

UNOFFICIAL COPY

PREPARED BY:

Name: Circle Urban Ministries

Address: 118 North Central Avenue
Chicago, IL 60644



RETURN TO:

Name: Circle Urban Ministries
Attn: James Borishade

Address: 118 North Central Avenue
Chicago, IL 60644

Doc# 1727822002 Fee \$54.00

SHSP FEE:\$9.00 RPRF FEE: \$1.00

CAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/05/2017 09:31 AM PG: 1 OF 9

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF COOK COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA No.: 0316255281

Leaking UST Incident No.: 20161080

Circle Urban Ministries, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 118 North Central Avenue, Chicago, IL 60644, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

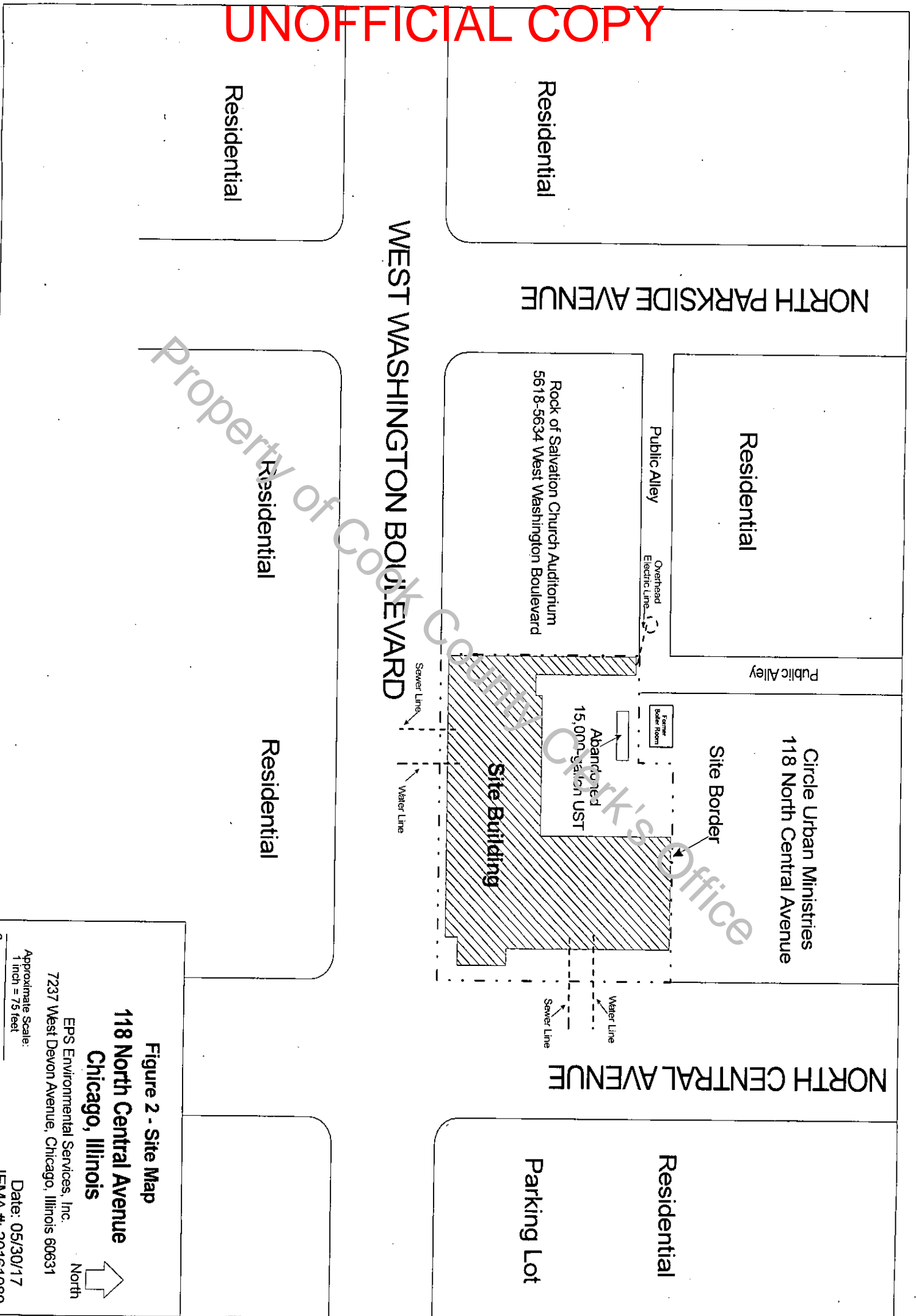
1. Legal Description or Reference to a Plat Showing the Boundaries: See attached.
2. Common Address: 118 North Central Avenue, Chicago, IL 60644
3. Real Estate Tax Index/Parcel Index Number: 16-08-417-026-0000
4. Site Owner: Circle Urban Ministries
5. Land Use Limitation: **There are no land use limitations.**
6. See the attached No Further Remediation Letter for other terms.

jmd

Attachments: Site Base Map
Legal Description


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Property of Cook County Clerk's Office

Figure 2 - Site Map
118 North Central Avenue
Chicago, Illinois

North 

EPS Environmental Services, Inc.
 7237 West Devon Avenue, Chicago, Illinois 60631

Approximate Scale:
 1 inch = 75 feet

Date: 05/30/17
 IEMA #: 20161080

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LEGAL DESCRIPTION

118 North Central Avenue, Chicago, Illinois

LOTS 41 TO 52, BOTH INCLUSIVE, ALSO THAT PART OF THE NORTH AND SOUTH ALLEY NOW VACATED, LYING SOUTH OF THE SOUTH LINE OF THE NORTH 20 FEET OF LOT 21, EXTENDED EAST TO THE WEST LINE OF LOT 47 AND NORTH OF THE SOUTH LINE OF LOT 26, EXTENDED EAST TO THE WEST LINE OF LOT 52, ALL IN BLOCK 1, IN HENRY WALLERS SUBDIVISION OF THE SOUTH 43 $\frac{3}{4}$ ACRES OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL TAKEN AS A TRACT (EXCEPT THAT PART DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT THENCE NORTH 01° 53' 02" WEST ALONG THE EAST LINE OF SAID TRACT 153.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88° 25' 23" WEST 131.00 FEET; THENCE SOUTH 01° 34' 37" EAST 23.00 FEET; THENCE SOUTH 88° 25' 23" WEST 46.65 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 169.97 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE NORTH 88° 25' 35" EAST ALONG THE NORTH LINE OF SAID TRACT 177.78 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 01° 53' 02" EAST ALONG THE EAST LINE OF SAID TRACT 149.96 FEET TO THE POINT OF BEGINNING) ALL IN COOK COUNTY, ILLINOIS

Parcel Identification Number (PIN): 16-08-417-026-0000

Cook County Clerk's Office



RECORDING REQUIREMENTS FOR NO FURTHER REMEDIATION LETTERS

Introduction

The Illinois Environmental Protection Agency's (Illinois EPA) Bureau of Land/Leaking Underground Storage Tank Section issues a No Further Remediation (NFR) Letter after a demonstration of compliance with Title XVI of the Environmental Protection Act and applicable regulations is made. The NFR Letter signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with, (2) all corrective action concerning the remediation of the occurrence has been completed, and (3) no further corrective action concerning the occurrence is necessary so long as the site is used in accordance with the terms and conditions of the NFR Letter.

Significance

When properly recorded, the NFR Letter holds legal significance for all applicable parties outlined at Section 57.10(d) of the Environmental Protection Act. (See 415 ILCS 5/57.10(d).) If not properly recorded, the Illinois EPA *will* take steps to void the NFR Letter in accordance with the regulations.

Duty to Record

The duty to record the NFR Letter is *mandatory*. **You must submit the NFR Letter, with a copy of any applicable institutional controls proposed as part of a corrective action completion report, to the Office of the Recorder or the Registrar of Titles of the county in which the site is located *within 45 days after receipt of the NFR Letter*. You must record the NFR Letter and any attachments. The NFR Letter shall be filed in accordance with Illinois law so that it forms a permanent part of the chain of title to ensure current and future users of the property will be informed of the conditions and terms of approval including level of remediation; land use limitations; and preventive, engineering, and institutional controls. A certified or otherwise accurate and official copy of the NFR Letter and any attachments, as recorded, must be submitted to the Illinois EPA. Failure to record the NFR Letter in accordance with the regulations will make the NFR Letter voidable.**

For More Information

Please refer to the Tiered Approach to Corrective Action Objectives (TACO) fact sheet entitled *No Further Remediation Letters*, which is available from the Illinois EPA by calling (217) 524-3300 or by accessing it on the Illinois EPA Web site at <http://www.epa.illinois.gov/topics/cleanup-programs/taco/fact-sheets/no-further-remediation-letters/index>.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

217/524-3300

CERTIFIED MAIL

7014 2120 0002 3283 4243

SEP 19 2017

Circle Urban Ministries
Attn: James Borishade
118 North Central Avenue
Chicago, IL 60644

Re: LPC #0316255281 -- Cook County
Chicago/Circle Urban Ministries
118 North Central Avenue
Leaking UST Incident No. 2016-080 -- NFR Letter
Leaking UST Technical File

Dear Mr. Borishade:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report and Professional Engineer Certification submitted for the above-referenced incident. This information was dated May 30 and September 14, 2017 and was received by the Illinois EPA on June 2 and September 14, 2017, respectively. Citations in this letter are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to Section 57.7(b)(1) of the Act indicate the remediation objectives have been met.

Based upon the certification by Nicholas Cuzzone (062-050060), a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

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1. Circle urban Ministries, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, an accurate and official copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

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CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.
2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: There are no land use limitations.
3. The land use limitation 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 No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.
 Engineering: None.
 Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.
5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan, if applicable, may result in voidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.

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7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Division of Records Management - #16
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

8. Pursuant to 35 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the owner or operator of the leaking underground storage tank system(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance of this Letter include, but shall not be limited to:
- a. Any violation of institutional controls or industrial/commercial 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 Corrective Action Plan or Completion Report;
 - d. The failure to comply with the recording requirements for the Letter;
 - e. Obtaining the Letter by fraud or misrepresentation; or
 - 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.

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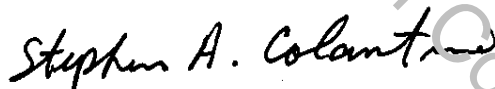
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Submit an accurate and official copy of this Letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Jason Donnelly, at (217) 557-8764.

Sincerely,



Stephen A. Colantino
Acting Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

sac:jmd:jk\161080-NFR.dotx

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Base Map
Legal Description

c: EPS Environmental Services, Inc., Nicholas Cuzzone (electronic copy),
ncuzzone@epsenv.com
BOL File