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PREPARED BY:

Name: Edward Kubis  
Artis Senior Living of Wrigleyville, LLC

Address: 1651 Old Meadow Road, Suite 100  
McLean, Virginia 22101



Doc#: 1520350057 Fee: \$58.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 07/22/2015 03:12 PM Pg: 1 of 11

RETURN TO:

Name: Edward Kubis  
Artis Senior Living of Wrigleyville, LLC

Address: 1651 Old Meadow Road, Suite 100  
McLean, Virginia 22101

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: 0316060006

Artis Senior Living of Wrigleyville, LLC, the Remediation Applicant, whose address is 1651 Old Meadow Road, Suite 100, McLean, Virginia 22102 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 LOTS 18, 19 AND 20 (EXCEPTING FROM EACH SAID LOTS THAT PART THEREOF LYING WEST OF A LINE 50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SECTION 20) DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF LOT 18 WITH THE EAST LINE OF ASHLAND AVENUE AS WIDENED; THENCE SOUTH ALONG SAID WIDENED LINE OF ASHLAND AVENUE TO A POINT WHICH IS 4.62 FEET SOUTH OF THE NORTH LINE OF SAID LOT 20; THENCE EAST 77.38 FEET TO A POINT WHICH IS 4.56 FEET SOUTH OF THE NORTH LINE OF SAID LOT 20; THENCE NORTH 4.08 FEET; THENCE EAST 29.41 FEET TO A POINT IN THE EAST LINE OF SAID LOT 20 WHICH IS 0.45 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE NORTH ALONG THE EAST LINE OF SAID LOTS 20, 19, AND 18 TO THE NORTHEAST CORNER OF SAID LOT 18; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 18 TO THE POINT OF BEGINNING, ALL IN BLOCK 4 IN LANE PARK ADDITION TO LAKE VIEW IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH,

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RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14 (EXCEPT THAT PART OF SAID LOTS LYING WEST OF A LINE 50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SECTION 20, TAKEN FOR WIDENING NORTH ASHLAND AVENUE) IN BLOCK 4 IN LANE PARK ADDITION TO LAKE VIEW IN THE WEST ½ OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 15, 16 AND 17 (EXCEPT THAT PART THEREOF LYING WEST OF A LINE 50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN) IN BLOCK 4 IN LANE PARK ADDITION TO LAKE VIEW IN THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

2. Common Address: 3535 North Ashland Avenue, Chicago, IL
3. Real Estate Tax Index/Parcel Index Number: 14-20-300-031-0000, 14-20-300-032-0000, and 14-20-300-033-0000.
4. Remediation Site Owner: Artis Senior Living of Wrigleyville, LLC
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)

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## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

(217) 524-3300

July 9, 2015

CERTIFIED MAIL

7013 2630 0001 4702 5029

Edward A. Kubis  
 Artis Senior Living of Wrigleyville, LLC  
 1651 Old Meadow Road, Suite 100  
 McLean, Virginia 22101

Re: 0316060006/Cook County  
 Chicago/Artis Senior Living of Wrigleyville, LLC  
 Site Remediation Program/Technical Reports  
 No Further Remediation Letter

Dear Mr. Kubis:

The *Supplemental Site Investigation, Remediation Objectives & Remedial Action Completion Report* (received February 24, 2015/Log No. 15-58755), as prepared by Apex Companies, LLC for the above referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). 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 the above report shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of one acre, is located at 3535 North Ashland Avenue, Chicago, 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 November 13, 2013/Log No. 13-55290), is Artis Senior Living of Wrigleyville, 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.

4302 N. Main St., Rockford, 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  
 412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022  
 2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200  
 100 W. Randolph, Suite 10-300, Chicago, IL 60601

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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 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 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.

#### Institutional Controls:

- 4) 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.
- 5) 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).

### Other Terms

- 6) 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.
- 7) 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 20131028 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.

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- 8) 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.
- 9) 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

- 10) 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;
  - 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.

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- 11) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Artis Senior Living of Wrigleyville, 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
  - 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.
- 12) 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 Artis Senior Living of Wrigleyville, LLC property.
- 13) 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:

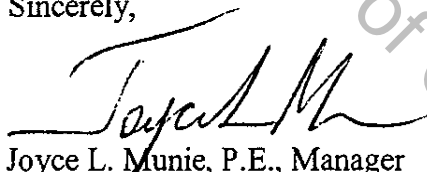
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Ms. P.J. Gebhardt  
Illinois Environmental Protection Agency  
Bureau of Land/RPMS #24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276

14) 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 Artis Senior Living of Wrigleyville, LLC property, you may contact the Illinois EPA project manager, Barb Conner at (217) 782-5504.

Sincerely,



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

*over*

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

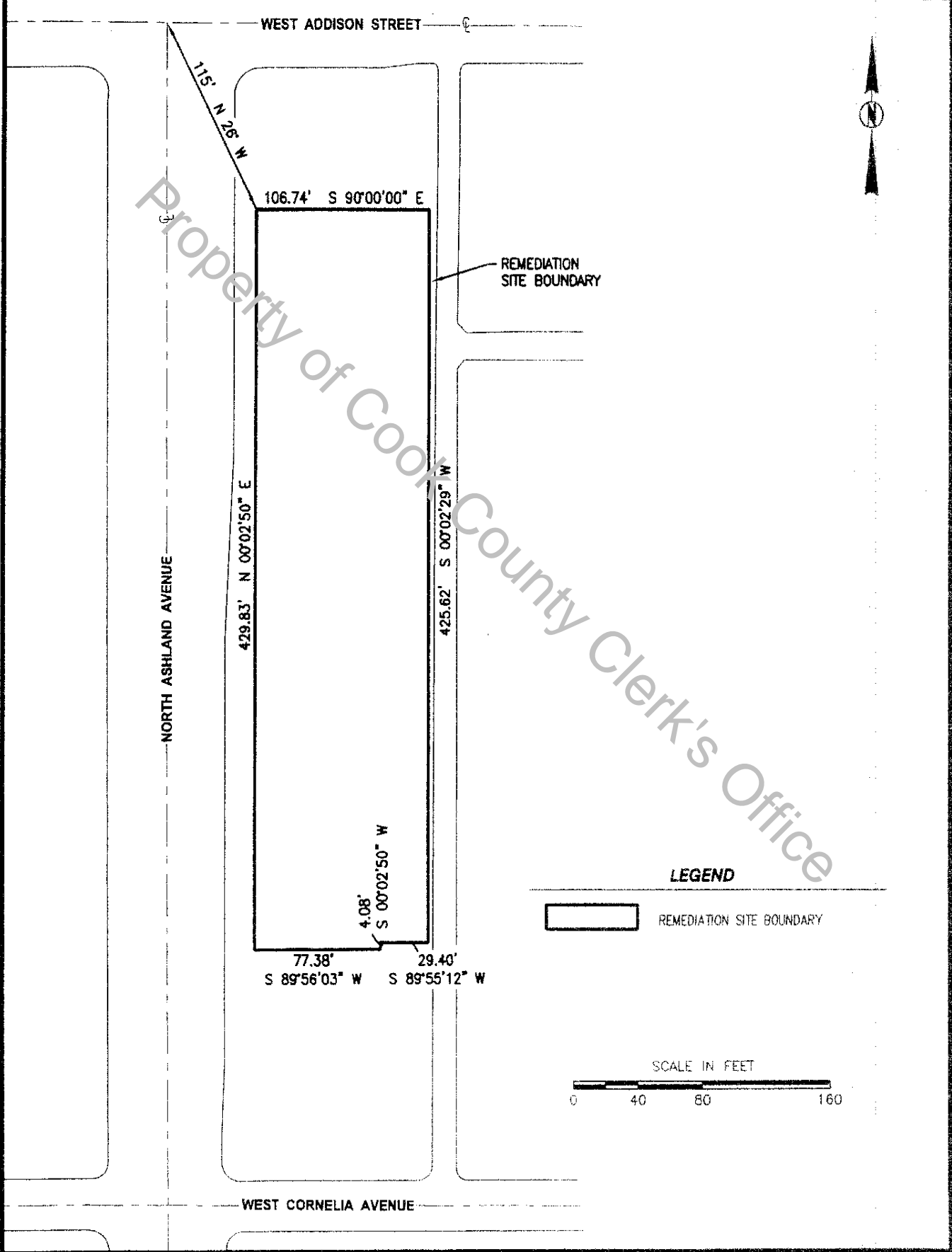
cc: Stephen Torres  
Apex Companies, LLC  
1701 East Woodfield Road, Suite 333  
Schaumburg, Illinois 60173

Bureau of Land File  
Ms. P.J. Gebhardt

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## SITE BASE MAP CHICAGO/ARTIS SENIOR LIVING OF WRIGLEYVILLE, LLC SITE REMEDIATION PROGRAM/TECHICAL REPORTS LCP#0316060006/COOK COUNTY

DATE: 5/20/15



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**TABLE A: Regulated Substances of Concern**

**0316060006 – Cook County  
Chicago/Artis Senior Living of Wrigleyville, LLC  
Site Remediation Program**

Volatile Organic Compounds (VOCs)	
CAS No.	Compound Name
67-64-1	Acetone
107-13-1	Acrylonitrile
71-43-2	Benzene
108-86-1	Bromobenzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone
74296-32-5	n-Butylbenzene
135-98-8	sec-Butylbenzene
98-06-6	tert-Butylbenzene
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
75-00-3	Chloroethane
110-75-8	2-Chloroethyl vinyl ether
67-66-3	Chloroform
74-87-3	Chloromethane
95-49-8	2-Chlorotoluene
106-43-4	4-Chlorotoluene
96-12-8	1,2-Dibromo-3-Chloropropane
106-93-4	1,2-Dibromoethane
95-50-1	1,2-Dichlorobenzene
541-73-1	1,3-Dichlorobenzene
106-46-7	1,4-Dichlorobenzene
75-71-8	Dichlorodifluoromethane
124-48-1	Dibromochloromethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
156-59-2	cis-1,2-Dichloroethene
156-60-5	trans-1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
563-38-6	1,1-Dichloropropene
142-28-9	1,3-Dichloropropane
10061-02-6	trans-1,3-Dichloropropene
10061-01-5	cis-1,3-Dichloropropene
594-20-7	2,2-Dichloropropane

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108-20-3	Di-isopropyl ether
100-41-4	Ethylbenzene
87-68-3	Hexachloro-1,3-butadiene
98-82-8	Isopropylbenzene
99-87-6	p-Isopropyltoluene
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone
1634-04-4	Methyl tert-butyl ether
103-65-1	n-Propylbenzene
100-42-5	Styrene
630-20-6	1,1,1,2-Tetrachloroethane
79-34-5	1,1,2,2-Tetrachloroethane
76-13-1	1,1,2-Trichlorotrifluoroethane
87-61-6	1,2,3-Trichlorobenzene
120-82-1	1,2,4-Trichlorobenzene
127-18-4	Tetrachloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethene
75-69-4	Trichlorofluoromethane
96-18-4	1,2,3-Trichloropropane
95-63-6	1,2,4-Trimethylbenzene
526-73-8	1,2,3-Trimethylbenzene
108-67-8	1,3,5-Trimethylbenzene
108-88-3	Toluene
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

<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

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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

<b>Inorganics</b>	
<b>CAS No.</b>	<b>Compound Name</b>
7439-92-1	Lead

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