

# UNOFFICIAL COPY

PREPARED BY:

Name: Mr. Edward A. Grzywacz  
7035 Bedford LLC

Address: 4330 West 44<sup>th</sup> Street  
Chicago, IL 60632



Doc#: 151744018 Fee: \$60.00  
RHSP Fee: \$9.00 RFRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 06/23/2015 11:44 AM Pg: 1 of 12

RETURN TO:

Name: Mr. Edward A. Grzywacz  
7035 Bedford LLC

Address: 4330 West 44<sup>th</sup> Street  
Chicago, IL 60632

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: 0310125247

7035 Bedford LLC, the Remediation Applicant, whose address is 4330 West 44<sup>th</sup> Street, Chicago, IL 60632 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 1:

THAT PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF THE NORTH 50 FEET OF SAID QUARTER-QUARTER SECTION, 25 FEET WEST OF THE EAST LINE THEREOF, THENCE SOUTH AT 90 DEGREES TO THE SAID SOUTH LINE OF THE NORTH 50 FEET OF SAID QUARTER-QUARTER SECTION, 665.0 FEET TO THE SOUTH LINE OF THE NORTH 715 FEET OF SAID QUARTER-QUARTER SECTION; THENCE WEST ALONG THE SOUTH LINE OF THE NORTH 715 FEET AFORESAID, 521.50 FEET TO ITS INTERSECTION WITH A CURVE CONVEX SOUTHEASTERLY AND HAVING A RADIUS OF 240.01 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 118.06 FEET TO THE POINT OF TANGENT OF SAID CURVE; THENCE CONTINUING SOUTHWESTERLY TANGENT TO LAST DESCRIBED CURVE, 44.09 FEET TO A POINT OF CURVE OF A CURVE CONVEX NORTHWESTERLY AND HAVING A RADIUS OF 222.01 FEET; THENCE CONTINUING SOUTHWESTERLY ALONG

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SAID CURVE AN ARC DISTANCE OF 67.55 FEET TO THE POINT OF TANGENT OF SAID CURVE; THENCE CONTINUING SOUTHWESTERLY TANGENT TO THE LAST DESCRIBED CURVE, 22.64 FEET; THENCE CONTINUING SOUTHWESTERLY ALONG A LINE DEFLECTING TO THE LEFT AND FORMING AN ANGLE OF 3 DEGREES 46 MINUTES WITH THE PROLONGATION SOUTHERLY OF THE LAST DESCRIBED LINE, 48.80 FEET TO ITS INTERSECTION WITH A CURVE CONVEX SOUTHEASTERLY AND HAVING A RADIUS OF 240.01 FEET ( SAID LAST DESCRIBED LINE BEING THE TANGENT LINE AND THE SAID TANGENT LINE EXTENDED OF SAID CURVE); THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 60.81 FEET TO THE POINT OF TANGENT OF SAID CURVE, THENCE NORTH ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE 90.0 FEET TO A POINT 849.97 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  AFORESAID (MEASURED AT 90 DEGREES); THENCE NORTHEASTERLY ALONG A LINE WHICH FORMS AN INTERIOR ANGLE OF 171 DEGREES 51 MINUTES 25 SECONDS WITH THE LAST DESCRIBED COURSE, 131.79 FEET TO ITS INTERSECTION WITH A CURVE CONVEX NORTHWESTERLY AND HAVING A RADIUS OF 296.94 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 38.50 FEET TO A LINE DRAWN 90 DEGREES TO THE NORTH LINE OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  AFORESAID, THENCE NORTH ALONG SAID RIGHT ANGLE LINE, 678.81 FEET TO THE SOUTH LINE OF THE NORTH 50 FEET OF THE SAID QUARTER-QUARTER SECTION; THENCE EAST ALONG THE SAID SOUTH LINE OF THE NORTH 50 FEET OF SAID QUARTER-QUARTER SECTION, 620.0 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

## PARCEL 2:

THAT PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF THE NORTH 715 FEET OF SAID QUARTER-QUARTER SECTION, 31.19 FEET WEST OF THE EAST LINE THEREOF; THENCE WEST ALONG THE SOUTH LINE OF SAID NORTH 715 FEET, 521.5 FEET TO ITS INTERSECTION WITH A POINT OF CURVE CONVEX SOUTHEASTERLY HAVING A RADIUS OF 240.01 FEET; THENCE SOUTHWESTERLY ON SAID CURVE AN ARC DISTANCE OF 118.06 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTHWESTERLY ON A LINE TANGENT TO THE LAST DESCRIBED CURVE 44.09 FEET TO A POINT OF CURVE; THENCE SOUTHERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY HAVING A RADIUS OF 222.01 FEET AN ARC DISTANCE OF 55.64 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF THE NORTH 920.0 FEET OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 19 AFORESAID; THENCE EAST ALONG THE SOUTH LINE OF THE NORTH 920.0 FEET OF SAID QUARTER-QUARTER SECTION, 590.91 FEET TO A POINT 33.10 FEET WEST OF THE EAST LINE OF SAID QUARTER-QUARTER SECTION; THENCE NORTH AT 90 DEGREES TO THE LAST DESCRIBED COURSE 205 FEET TO THE POINT OF BEGINNING.

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## PARCEL 3:

THAT PART OF BLOCK 44 IN FREDERICK H. BARTLETT'S CHICAGO HIGHLANDS OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 19 TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF AFORESAID BLOCK 44; THENCE EAST IN ITS SOUTH LINE, BEING THE NORTH LINE OF WEST 65<sup>TH</sup> STREET, A DISTANCE OF 303.37 FEET TO A POINT; THENCE NORTH 0 DEGREES 31 MINUTES 35 SECONDS WEST IN A LINE A DISTANCE OF 133.89 FEET TO A POINT; THENCE NORTH 89 DEGREES 59 MINUTES 35 SECONDS WEST IN A LINE A DISTANCE OF 303.40 FEET TO THE WEST LINE OF AFORESAID BLOCK 44, BEING THE EAST LINE OF NOTTINGHAM AVENUE; THENCE SOUTH 0 DEGREES 32 MINUTES 10 SECONDS EAST IN AFORESAID WEST LINE OF BLOCK 44 A DISTANCE OF 133.92 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

2. Common Address: 7035 West 65<sup>th</sup> Street, Bedford Park, IL
3. Real Estate Tax Index/Parcel Index Number: 19-19-116-038-0000 and 19-19-113-006-0000
4. Remediation Site Owner: 7035 Bedford LLC
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused

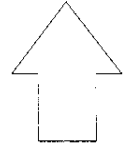
See NFR letter for other terms.

**(Illinois EPA Site Remediation Program Environmental Notice)**

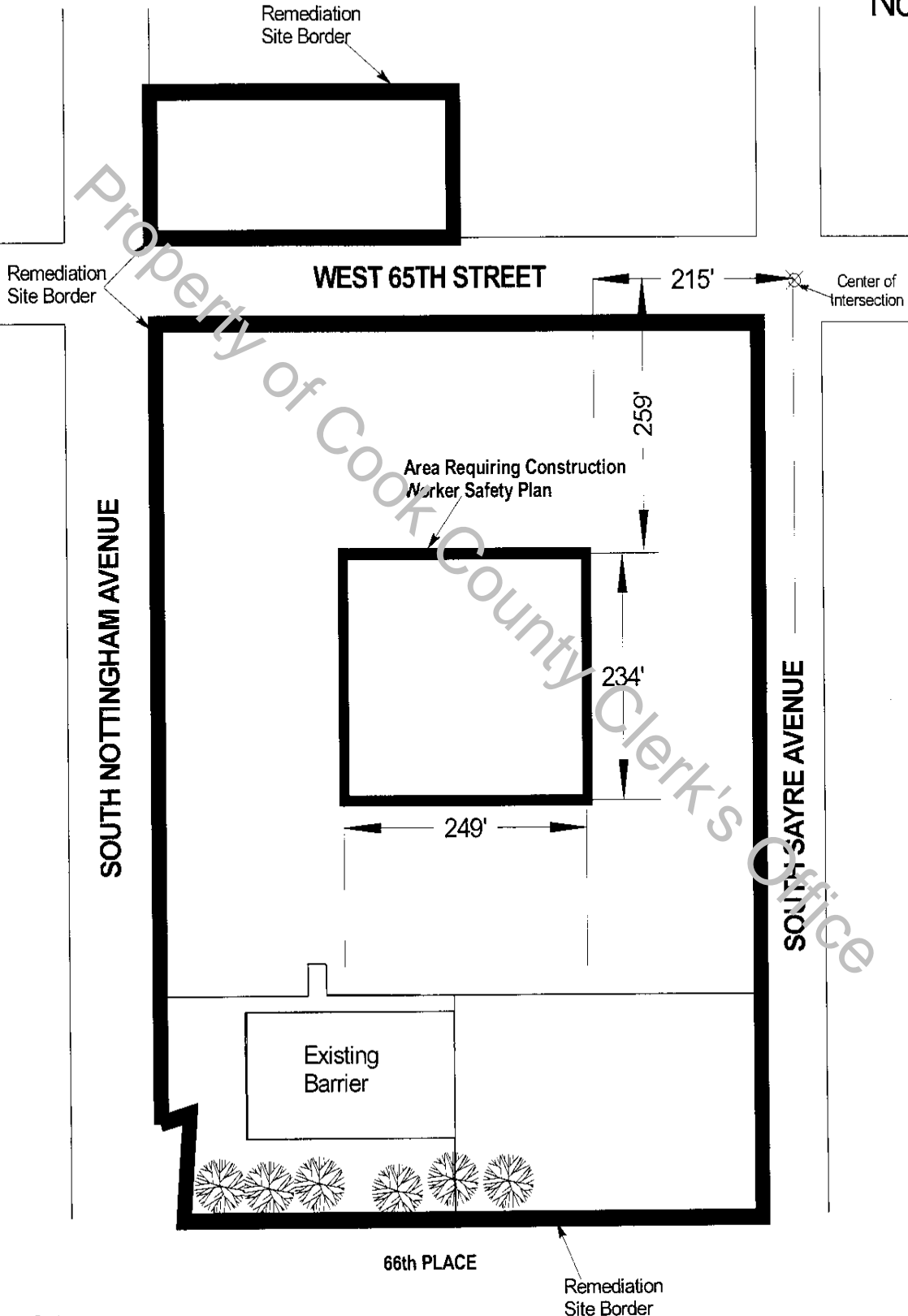
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## Site Base Map

LPC #:0310125247/Cook County  
Bedford Park/TRInternational, Inc.  
Site Remediation Program



North



Approximate Scale:  
1 inch = 150 feet

0 150'

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**TABLE A: Regulated Substances of Concern**

0310125247 -- Cook County  
 Bedford Park/TRInternational, Inc.  
 Site Remediation Program

<b>BTEX and MTBE</b>	
<b>CAS No.</b>	<b>Compound Name</b>
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)

<b>Polynuclear Aromatic Compounds (PNAs)</b>	
<b>CAS No.</b>	<b>Compound Name</b>
208-96-8	Acenaphthalene
83-32-9	Acenaphthene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
205-99-2	Benzo(b)fluoranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)perylene
50-32-8	Benzo(a)pyrene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene

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

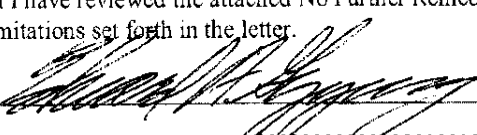

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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 telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

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

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

For multiple property owners, attach 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.

Property Owner Information	
Owner's Name: <u>7035 Bedford, LLC</u>	
Title: <u>Edward A. Greenwalt, Member</u>	
Company: <u>7035 Bedford, LLC</u>	
Street Address: <u>7035 W. 65th St, Bedford Park, IL</u>	
City: <u>Bedford Park</u>	State: <u>IL</u> Zip Code: <u>60638</u> Phone: _____
Office: <u>4330 W. 44th Street, Chicago, IL 60632</u>	
Site Information	
Site Name: _____	
Site Address: <u>7035 W. 65th Street</u>	
City: <u>Bedford Park</u>	State: <u>IL</u> Zip Code: <u>60638</u> County: <u>COOK</u>
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. <u>19-19-116-038-0000</u> , <u>19-19-113-006-0000</u>	
I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.	
Owner's Signature: 	Date: <u>6-22-15</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>22</u> day of <u>June</u> , 20 <u>15</u>	<div style="border: 2px dashed black; padding: 5px; width: fit-content; margin: auto;"> <p style="margin: 0;">"OFFICIAL SEAL"</p> <p style="margin: 0;">Michael T O'Connor</p> <p style="margin: 0;">Notary Public, State of Illinois</p> <p style="margin: 0;">My Commission Expires 5/3/2016</p> </div>
 Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 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 may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.



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## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

(217) 524-3300

May 8, 2015

CERTIFIED MAIL

7013 2630 0001 4708 9397

Mr. Edward A. Grzywacz  
7035 Bedford LLC  
4330 West 44<sup>th</sup> Street  
Chicago, IL 60632

Re: 0310125247 / Cook County  
Bedford Park/TRInternational, Inc.  
Site Remediation Program/Technical Reports  
No Further Remediation Letter

Dear Mr. Grzywacz:

The *March 17, 2017 Untitled Report* (received March 24, 2015/Log No. 15-59030), as prepared by EPS Environmental Services, Inc. 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 August 18, 2014/Log No. 14-57410) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 3.0 acres, is located at 7035 West 65<sup>th</sup> Street, Bedford Park, 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 (August 18, 2014/Log No. 14-57410), is 7035 Bedford LLC.

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.

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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 Remediation Site is restricted to 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 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:

- 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 ground surface 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.

#### Institutional Controls:

- 5) 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.
- 6) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and water services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).



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## Other Terms

- 7) 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.
- 8) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 20141123 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 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 62794-0276
- 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 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;
  - d) The failure to comply with the recording requirements for this Letter;
  - e) Obtaining the Letter by fraud or misrepresentation;

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- 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) 7035 Bedford LLC;
- 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

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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 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 TRInternational, Inc. 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  
 102 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 TRInternational, Inc. property, you may contact the Illinois EPA project manager, Jennifer M. Seul at 217/785-9399.

Sincerely,



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

umd

- 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

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cc: Mr. Nicholas J. Cuzzone, P.E.  
EPS Environmental Services, Inc.  
7237 West Devon Avenue  
Chicago, IL 60631

Bureau of Land File  
Ms. P.J. Gebhardt

Property of Cook County Clerk's Office