UNOFFICIAL COPY

PREPARED BY:

Name:

Mr. Kun K. (Charlie) Kim

North Shore Cleaners, Inc.

Address:

336 Park Avenue

Glencoe, IL 60022

1421855032 Fee: \$68.00

RHSP Fee:\$9.00 RPRF Fee; \$1.00

Karen A.Yarbrough

Cook County Recorder of Deeds

Date: 08/06/2014 10:26 AM Pg: 1 of 16

RETURN T

Name:

Mı. Kun K. (Charlie) Kim

North Shore Cleaners, Inc.

Address:

336 Park A renne

Glencoe, IL 60022

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: 0310990002

North Shore Cleaners, Inc., the Remediation Applicant, vilose address is 336 Park Avenue, Glencoe, IL 60022, has performed investigative and/or reme tial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

Legal description or Reference to a Plat Showing the Boundar es 1.

BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 1 IN THE RESUBDIVISION OF BLOCK 33 IN GLENCOE IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, THENCE SOUTH 0.85 FEET MORE OR LESS TO THE NORTHWEST CORNER OF A BUILDING, THENCE SOUTHEASTERLY ALONG THE EXTERIOR OF A BUILDING 80.11 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF A BUILDING, THENCE NORTHEASTERLY ALONG THE EXTERIOR OF A BUILDING 35 FEET MORE OR LESS TO THE SOUTHEASTERLY CORNER OF A BUILDING, THENCE NORTHWESTERLY ALONG THE EXTERIOR OF A BUILDING 80.11 FEET MORE OR LESS, THENCE SOUTHWESTERLY ALONG THE EXTERIOR OF A BUILDING 35.02 FEET MORE OR LESS TO THE POINT OF BEGINNING.

- Common Address: 338 Park Avenue, Glencoe, IL 2.
- Real Estate Tax Index/Parcel Index Number: 05-07-206-004-0000 3.

1421855032 Page: 2 of 16

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- 5. Land Use: Residential and/or Industrial/Commercial
- 6. Site Investigation: Focused

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

Property of Cook County Clark's Office

1421855032 Page: 3 of 16

40781



LINUS ENVIRONMENTAL PROPERTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

June 10, 2014

CERTIFIED MAIL
7012 0470 0001 2974 6628

Mr. Kun K. (Charlie) Kim North Shore Cleaners, Inc. 336 Park Avenue Glencoe, IL 50022

Re:

0310990002/Cook County Glencoe/North Shore Cleaners Site Remediation Program/Technical Reports No Further Remediation Latter

Dear Mr. Kim:

The Focused Site Investigation Report, Remediation Objectives Report, Remedial Action Plan and Remedial Action Completion Report-Remediation Area C (received March 27, 2014/Log No.14-56261), as prepared by Cardno ATC for the acave referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). This Report demonstrates the remediation objectives approved for the site in accordance with 35 Illinois Administrative Code Part 742, including the indoor inhalection pathway, are above the existing concentrations of regulated substances and that the reme is action was completed in accordance with the Remedial Action Plan (received March 27, 2014/Log No.14-56261) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 0.0634 acres, is located at 338 Park Avenue, Glencoe, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (received February 28, 2013/Log No. 13-53176), is North Shore Cleaners, Inc.

This focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms of this Letter.

4302 N. Main St., Rackford, 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 10-300, Chicago, IL 60601 (312)814-6026

1421855032 Page: 4 of 16

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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions characterized by the focused site investigation and successfully addressed, consist of the contaminants of concern identified in the attached Table A.
- 2) The Remodiation Site is approved for Residential and/or Industrial/Commercial land use.
- 3) 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 there inder.

Preventive, Engineering, and Institution al Controls

The implementation and maintenance of the tollowing 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 n.a.y 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. Excavated soil 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 building, as shown on the attached Site Base Map, must remain over the contaminated soils. This building must be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.

Institutional Controls:

6) Any existing buildings or any future buildings constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sumps.

1421855032 Page: 5 of 16

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- 7) Ordinance No. 2000-31-3013 adopted by the Village of Glencoe on November 13, 2000 effectively prohibits the installation and use of potable water supply wells in the Village of Glencoe. This ordinance provides an acceptable institutional control under the following conditions:
 - a) The current owner or successor in interest of this Remediation Site who relies on this ordinance as an institutional control shall:
 - Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this Remediation Site; and
 - ii) Notify the Illinois EPA of any approved variance requests or ordinance changes within thirty (30) days after the date such action has been approved.
 - b) The Remediation Applicant shall provide written notification to the Village of Glencoe and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
 - i) The name and address of the local unit of government;
 - ii) The citation of Ordinance No. 2000-31-3013;
 - iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
 - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
 - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
 - vi) A statement as to where more information may be obtained regarding the ordinance.
 - c) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date this Letter is recorded to:

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

- d) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
 - i) Modification of the referenced ordinance to allow potable uses of groundwater;

1421855032 Page: 6 of 16

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- ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
- iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date this Letter is recorded of written notification to the Village of Glencoe and affected property owner(s) of the intent to use Ordinance No. 2000-31-3013 as an institutional control at the Remediation Site; and
- iv) Violation of the terms and conditions of this No Further Remediation letter.

Other Terms

- 8) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under item 7 of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 9) Where the Remediation 'Applicant is <u>not</u> the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter u ider 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.
- 10) Further information regarding this Remediat or. Site can be obtained through a written request under the Freedom of Information Act (5 1 LCS 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

- 11) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Ilinois 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 voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance 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;

1421855032 Page: 7 of 16

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- 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.
- 12) Pursuant to Section 53.10(d) of the Act, this Letter shall apply in favor of the following persons:
 - a) North Shore Cleaners, Inc.;
 - b) The owner and operator of the Recediation 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 Sitz;
 - e) Any holder of a beneficial interest of a land trust or intervivos 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

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- 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.
- 13) This letter, including all attachments, must be recorded as a single instrument within fortyfive (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 North Shore Cleaners property.
- 14) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certifico copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Mr. Robert E. O'Hara Illingis Environmental Protection Agency Bureau of Land/RPMS #24 1021 North Grand Avenue East Post Office Fox 19276 Springfield, IL 52794-9276

15) 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 North Shore Cleaners property, you may contact the Illinois EPA project manager, Mr. Max Twum at (217) 558 0932. Office

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

Table A: Regulated Substances of Concern

Property Owner Certification of No Further Remediation Letter under the Site

Remediation Program Form

Instructions for Filing the NFR Letter

1421855032 Page: 9 of 16

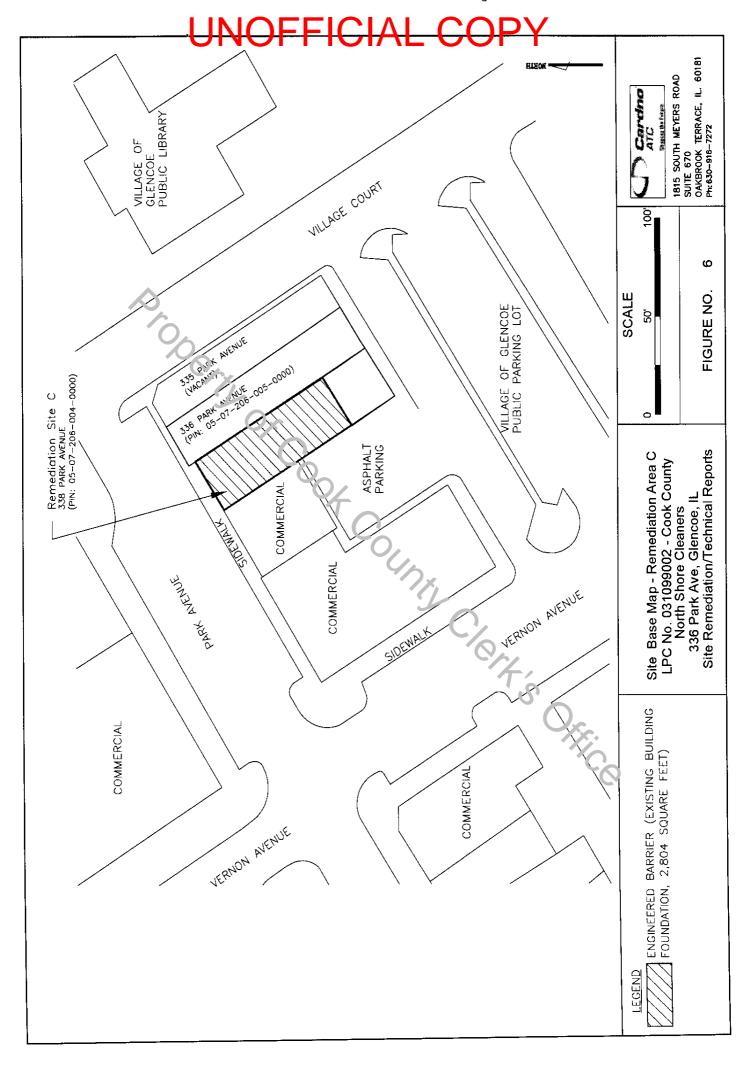
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cc: Tinaglia Family Limited Partnership Law Offices of Michael Tinaglia 9700 West Higgins Road, Suite 1015 Rosemont, IL 60018-4796

> Mr. J. David Patton Cardno ATC 1815 South Meyers Road, Suite 670 Oakbrook Terrace Illinois, 60181

Bureau of Land File
Mr. Robert O'Hara

1421855032 Page: 10 of 16



1421855032 Page: 11 of 16

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TABLE A: Regulated Substances of Concern

LPC # 0310990002 -- Cook County Glencoe/North Shore Cleaners Site Remediation Program

Volatile Organic Compounds	
(VOCs)	
CAS No.	Compound Name
67-64-1	Acetone
71-43-2	Benzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone
75-15-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
124-48-1	Dibrome chloromethane
75-34-3	1,1-Dichlor se hane
107-06-2	1,2-Dichloroe have
75-35-4	1,1-Dichloroethere
540-59-0	1,2-Dichloroethene (total)
156-59-2	cis-1,2-Dichloroethene
156-60-5	trans-1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
10061-02-6	trans-1,3-Dichloropropene
10061-01-5	cis-1,3-Dichloropropene
100-41-4	Ethylbenzene
591-78-6	2-Hexanone
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone
1634-04-4	Methyl tert-butyl ether
100-42-5	Styrene
79-34-5	1,1,2,2-Tetrachloroethane
127-18-4	Tetrachloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethene
108-88-3	Toluene
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

1421855032 Page: 12 of 16

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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephole number of all other property owners. Include the site name, street address, city, ZIP code, county, !!linois inventory identification number and real estate tax index/parcel index number.

A duly activated agent means a person who is authorized by written consent or by law to act on behalf of a property of act including, but not limited to:

- 1. For corporations, a principal executive officer of at least the level of vice-president;
- For a sole proprietorship or partnership, the proprietor or a general partner, respectively;
 and
- For a municipality, state or other public agency, the head of the agency or ranking elected
 official.

For multiple property owners, at each additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Owner's Name: Josephine Tin	Property (was: Information		
Title: General Partn			
Company: The Tinaglia Fam			
Street Address: 167 Michael Jo			
	State: IL Zip Code: 60068 Phone: c/o 708-236-0830		
ony. I dik I kago			
	Site Information		
Site Name: North Shore Clea	aners		
Site Address: 336-338 Park			
City: Glencoe	State: IL Zip Code: 60022 County: Cook		
Illinois inventory identification r	number: 0310990002		
Real Estate Tax Index/Parcel Inc	dex No. 0 4 7-206-004-0000		
I hereby certify the Line is conditions and any and so the	wed the angular by Further Remediation Letter and that I accept that arms and accept that arms and		
Owner's Signature	Date:		
SUBSCRIBED AND SWORN TO BEF	ORE ME		
this 8 day of Juw	20 1 Official Seal		
	Karen C Carter Notary Public State of Illinois		
this B day of Dry	My Commission Expires 03/02/2018		
Notary Public			

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/38 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so way void the NFR Letter. This form has been approved by the Forus Management Center. All information submitted to the Site Remediation Program is available to the public encopt when specifically designated by the Remediation Applicant to be treated confidentially at a trade secret or secret protests in accordance with the Illinois Compiled Stanters, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Collegion Control Board and applicable Elinois EPA rules and guidelines.

1421855032 Page: 13 of 16

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify to the Cook County Clerk that I am the duly appointed, qualified Village Clerk of the Village of Glencoe, in the County of Cook and State of Illinois, and as such Clerk I am the keeper of the official journal of proceedings, books, records, minutes and files of the Village of Glencoe and the Board of Trustees thereof.

I do further certify that the foregoing Ordinance is a full, true and complete copy of:

ORDINANCE NO. 2000-31-3013
AN ORDINANCE AMENDING CHAPTER 36 OF THE
GLENCOE VILLAGE CODE REGARDING PRIVATE WATER
SUPPLY PIPES AND CONNECTIONS

IN WITNESS WHEREOF, I have hereunto affixed by official signature and the corporate seal of the Village of Glencoe, this 20TH day of June, 2014.



Philip A. Kiraly, Village Clark

1421855032 Page: 14 of 16

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ORDINANCE NO. 2000-31-3013

ORDINANCE AMENDING CHAPTER 36 OF THE GLENCOE VILLAGE CODE REGARDING PRIVATE WATER SUPPLY PIPES AND CONNECTIONS

WATREAS, the Village of Glencoe operates and maintains a public water supply system providing a safe and adequate supply of potable water in conformance with applicable health standards and regulations; and

whereas, in developing and maintaining such potable water supply system, the Village has issued bonds that are supported in part by the user fees generated from such vater supply system; and

whereas, the President and Board of Trustees of the Village have determined it is desirable and in the best interests of the Village and its residents to ensure that all residents of the Village utilize the Village's water supply system to best ensure the health of the public; and

whereas, the President and Board of Trustees have further determined that, in order to assure the financial viability of the Village's water supply system, the procedures for connecting buildings to supplies of potable water should be modified to require connections to the Village Waterworks System, except in particular limited circumstances; and

WHEREAS, in furtherance of the foregoing concerns, the President and Board of Trustees have determined that it is desirable and in the best interests of the Village and its residents to amend its regulations regarding potable water supplies as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Glencoe, County of Cook, and State of Elizais, as follows:

SECTION ONE. Recitals. The foregoing recitals are incorporated into and made a part of this ordinance as findings of the President and Board of Trustees.

SECTION TWO. Amendment of Section 36-13. Section 36-13, entitled "Private supply pipes and connections - Generally; application, etc.," of Article II, entitled "Water Supply," of Chapter 36, entitled "Water," of the Glencoe Village Code is hereby amended in its entirety, so that said Section 36-13 shall hereafter be and read as follows:

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Page 2

- Except for such uses or methods in existence before the effective date of this ordinance (or any applicable amendments hereto), any building, structure, or premises, or a portion thereof, shall be required to connect to the village waterworks system, or another municipal water system approved by the Village, in accordance with the procedure set forth in this Code. No building, structure, or premises so connected to the village waterworks system shall hereuter be connected to any auxiliary water supply. Except for such uses or methods in existence before the effective date of this ordinance, no person including the Village shall use the groundwater as a potable water supply. The installation of new potable water wells, cisterns, or other groundwater collection devices is probabled. Any person violating the provisions of this Section shall be subject to penalties as set forth in this Code.
- (b) For the purpose of this Section, potable water is any water used for human or domestic consumption, including, but not limited to, water used for drinking, becking, swimming, washing dishes, or preparing foods.
- (c) For the purpose of this Section, 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, including the Village.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in ramphlet form in the manner provided by law.

PASSED this 13th day of November, 2000.

AYES:

Alessi, Bisgeier, Paley, Ruzicka, Savitt (5)

NAYS:

Pritikin (1)

ABSENT:

None (0)

APPROVED this 13th day of November, 2000.

/s/James O. Webb Village President

	- TO O	r.
ΔT	$\Gamma E.S.1$	

/s/ Ruby Herron Village Clerk

1421855032 Page: 16 of 16

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Page 3		
POSTED THIS 14th DAY OF November, 2000	•	
• •	/s/ Ruby Herron	
	Village Clerk	
PUBLISHED THIS 14th DAY OF November, 2000.		
	/s/ Ruby Herron	
	Village Clerk	

APPROVED AS TO FORM

FORM

/s/ Victor Filippini

Village Attorney