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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 20, 2015

CERTIFIED MAIL

7013 2630 0001 4702 5487

CTA WA 446245442 2013
BMO Harris Bank--Antink Trusts
Attn: Mr. Terence Walsh
111 E. Kilbourn Avenue
Milwaukee, WI 53202



Doc#: 1522518029 Fee: \$60.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 08/13/2015 09:11 AM Pg: 1 of 12

Re: 0314405151/Cook County
Elk Grove Village/Drafting Graphics, Inc.
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Walsh:

The *Remedial Action Completion Report* (received April 22, 2015/Log No.15-59264), as prepared by Ed Cooney Associates, 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 1, 2013/Log No.13-54485) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 1.22 acres, is located at 1250 Pratt Boulevard, Elk Grove Village, 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 (October 16, 2012/Log No.12-52161), is Antink Trusts.

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.

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

PLEASE PRINT ON RECYCLED PAPER

079-130374

CURD REVIEWED

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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The Remediation Site is restricted to 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 2 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 floor of a small area inside the building, 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 inhalation of the contaminated media.

Institutional Controls:

- 6) 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.

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- 7) The Building Control Technology (“BCT”) consisting of a sub slab depressurization system, as shown on the attached Site Base Map, must be in place and operational prior to human occupancy. This BCT must be properly maintained to address the indoor inhalation pathway. If the BCT becomes inoperable, the site owner/operator shall notify building occupants and workers to implement protective measures. Failure to maintain the BCT shall be grounds for voidance of this No Further Remediation letter.
- 8) Ordinance 1538 adopted by Elk Grove Village on September 28, 1982 effectively prohibits the installation and use of potable water supply wells in Elk Grove Village. 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 Elk Grove Village 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 1538;
 - 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:

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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

- 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;
 - 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 Elk Grove Village and affected property owner(s) of the intent to use Ordinance 1538 as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter.

Other Terms

- 9) 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.
- 10) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 8 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.
- 11) 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.
- 12) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

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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

- 13) 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.
- 14) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Antink Trusts;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;

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- 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.
- 15) 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 Drafting Graphics, Inc. property.
- 16) 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

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17) 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 Drafting Graphics, Inc. property, you may contact the Illinois EPA project manager, Rhett M. Rossi at 217 524 3300.

Sincerely,



JLM
Joyce L. Munte, 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
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form
Instructions for Filing the NFR Letter

cc: E. Cooney Associates, Inc.
Attn: Mr. Edward J. Cooney, Ph.D., P.E.
359 East Webster Avenue
Elmhurst, IL 60126

Bureau of Land File
Ms. P.J. Gebhardt

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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PREPARED BY:

Name: Antink Trusts
Terence Walsh

Address: 111 East Kilbourne Avenue
Milwaukee, WI 53202

RETURN TO:

Name: Antitink Trusts
Terence Walsh

Address: 111 East Kilbourne Avenue
Milwaukee, WI 53202

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: 0314405151

Antink Trusts, the Remediation Applicant, whose address is 111 East Kilbourne Avenue, Milwaukee, WI 53202 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

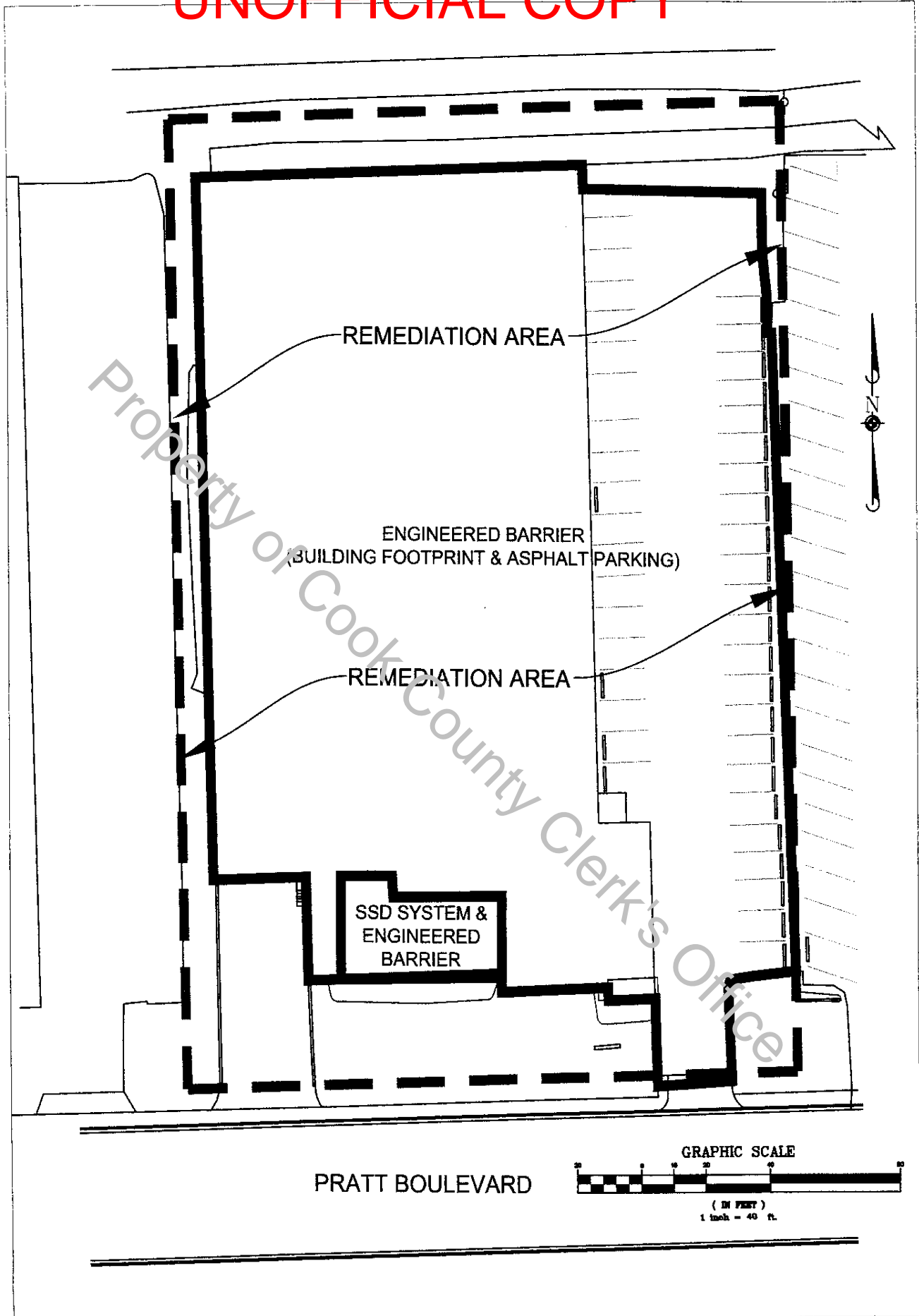
1. Legal description or Reference to a Plat Showing the Boundaries. The West 46 Feet of Lot 17, all of Lot 18 and the East 44 Feet of Lot 19 in Centex Industrial Park Unit 22, in Section 34, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.
2. Common Address: 1250 Pratt Boulevard, Elk Grove Village, IL
3. Real Estate Tax Index/Parcel Index Number: 08-34-400-026
4. Remediation Site Owner: Antink Trusts
5. Land Use: Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

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SITE BASE MAP
SCALE: 1"=40'

TITLE: SITE BASE MAP				DRAFTING GRAPHICS, INC. 1250 PRATT BOULEVARD LPC: 0314405151-COOK COUNTY		 AMERECO, INC. CONSULTING ENGINEERS-PROJECT MANAGERS 204 E. JEFFERSON STREET VALPARAISO, IN 46383 219-531-0531
PROJECT #: NA	SHEET: 1					
DRAWN BY: STRAVIS		1.	6/11/15	REVISED		
REVIEWED BY: ECOONEY		No.	DATE	ISSUED FOR	ELK GROVE	ILLINOIS
SCALE: 1"=40'						

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

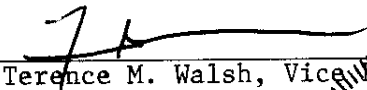
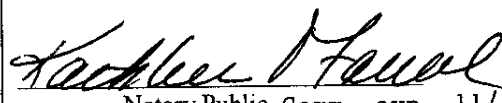
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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>BMO Harris Bank N.A. - Antink Trusts</u>	
Attn: <u>Terence Walsh, Vice President</u>	
Company: _____	
Street Address: <u>111 E. Kilbourn Ave #200</u>	
City: <u>Milwaukee</u> State: <u>WI</u> Zip Code: <u>53202</u> Phone: <u>414-287-7009</u>	
Site Information	
Site Name: <u>Antink Trusts</u>	
Site Address: <u>1250 Pratt Blvd</u>	
City: <u>Elk Grove</u> State: <u>IL</u> Zip Code: <u>6007-570</u> County: <u>Cook</u>	
Illinois inventory identification number: <u>0314405151</u>	
Real Estate Tax Index/Parcel Index No. <u>08-34-400-026-0000</u>	
<p>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.</p>	
Owner's Signature: <u></u>	Date: <u>7/24/2015</u>
<u>Terence M. Walsh, Vice President</u> BMO Harris Bank N.A.	
SUBSCRIBED AND SWORN TO BEFORE ME this <u>24th</u> day of <u>July</u> , 20 <u>15</u>	
<u></u> Notary Public Comm. exp. 11/8/17	

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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ORDINANCE NO. 1538

AN ORDINANCE AMENDING CHAPTER 22A WATER AND SEWER OF THE MUNICIPAL CODE TO PROHIBIT NON-VILLAGE WATER USE AND AMEND THE PENALTIES CONTAINED THEREIN

BE IT ORDAINED by the President and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

SECTION 1. That Article 1, General Provisions of Chapter 22A, Water and Sewer of the Municipal Code be and is hereby amended by deleting the present Section 22A112, Penalty, and substituting in its place the following:

22A112. Prohibition of Non-Village Water Use. It shall be unlawful for any person, firm or corporation to construct, install, maintain or utilize a water system or well other than the water supply and water services of the Village. The provisions of this Section shall be applicable to all water usage, including, but not limited to, domestic, commercial and industrial uses and water for outdoor purposes. The provisions of this Section shall not apply to private water systems installed prior to the effective date of this Ordinance, the use of which has been previously approved by the Village.

22A113. Penalty. Any person, firm, or corporation violating any provision of this Article 1 shall be subject to a fine of not less than Twenty-five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

In addition to any penalty which may be imposed herein, any person, firm or corporation violating the provisions of this Article shall be subject to having their water services terminated, suspended or revoked. Notice of the intent by the Village to terminate, suspend or revoke such service shall be given to any such person, firm or corporation at least fifteen (15) days in advance of the date established for termination, and a person so notified shall have an opportunity to request, in writing, a hearing before the Village Manager to show cause as to why his water service shall not be terminated, suspended or revoked. The notice request must be filed with the Village Manager no later than five (5) days from the proposed termination date and thereafter the Village Manager shall schedule a hearing within ten (10) days of the receipt of said notice request. Pending any such hearing, all water use privileges shall remain in full force and effect, subject to compliance with the provisions of this Chapter. The Village Manager shall have the authority during the course of any such hearing to suspend or revoke water service or to impose such sanctions on the water user short of suspension, or revocation, including the collection of unpaid water usage, unpaid water bills, interest due thereon, and such other monetary fines or sanctions which the Village Manager deems in the best interest of the Village for the express purpose of enforcing the provisions of this Article.

SECTION 2. That Section 22A206, 22A706 and 22A904 are hereby amended to read as follows:

Penalty. Any person, firm or corporation violating any provision of this Article shall be subject to a fine of not less than Twenty-five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

VOTES: AYES: 6

NAYS: 0

ABSENT: 0

APPROVED:

Charles J. Zettek
Village President

ATTEST:

Patricia S. Smith
Village Clerk

PASSED this 28th day of September, 1982.

APPROVED this 28th day of September, 1982.

PUBLISHED this 6th day of October, 1982,

in the Elk Grove Daily Herald.

Property of Cook County Clerk's Office