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Doc#: 1421250042 Fee: \$60.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 07/31/2014 10:32 AM Pg: 1 of 12

PREPARED BY:

Name: Patrick Black
Excel Waterproofing and Damp Proofing, Inc.

Address: 6658-6662 West 99th Street
Chicago Ridge, Illinois 60607

RETURN TO:

Name: Patrick Black
Excel Waterproofing and Damp Proofing, Inc.

Address: 6658-6662 West 99th Street
Chicago Ridge, Illinois 60607

(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: 0310485027

LUST Incident No.: 910232

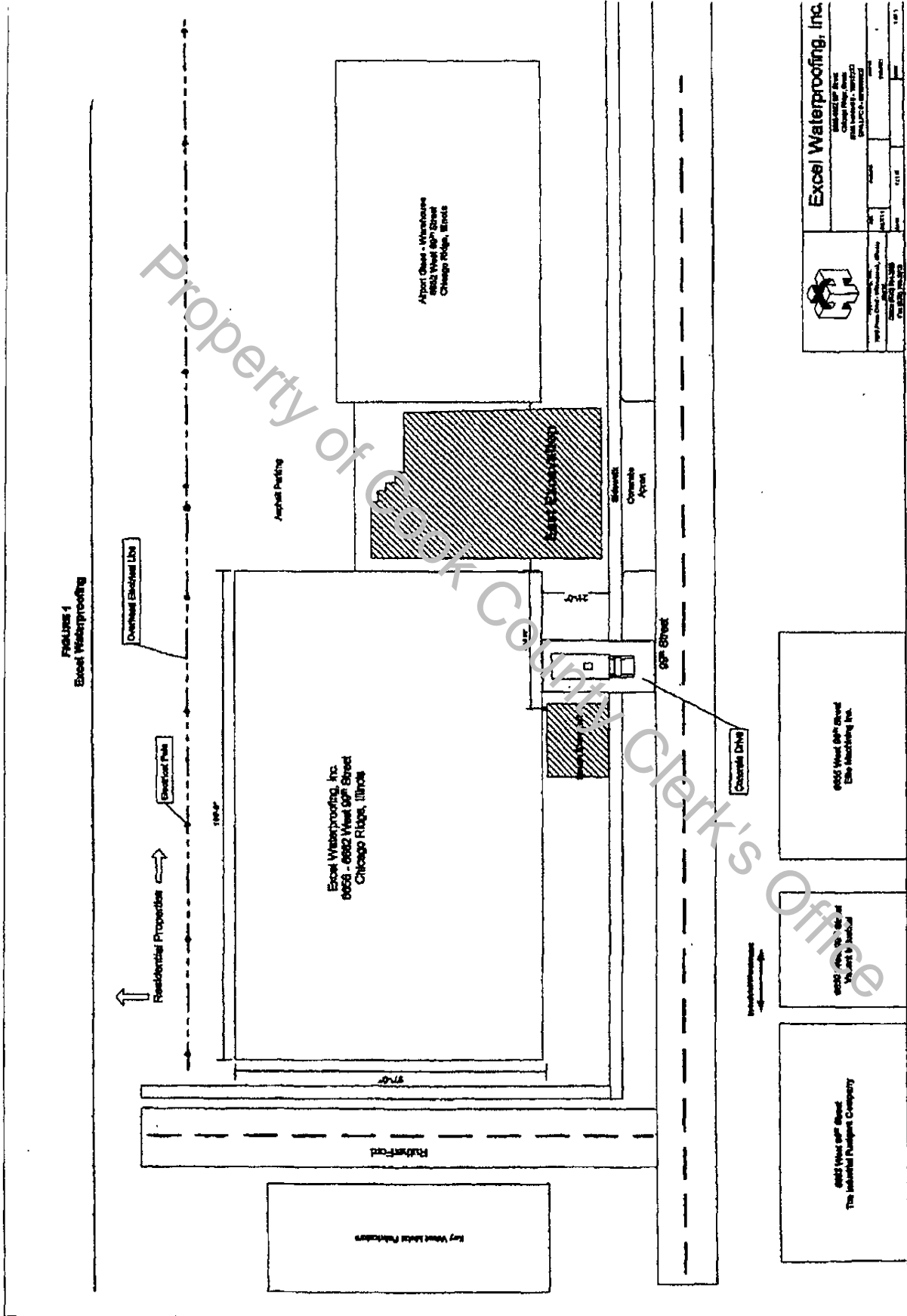
Excel Waterproofing and Damp Proofing, Inc., the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 6662 West 99th Street, Chicago Ridge, Illinois 60607, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attached
2. Common Address: 6658-6662 West 99th Street, Chicago Ridge, Illinois 60607
3. Real Estate Tax Index/Parcel Index Number: See Attached
4. Site Owner: Excel Waterproofing and Damp Proofing, Inc., Patrick Black
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

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Leaking Underground Storage Tank Environmental Notice

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UNOFFICIAL COPY**D. Underground Storage Tank Owner/Operator Declaration**

I hereby propose to place the restriction(s) and/or institutional controls identified in Section B above on the property identified in Section A above. I certify that I am the owner and/or operator of the underground storage tank(s) that are or were located at the above referenced property and that I am the titleholder of record for the property or the agent of such titleholder of record. If the titleholder of record is not a natural person, I further certify that, as agent, I have the authority to approve the placement of the proposed institutional controls and restriction(s) on the property.

Name of Property Owner: Excel Waterproofing and Damp Proofing, Inc.
 Name of Officer or Agent: Patrick Black
 Mailing Address: 6662 West 99th Street
 City, State, ZIP Code: Chicago Ridge, IL 60607
 Signature: *Patrick Black* Date: 3-22-05

E. Property Owners' Declaration

I hereby certify that I have reviewed the attached report and that I accept the terms and conditions set forth therein, including any land use limitations that apply to property I own. I further certify that I have no objection to the recording of an NFR letter containing the terms and conditions identified in the Corrective Action Completion Report.

Name of Property Owner: _____
 Name of Officer or Agent: _____
 Mailing Address: _____
 City, State, ZIP Code: _____
 Signature: _____ Date: _____

F. Site Description

Real Estate Tax/Parcel Index Number: 24-07-213-039 + h/w 044-0000

Legal Description of Site (may be provided on a separate sheet): LOTS 21, 22, 23, 24, 25 AND 26
IN BLOCK 14 IN DEARBORN HEIGHTS SUBDIVISION OF THE WEST HALF OF THE
NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 13 EAST OF
THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

7004 2510 0001 8649 1921

AUG 14 2006

Excel Waterproofing and Damp Proofing, Inc.
 Attn: Patrick Black
 6658-6662 West 99th Street
 Chicago Ridge, Illinois 60607

Re: LPC #0310485027 - Cook County
 Chicago Ridge/Excel Waterproofing
 6662 West 99th Street
 Leaking UST Incident No. 910232
 Leaking UST Technical File

Dear Mr. Black:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the High Priority Corrective Action Report and Addendum submitted for the above-referenced incident. This information is dated May 9, 2005 and April 7, 2006 and was received by the Illinois EPA on May 10, 2005 and April 10, 2006. Citations in this letter are from the Environmental Protection Act (Act) in effect prior to June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The High Priority Corrective Action Completion Report and associated Professional Engineer Certification indicate corrective action for the above-referenced site was conducted in accordance with the Corrective Action Plan approved by the Illinois EPA. The Corrective Action Completion Report demonstrates that the requirements of Section 57.7(c)(1)(E) of the Act and 35 Ill. Adm. Code 732.409(a)(2) have been satisfied.

Based upon the certification by Kenneth J. Kogut, 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

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • Des PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000
 ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463
 BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800
 SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120
 MARION - 2309 W. Main St., Sulte 116, Marion, IL 62959 - (618) 993-7200

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

1. Excel Waterproofing and Damp Proofing, Inc., Patrick Black, 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.

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 Ordinance (photocopy 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. This site was classified as High Priority in accordance with Section 57.7(b)(3) of the Act and 35 Ill. Adm. Code 732.304. In accordance with 35 Ill. Adm. Code 732.404(a), the

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owner or operator has remediated or eliminated each of the criteria that caused the site to be classified as High Priority. The remediation objectives for the above-referenced site 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.

Groundwater Use Ordinance

City of Chicago Ridge effectively prohibits the installation of potable water supply wells (and the use of such wells) and is an acceptable institutional control under the following conditions:

Each affected or potentially affected (as shown through contaminant modeling) property owner and the City of Chicago Ridge 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 Ill. Adm. Code 742.1015(b) and (c) within 45 days from the date this Letter is recorded. The notification shall include:

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- 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 in 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 City of Chicago Ridge 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

6. Any contaminated soil or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage

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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 732.704, 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.

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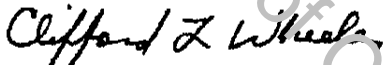
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Submit an accurate and official copy of this Letter, as recorded, to:

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, Sam Hale III, at 217/782-6762.

Sincerely,



Clifford L. Wheeler
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

CLW:SH:bjh\061523.doc

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

c: Hygieneering, Inc.
BOL File

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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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

RECEIVED

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

DEC 26 2001
 EPA/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
 Charles E. Tokar, Village Clerk

SEAL

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STATE OF ILLINOIS)
) SS ORDINANCE NO. 01-09-06
 COUNTY OF COOK)

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:

Mauricean Socha
Daniel Bedon
James J. Simonis
Quentin B. Bross
Donald Bross

NAYS:

