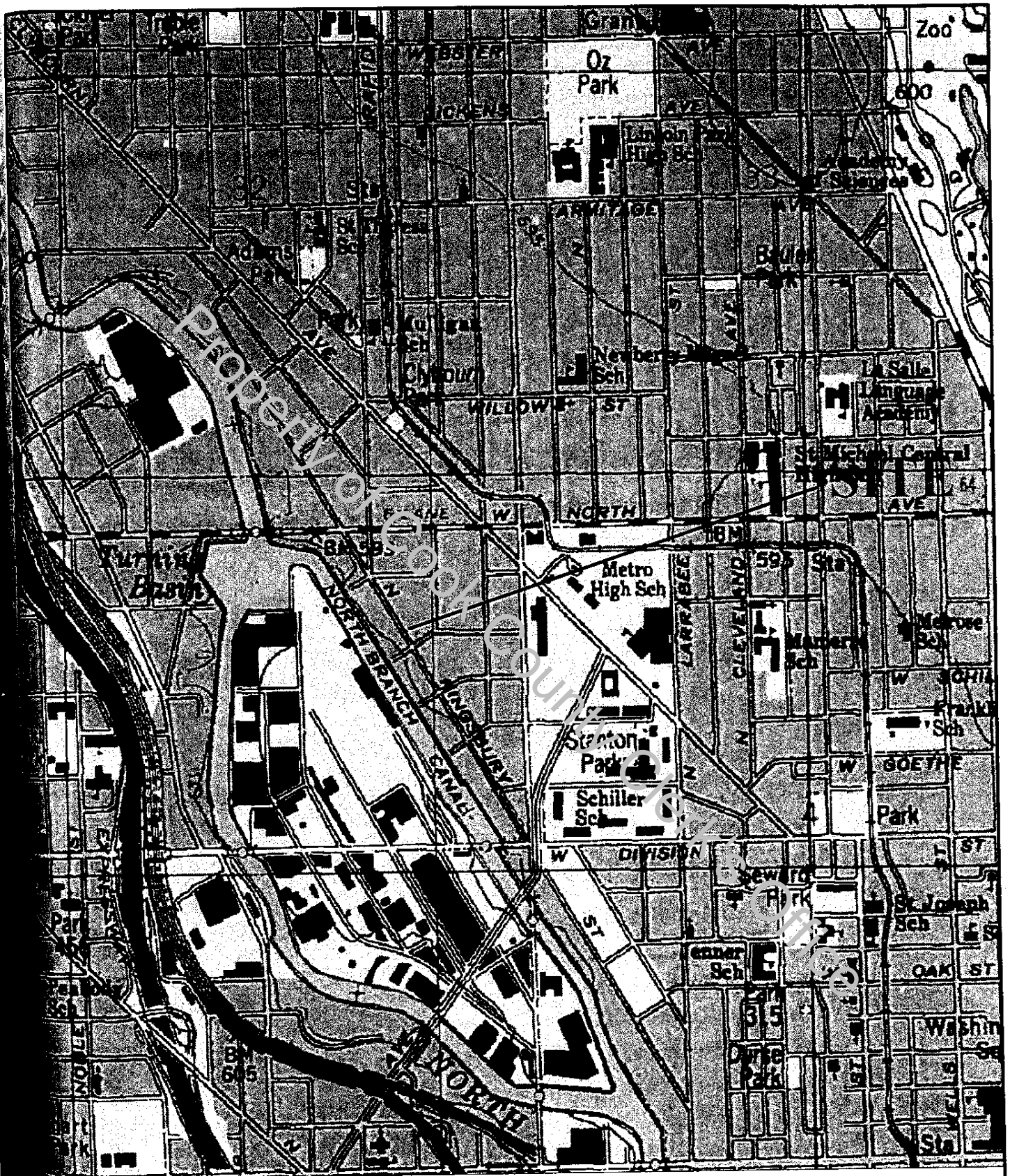
HAC:MW\20130828&20130856.dot

Attachments: Leaking Underground Storage Tank Environmental Notice  
Site Map  
Legal Description

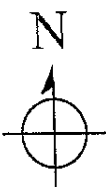
cc: David Streich, UST Specialists, Inc.  
BOL File

Property of Cook County Clerk's Office

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GRAPHIC SCALE



**Underground Storage  
Tank Specialists, Inc.**

3333 Warrenville Rd., Ste. 200, Lisle, IL (630) 799- 8192

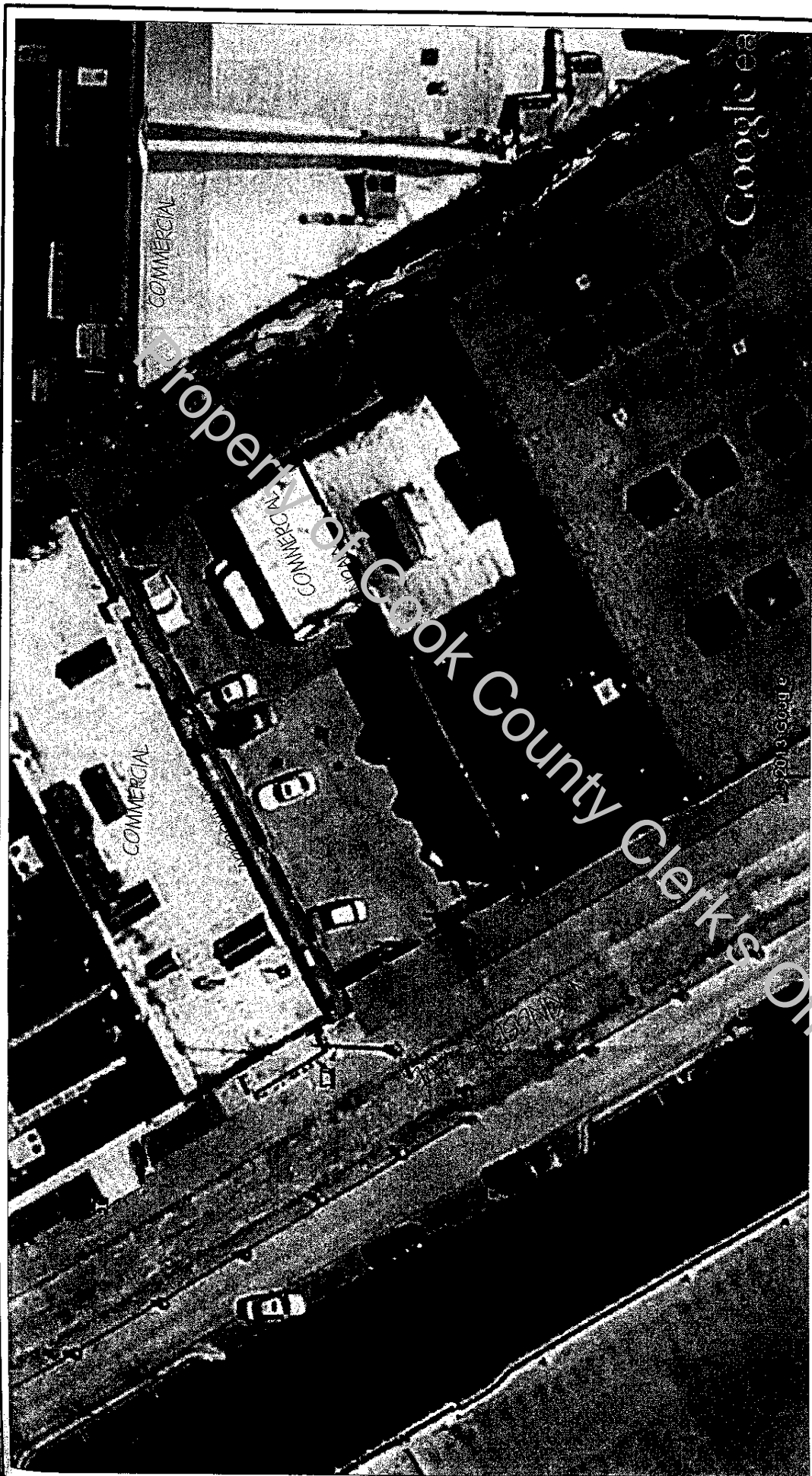
LEGEND

**FIGURE 1 - SITE LOCATION MAP**

LPC # 0316246428 - Cook County  
Halpren, Charna  
Chicago/1501 N. Kingsbury  
IEMA Incident #'s 2013-0826 and  
2013-0856

Project Number 213-1644

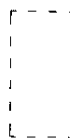
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**FIGURE 2 - SITE LOCATION MAP**

LPC # 0316246428—Cook County  
 Halpren, Charna  
 Chicago/1501 N. Kingsbury  
 IEMA Incident #'s 2013-0826 and  
 2013-0856  
 Project Number 213-1644

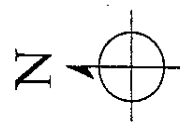
**LEGEND**



Approximate Property  
 Boundary

**Underground Storage  
 Tank Specialists, Inc.**

3333 Warrenville Rd., Ste. 200, Lisle, IL (630) 799- 8192



**GRAPHIC SCALE**





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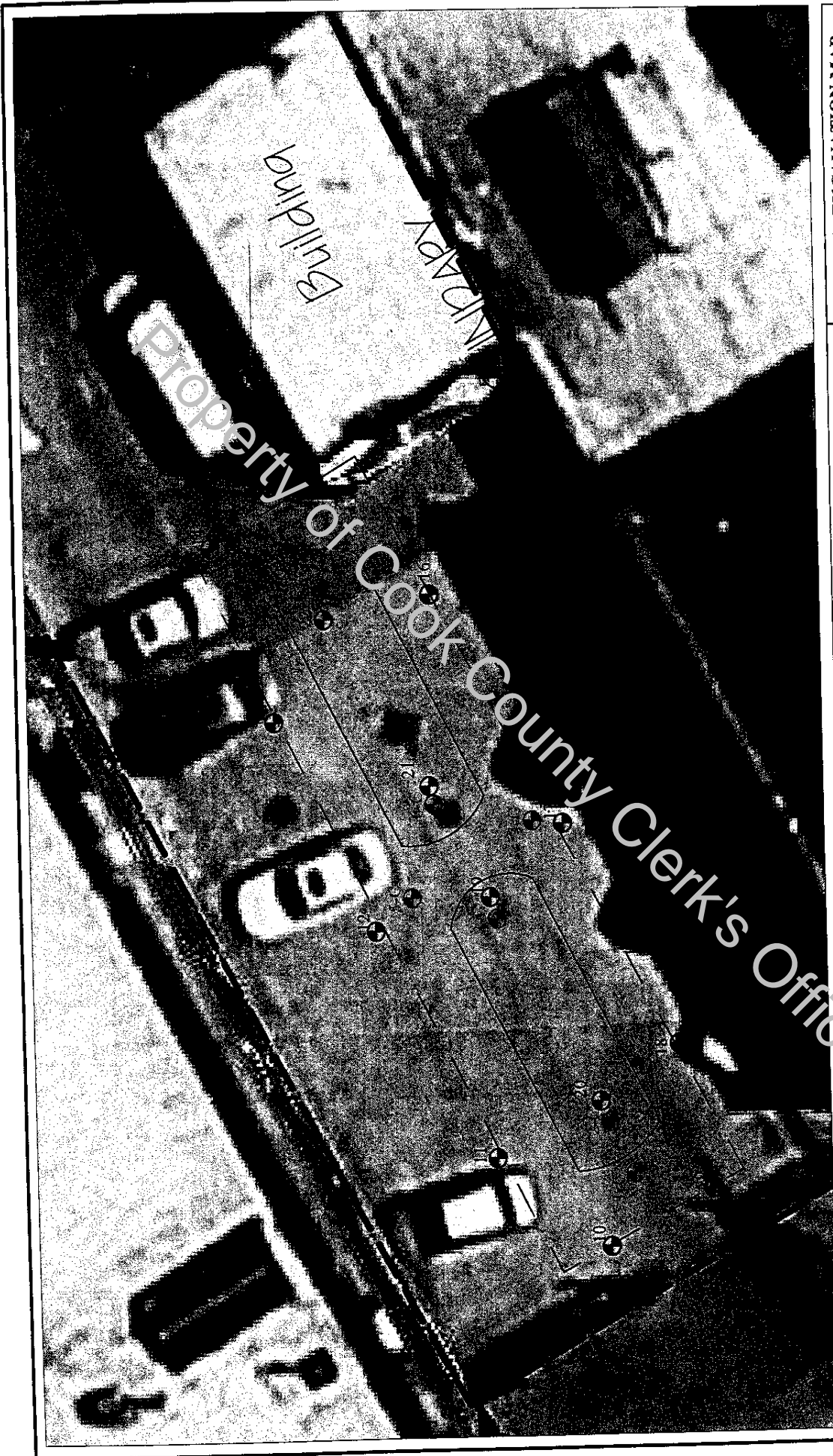
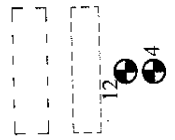


FIGURE 4 - EXCAVATION MAP

LPC# 0316246428 - Cook County  
 Halpren, Charna  
 Chicago/1501 N. Kingsbury  
 IEMA Incident #'s 2013-0826 and  
 2013-0856  
 Project Number 213-1644

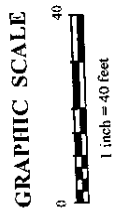
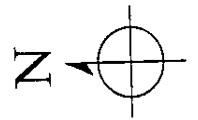
**LEGEND**

- Approximate Property Boundary
- Excavation Extent
- Soil Sample Location
- Excavated Soil Sample Location



**Underground Storage  
 Tank Specialists, Inc.**

3333 Warrenville Rd., Ste. 200, Lisle, IL (630) 799- 8192



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*Lakeshore Title Agency  
1301 E. Higgins Road  
Elk Grove Village, IL 60007  
Authorized Agent of Fidelity National Title Insurance Company*

File No. 1232322

## Exhibit A

LOTS 28 TO 35 BOTH INCLUSIVE IN VALES RESUBDIVISION OF BLOCKS 45 IN ELSTON'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

### NOTE FOR INFORMATION ONLY:

COMMONLY KNOWN AS: 1501 N. KINGSBURY STREET, A/K/A 904 W. BLACKHAWK STREET, CHICAGO, IL 60642

PINS: 17-05-213-008 AND 17-05-213-009