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PREPARED BY:

Name: Susan Gianesin
Urban Partnership Bank

Address: 180 North LaSalle Street, Suite 2500
Chicago, IL 60601

Doc#: 1505129046 Fee: \$62.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/20/2015 12:21 PM Pg: 1 of 13

RETURN TO:

Name: Susan Gianesin
Urban Partnership Bank

Address: 180 North LaSalle Street, Suite 2500
Chicago, IL 60601

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: 0310515269

Urban Partnership Bank, the Remediation Applicant, whose address is 180 North LaSalle Street, Suite 2500, Chicago, IL 60601 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:

PARCEL 3: BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 6 IN GRANT LAND RESUBDIVISION OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING ALSO THE INTERSECTION OF THE WEST LINE OF SOUTH 54TH AVENUE AND A LINE 311 FEET NORTH OF THE SOUTH LINE OF SECTION 21; THENCE WEST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION 21, 333.81 FEET TO A POINT 50 FEET WEST OF THE ANGLE CORNER OF BLOCK 6; THENCE NORTHERLY ALONG A LINE DRAWN TO A POINT 130 FEET NORTH OF THE SOUTH LINE OF BLOCK 18 AND 50 FEET WEST OF THE EAST LINE OF BLOCK 18, A DISTANCE OF 141.42 FEET TO THE POINT OF BEGINNING; THENCE NORTH ALONG A LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF BLOCK 18, A DISTANCE OF 725 FEET TO THE NORTH LINE OF SAID BLOCK 18, BEING ALSO THE SOUTH LINE OF 19TH STREET EXTENDED EAST; THENCE EAST ALONG THE NORTH LINE OF BLOCK 18, 50 FEET; THENCE SOUTH 725 FEET; THENCE WEST ON A LINE PARALLEL TO THE SOUTH LINE OF SECTION 21, A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4: BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 6 IN GRANT LAND ASSOCIATION RESUBDIVISION OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING ALSO THE INTERSECTION OF THE WEST LINE OF SOUTH 54TH AVENUE AND A LINE 311 FEET NORTH OF THE SOUTH LINE OF SECTION 21; THENCE WEST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION 21, 333.81 FEET

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TO A POINT 50 FEET WEST OF THE ANGLE CORNER OF BLOCK 6; THENCE NORTHWESTERLY ALONG A LINE DRAWN TO A POINT 130 FEET NORTH OF THE SOUTH LINE OF BLOCK 18 AND 50 FEET WEST OF THE EAST LINE OF BLOCK 18, A DISTANCE OF 141.42 FEET; THENCE NORTH ALONG A LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF BLOCK 18, A DISTANCE OF 725 FEET TO THE NORTH LINE OF SAID BLOCK 18, BEING ALSO THE SOUTH LINE OF 19TH STREET EXTENDED EAST; THENCE EAST ALONG THE NORTH LINE OF BLOCK 18, 21.06 FEET TO THE POINT OF BEGINNING; THENCE NORTH ON A LINE 412.75 FEET WEST OF AND PARALLEL TO THE EAST LINE OF BLOCK 6, A DISTANCE OF 56.08 FEET; THENCE NORTHEASTERLY 149.7 FEET ALONG THE WESTERLY LINE OF A 20 FOOT EASEMENT STRIP GRANTED TO THE BALTIMORE AND OHIO CHICAGO TERMINAL RAILROAD COMPANY; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE WESTERLY LINE OF SAID EASEMENT STRIP 20 FEET TO THE EASTERLY LINE OF SAID EASEMENT STRIP; THENCE SOUTHERLY ON A STRAIGHT LINE DEFLECTION TO THE EAST FROM SAID SOUTHEASTERLY LINE OF SAID EASEMENT STRIP 4 DEGREES 55 MINUTES 1.5 SECONDS, A DISTANCE OF 70 FEET; THENCE SOUTH ON A LINE AT RIGHT ANGLES TO THE SOUTH LINE OF WEST 19TH STREET EXTENDED EAST, 80.36 FEET TO A LINE 50 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF WEST 19TH STREET EXTENDED EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTHEASTERLY 50.43 FEET ALONG A LINE THAT IS 20.33 FEET EAST OF THE EAST LINE OF BLOCK 18 TO THE SOUTH LINE OF WEST 19TH STREET EXTENDED; THENCE WEST ALONG SAID LINE A DISTANCE OF 70.33 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

2. Common Address: 1910-2100 South 54th Avenue, Cicero, IL
3. Real Estate Tax Index/Parcel Index Number: 16-21-306-031-0000; 16-21-306-034-0000
4. Remediation Site Owner: Same as RA
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)



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

December 15, 2014

CERTIFIED MAIL

7012 0470 0001 2967 2668

Susan Giancesin
Urban Partnership Bank
P.O. Box 19260
Chicago, IL 60619

Re: 0310515269 – Cook County
Cicero/American National Bank & Trust 12423406
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Ms. Giancesin:

The *Remedial Action Completion Report* (received August 29, 2014/Log No. 14-57451), as prepared by Pioneer Environmental Service, LLC for the above 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 inhalation pathway, are above the existing concentrations of regulated substances and that the remedial action was completed in accordance with the *Remedial Action Plan* (received September 13, 2013/Log No. 13-54870) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 7.8 acres, is located at 1910-2100 South 54th Avenue, Cicero, 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 (September 13, 2013/13-54870), is Urban Partnership Bank.

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This comprehensive 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 and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

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

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:

- 3) 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 three 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:

- 4) The asphalt barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 5) The concrete cap barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This concrete cap barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

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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.
- 7) Ordinance 140-97 adopted by the Town of Cicero on October 28, 1997 effectively prohibits the installation and use of potable water supply wells in the Town of Cicero. 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:
 - i) 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 Town of Cicero 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 140-97;
 - 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:

Ms. P.J. Gebhardt
Illinois Environmental Protection Agency
Bureau of Land/RPMS #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

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- d) The following activities shall be grounds for avoidance of the ordinance as an institutional control and this Letter:
- i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - 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 Town of Cicero and affected property owner(s) of the intent to use Ordinance 140-97 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 Paragraph 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 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.
- 10) 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
- 11) 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;

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- 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.
- 12) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Urban Partnership Bank;
 - 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;

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- 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.
- 13) 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 American National Bank & Trust 12423406 property.
- 14) 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:

Ms. P.J. Gebhardt
 Illinois Environmental Protection Agency
 Bureau of Land/RPMS #24
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

- 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 American National Bank & Trust 12423406 property, you may contact the Illinois EPA project manager, Tammy Smith at 217-793-3417.

Sincerely,



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

(ms)

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Attachments: Illinois EPA Site Remediation Program Environmental Notice
Site Base Map
Instructions for Filing the NFR Letter

cc: Kim Whitlock
Pioneer Environmental Services, LLC
700 N. Sacramento Blvd, Suite 101
Chicago, IL 60612

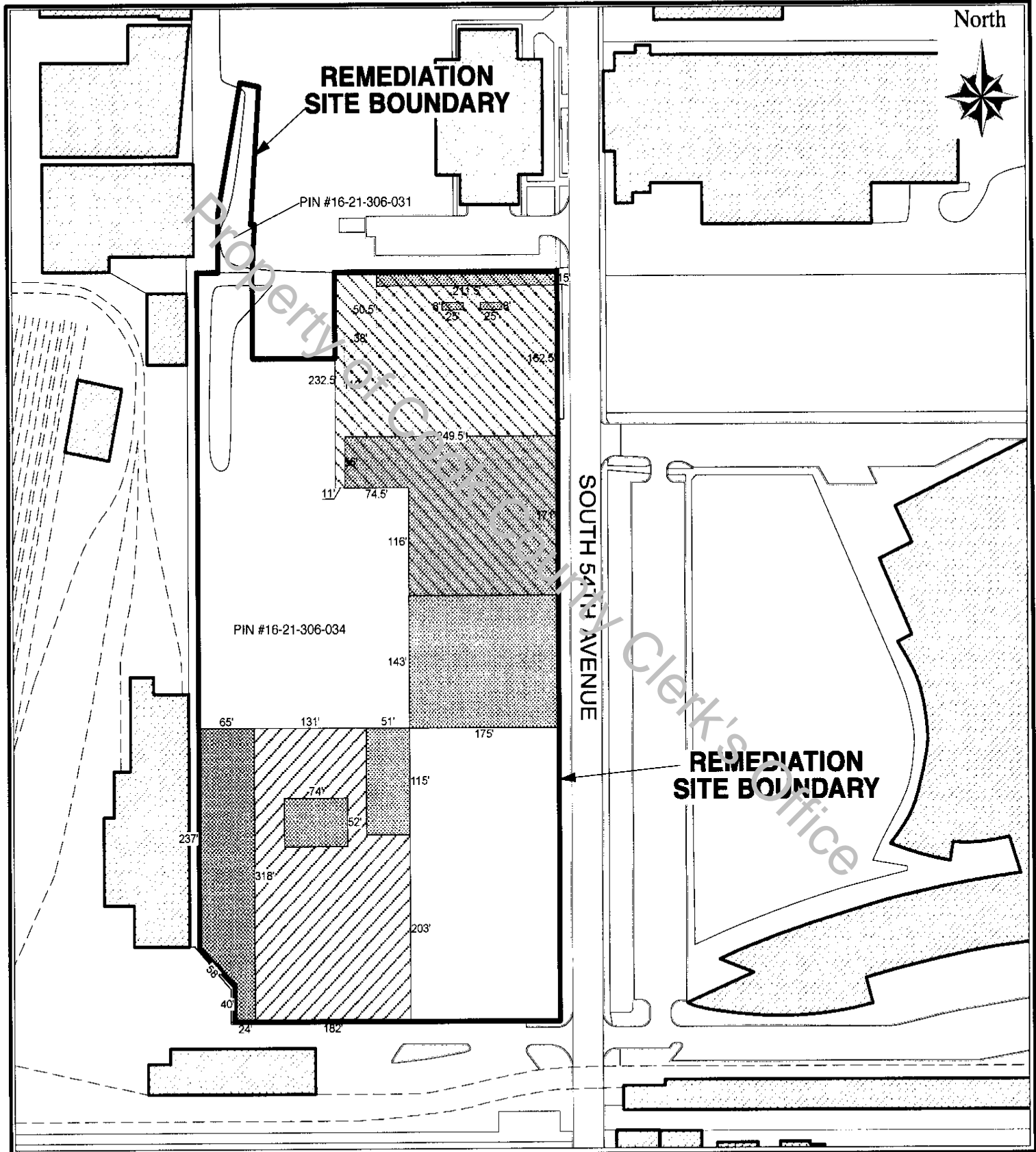
Bureau of Land File
Ms. P.J. Gebhardt

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SITE BASE MAP

LPC# 0310515269 - COOK COUNTY
CICERO / FORMER MANUFACTURING SITE
SITE REMEDIATION / TECHNICAL REPORTS



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STATE OF ILLINOIS)

) ss.

COUNTY OF COOK)

CLERK'S CERTIFICATION

I, Maria Punzo-Arias, the duly elected, qualified and acting Clerk of the Town of Cicero, Cook County, Illinois, DO HEREBY CERTIFY that attached hereto is a true and correct copy of the Town of Cicero Ordinance, numbered 140-97, titled:

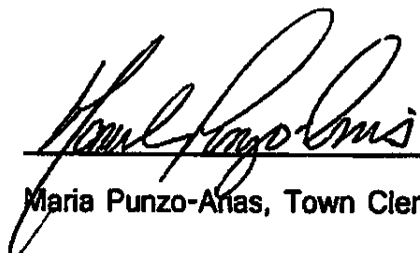
AN AMENDED ORDINANCE PROHIBITING THE USE OF GROUND WATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

Which Ordinance was duly adopted, on a duly recorded roll call vote, by said Board of Trustees of the Town of Cicero at a public meeting of the Town President and the Board of Trustees of the Town of Cicero held on the 28th day of October, 1997.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that said Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hands this 23rd day of December, 2014.

(SEAL)



Maria Punzo-Arias, Town Clerk

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AN AMENDED ORDINANCE PROHIBITING THE USE OF GROUND WATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the Town of Cicero, Illinois, have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentration of certain chemical constituents in the groundwater beneath the Town may exceed Class I groundwater quality standards for potable resource ground water as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Town of Cicero desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productivity of properties that are the source of said chemical constituents.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF CICERO, ILLINOIS:

Section One. Use of groundwater as a potable water supply prohibited.

Except as otherwise provided in the Code of Ordinances, the use or attempt to use as a potable water supply groundwater from within the corporate limits of the Town of Cicero by the installation or drilling of wells or by any other method is hereby prohibited. This provision shall not apply to use of groundwater by the Town of Cicero.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for each violation.

Section Three. Definitions.

"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.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking.

Handwritten initials and date: "HJW" and "2/1/21"

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This ordinance is applicable everywhere within the corporate limits of the Town of Cicero.

Section Four. Effective Date.

This ordinance shall take effect upon its passage and approval.

Betty Loren-Maltese
Betty Loren-Maltese, President - Town of Cicero

ATTEST:

Marilyn Colpo
Marilyn Colpo, Town Clerk

Date of Passage: 10-28-97

Date of Publication: _____

*Copy: Bulletin Bd
Water
Mun Code
Legal*

Property of Cook County Clerk's Office

*HYD
09-28-97*