

# UNOFFICIAL COPY

PREPARED BY:

Name: Mr. John Dennison  
Commonwealth Edison Company

Address: Two Lincoln Centre  
Oakbrook Terrace, Illinois 60181



Doc# 1809334001 Fee \$60.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 04/03/2018 09:07 AM PG: 1 OF 12

RETURN TO:

Name: Mr. John Dennison  
Commonwealth Edison Company

Address: Two Lincoln Centre  
Oakbrook Terrace, Illinois 60181

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: 0316375106

Commonwealth Edison Company, the Remediation Applicant, whose address is Two Lincoln Centre, Oakbrook Terrace, Illinois 60181 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:

UIC PARCEL #1

A TRACT OF LAND IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SOUTH PEORIA STREET (60.00 FEET WIDE) WHICH IS 17.96 FEET SOUTH OF THE NORTH LINE OF LOT 12 IN THE SUBDIVISION OF BLOCK 2 OF CANAL TRUSTEES' SUBDIVISION IN SAID SECTION 17 (3574.66N-562.37W); THENCE SOUTH 00 DEGREES 02 MINUTES 39 SECONDS WEST ALONG THE WEST LINE OF SOUTH PEORIA STREET A DISTANCE OF 208.66 FEET TO THE GRID COORDINATE LINE 3366.00 NORTH (3366.00N-562.53W); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE GRID COORDINATE LINE 3366.00 NORTH A DISTANCE OF 0.64 FEET TO THE GRID COORDINATE LINE 561.89 WEST (3366.00N-561.89W); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE GRID COORDINATE LINE

# UNOFFICIAL COPY

561.89 WEST A DISTANCE OF 3.13 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 54 SECONDS EAST, 15.45 FEET TO THE SOUTHWEST CORNER OF A BRICK SCREENING WALL; THENCE NORTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, ALONG THE WEST FACE OF SAID WALL, 221.65 FEET TO THE NORTHWEST CORNER OF SAID WALL; THENCE SOUTH 89 DEGREES 50 MINUTES 22 SECONDS WEST, 15.82 FEET TO THE EAST FACE OF A BRICK SCREENING WALL; THENCE SOUTH 00 DEGREES 09 MINUTES 38 SECONDS EAST, ALONG THE EAST FACE OF SAID WALL, 7.43 FEET TO THE SOUTHEAST CORNER OF SAID WALL; THENCE NORTH 89 DEGREES 47 MINUTES 40 SECONDS WEST, ALONG THE SOUTH FACE OF SAID WALL, 1.65 FEET TO THE SOUTHWEST CORNER OF SAID WALL; THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST, ALONG THE WEST FACE OF SAID WALL, 15.50 FEET TO THE SOUTHWEST CORNER OF SAID WALL; THENCE NORTH 89 DEGREES 59 MINUTES 20 SECONDS WEST, ALONG THE SOUTH FACE OF SAID WALL, 4.26 FEET TO THE GRID COORDINATE LINE 568.27 WEST, (3592.54N-568.27W); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE GRID COORDINATE LINE 568.27 WEST, A DISTANCE OF 17.88 FEET TO THE GRID COORDINATE LINE 3574.66 NORTH (3574.66N-568.27W); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE GRID COORDINATE LINE 3574.66 NORTH, A DISTANCE OF 5.90 FEET TO THE POINT OF BEGINNING. NOTE: THE COORDINATES GIVEN IN PARENTHESIS ABOVE ARE BASED UPON THE UNIVERSITY OF ILLINOIS, CONGRESS CIRCLE, RECTANGULAR COORDINATE SYSTEM.  
AREA= 3,617.9 SQUARE FEET

## UIC PARCEL #2

A TRACT OF LAND IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SOUTH PEORIA STREET (60.00 FEET WIDE) WHICH IS 17.96 FEET SOUTH OF THE NORTH LINE OF LOT 12 IN THE SUBDIVISION OF BLOCK 2 OF CANAL TRUSTEES' SUBDIVISION IN SAID SECTION 17 (3574.66N-562.37W); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE GRID COORDINATE LINE 3574.66 NORTH, A DISTANCE OF 5.90 FEET (3574.66N-568.27W); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE GRID COORDINATE LINE 568.27 WEST, A DISTANCE OF 17.95 FEET (3592.61N-568.27W) TO THE NORTH LINE OF SAID LOT 12; THENCE SOUTH 89 DEGREES 55 MINUTES 11 SECONDS WEST, ALONG SAID NORTH LINE, 44.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 51.61 FEET TO A POINT ON THE WEST LINE OF LOTS 1 TO 12, BOTH INCLUSIVE IN THE SUBDIVISION OF BLOCK 2 AFORESAID (3592.48N-664.63W); THENCE SOUTH 00 DEGREES 03 MINUTES 09 SECONDS WEST, ALONG THE SAID WEST LINE OF LOTS 1 TO 12, BOTH INCLUSIVE, 196.01 FEET TO THE GRID COORDINATE LINE 3396.47 NORTH (3396.47N-664.80W); THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE GRID COORDINATE LINE 3396.47 NORTH, A DISTANCE

# UNOFFICIAL COPY

OF 0.31 FEET (3396-47N-665.11W); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE GRID COORDINATE LINE 665.11 WEST, A DISTANCE OF 0.59 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 0.90 FEET TO THE EAST FACE OF A BRICK SCREENING WALL; THENCE NORTH 00 DEGREES 02 MINUTES 27 SECONDS EAST, ALONG THE EAST FACE OF SAID WALL, 196.68 FEET TO THE SOUTH FACE OF SAID WALL; THENCE SOUTH 89 DEGREES 59 MINUTES 20 SECONDS EAST ALONG THE SOUTH FACE OF SAID WALL, 52.85 FEET TO THE POINT OF BEGINNING. NOTE: THE COORDINATES GIVEN IN PARENTHESIS ABOVE ARE BASED UPON THE UNIVERSITY OF ILLINOIS, CONGRESS CIRCLE, RECTANGULAR COORDINATE SYSTEM.

AREA= 242.8 SQUARE FEET

## COMMONWEALTH EDISON LOTS 1-12

A TRACT OF LAND IN THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SOUTH PEORIA STREET (60 FEET WIDE) WHICH IS 17.96 FEET SOUTH OF THE NORTH LINE OF LOT 12 IN THE SUBDIVISION OF BLOCK 2 OF CANAL TRUSTEES' SUBDIVISION IN SAID SECTION 17 (3574.66N.-562.37W.); THENCE SOUTH 00 DEGREES 02 MINUTES 39 SECONDS WEST ALONG THE WEST LINE OF SOUTH PEORIA STREET A DISTANCE OF 208.66 FEET TO THE GRID COORDINATE LINE 3366.00 NORTH (3366.00N.-562.53W.); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE GRID COORDINATE LINE 3366.00 NORTH A DISTANCE OF 0.64 FEET TO THE GRID COORDINATE LINE 561.89 WEST (3366.00N.-561.89W.); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE GRID COORDINATE LINE 561.89 WEST A DISTANCE OF 74.31 FEET TO THE GRID COORDINATE LINE 3291.69 NORTH (3291.69N.-561.89W.); THEN SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE GRID COORDINATE LINE 3291.69 NORTH A DISTANCE OF 103.22 FEET TO THE GRID COORDINATE LINE 665.11 WEST (3291.69N.-665.11W.); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE GRID COORDINATE LINE 665.11 WEST A DISTANCE OF 104.78 FEET TO THE GRID COORDINATE LINE 3396.47 NORTH (3396.47N.-665.11W.); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE GRID COORDINATE LINE 3396.47 NORTH, A DISTANCE OF 0.31 FEET TO THE WEST LINE OF LOTS 1 TO 12, BOTH INCLUSIVE IN THE SUBDIVISION OF BLOCK 2 AFORESAID; (3396.47N.-664.90W.); THENCE NORTH 00 DEGREES 03 MINUTES 09 SECONDS EAST ALONG THE WEST LINE OF LOTS 1 TO 12, BOTH INCLUSIVE, A DISTANCE OF 196.01 FEET TO THE NORTH LINE OF LOT 12 (3592.48N.-664.63W.); THENCE NORTH 89 DEGREES 55 MINUTES 11 SECONDS EAST ALONG THE NORTH LINE OF LOT 12 A DISTANCE OF 96.35 FEET TO THE GRID COORDINATE LINE 568.27 WEST (3592.61N.-568.27W.); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE GRID COORDINATE LINE 568.27 WEST A DISTANCE OF 17.95 FEET TO THE GRID

# UNOFFICIAL COPY

COORDINATE LINE 3574.66 NORTH (3574.66N.-568.27W.); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE GRID COORDINATE LINE 3574.66 NORTH A DISTANCE OF 5.90 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING ALSO 593.37 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 17 MEASURED PERPENDICULARLY TO SAID EAST LINE FROM A POINT 2470.46 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17, IN COOK COUNTY, ILLINOIS.

NOTE: THE COORDINATES GIVEN IN PARENTHESIS FOLLOWING THE DESCRIPTION OF EACH POINT, ARE BASED UPON THE UNIVERSITY OF ILLINOIS, CONGRESS CIRCLE, RECTANGULAR COORDINATE SYSTEM.

2. Common Address: 903 West Harrison, Chicago, Illinois 60607
3. Real Estate Tax Index/Parcel Index Number: 17-17-406-022-0000; and 17-17-406-024-0000
4. Remediation Site Owner: Commonwealth Edison Company and The Board of Trustees for the University of Illinois at Chicago
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)**

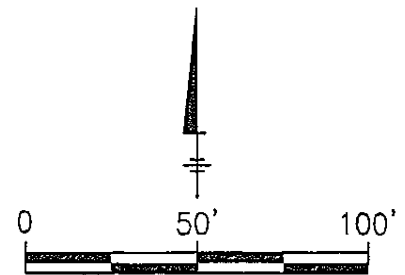
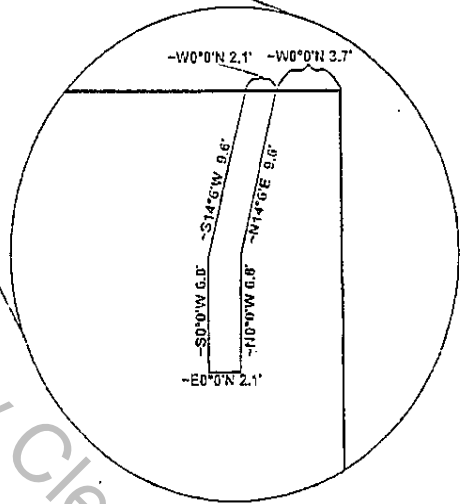
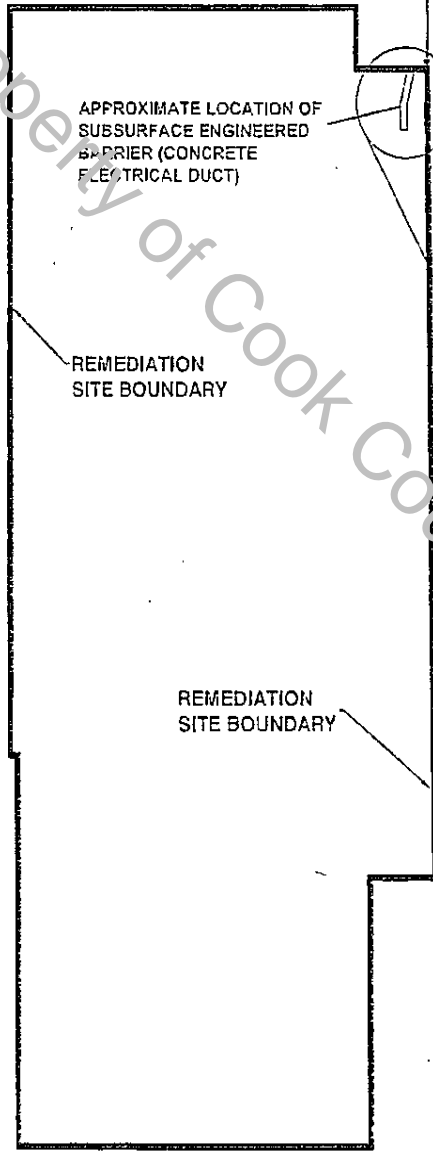
Property of Cook County Clerk's Office

# UNOFFICIAL COPY

SITE BASE MAP  
0316375106--COOK COUNTY  
CHICAGO/COMED TSS44  
SITE REMEDIATION/TECHNICAL REPORTS

575' EAST TO CENTER OF  
INTERSECTION OF HARRISON  
ST AND HALSTED ST

125' NORTH TO A POINT ON WEST  
HARRISON STREET



APPROXIMATE GRAPHIC SCALE  
JANUARY 9, 2018

Property of Cook County Clerk's Office

CITY: (Revised) DRUGS/OUT/ (Revised) DE (Revised) L (10/11) PIC (10/11) PAV (Revised) TM (10/11) LYS (10/11) Q (11) OFF (Revised) REF  
G:\Records\ComEd\ComEd Abandoned Substation\Perfiles\13069.0000 ComEd Vernon Park TSS44 Plaza I and II\Physi\RD\dwg\TSS44 Vernon Park\Bldg1\_Aug2018\CURRENT1.dwg LAYOUT: SITE BASE MAP EPA\_SAVED: 1/20/18 1:58 PM ACADW: 1/19 (LMS TECH) PAGESETUP: PLOTSTYLETABLE: 1/19/18 2:33 PM BY: THOMAS.  
PROJECT NAME: ---  
XREFS:

# UNOFFICIAL COPY

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

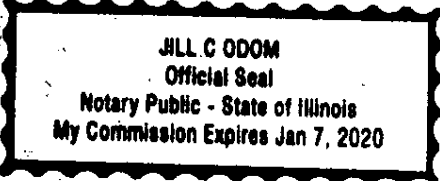
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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>The Board of Trustees of the University of Illinois</u>	
Title: <u>Interim Vice President and Chief Financial Officer/Comptroller</u>	
Company: <u>Board of Trustees of the University of Illinois</u>	
Street Address: <u>1737 W. Polk St. 414 Administrative Office Bldg.</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60612</u> Phone: <u>312-996-8800</u>	
Site Information	
Site Name: <u>Chicago/Com Ed TSS44</u>	
Site Address: <u>903 West Harrison</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60607</u> County: <u>Cook</u>	
Illinois inventory identification number: <u>0316375106</u>	
Real Estate Tax Index/Parcel Index No. <u>17-17-406-024-0000</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: <u>[Signature]</u>	Date: <u>3/26/2018</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>26<sup>th</sup></u> day of <u>March</u> , 2018	
<u>[Signature]</u> 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.

# UNOFFICIAL COPY

## Notice to Remediation Applicant

**Please follow these instructions when filing the NFR letter with the County Recorder's Office**

### Instructions for Filing the NFR Letter

The following documents must be filed:

- A. Body of the NFR Letter (contains appropriate terms and conditions, tables, etc.)
  - B. Attachments to NFR letter
    - Illinois EPA Site Remediation Program Environmental Notice (Legal Description and PIN of property)
    - Maps of the site
    - Table A: Regulated Substances of Concern (if applicable.)
    - Property Owner Certification
  - C. A copy of the ordinance, if applicable, used to address groundwater contamination
1. Place the Illinois EPA Site Remediation Program Environmental Notice on top of the NFR prior to giving it to the Recorder.
  2. If you are not the owner (record title holder) of the property on the date of filing of this NFR, you must attach a **completed** owner's certification form signed by the owner of the property at the time of filing (e.g., if the property recently sold, the new owner must sign).
  3. If any of the terms and conditions of the NFR letter references a groundwater ordinance, you must record a copy of the groundwater ordinance with the NFR letter.
  4. If any of the terms and conditions of the NFR letter references a highway agreement, you must record the highway agreement if specifically required by the municipality granting the agreement, the County or the Illinois Department of Transportation.
  5. Within thirty (30) days of this NFR Letter being recorded by the Office of the Recorder of the County in which the property is located, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Jim Scott  
Illinois Environmental Protection Agency  
Bureau of Land/RPMS  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276

6. **Remove this page from the NFR letter, prior to recording.**

If you have any questions call (217) 524-6940 and speak with the "project manager on-call" in the Site Remediation Program.



# 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

**REISSUE DATE: March 14, 2018**

February 13, 2018

CERTIFIED MAIL

7014 2120 0002 3285 6016

Commonwealth Edison Company

Attn: Mr. John Dennison

Two Lincoln Centre

Oakbrook Terrace, Illinois 60181

Re: 0316375106/Cook County  
Chicago/ComEd TSS44  
Site Remediation Program/Technical Reports  
No Further Remediation Letter

Dear Mr. Dennison:

The *Remedial Action Completion Report* (received July 17, 2017/Log No. 17-65040) and *U.S. EPA "PCB Remediation" Letter* (received November 30, 2017/Log No. 17-65985), as prepared by Arcadis U.S., Inc. for the above-referenced Remediation Site, have been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). These reports demonstrate that the remediation objectives approved for the site, in accordance with 35 Illinois Administrative Code Part 742, are above the existing concentrations of regulated substances and that the remedial action was completed in accordance with the *Remedial Action Plan* (received October 21, 2016/Log No. 16-63285) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 0.8 acres, is located at 903 West Harrison, 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 October 21, 2016/Log No. 16-63285), is Commonwealth Edison Company.

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.



# UNOFFICIAL COPY

## 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:

There are no preventive controls required.

#### Engineering Controls:

- 3) The alternative engineered barrier, which is comprised of a concrete electrical conduit in the areas shown on the attached Site Base Map, must remain over the contaminated soils. This alternative engineered barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

#### Institutional Controls:

There are no institutional controls required.

### Other Terms

- 4) 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.
- 5) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

# UNOFFICIAL COPY

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, Illinois 62794-9276

- 6) 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.
- 7) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Commonwealth Edison Company;
  - b) The owner and operator of the Remediation Site;
  - c) Any parent corporation or subsidiary of the owner of the Remediation Site;

# UNOFFICIAL COPY

- 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.
- 8) 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 ComEd TSS47 property.
- 9) 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:

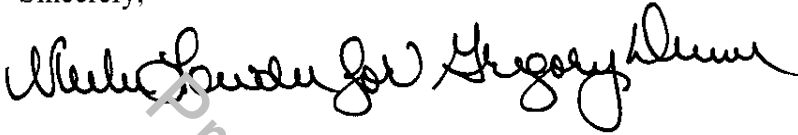
Mr. Jim Scott  
 Illinois Environmental Protection Agency  
 Bureau of Land/RPMS #24  
 1021 North Grand Avenue East  
 Post Office Box 19276  
 Springfield, Illinois 62794-9276

# UNOFFICIAL COPY

10) 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 ComEd TSS44 property, you may contact the Illinois EPA project manager, Joshua K. Rilying at (217) 557-8859.

Sincerely,



*nu* Gregory W. Dunn, 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: University of Illinois at Chicago  
The Board of Trustees for the University of Illinois  
414 Administrative Office Building  
1737 West Polk Street  
Chicago, Illinois 60612

Arcadis U.S., Inc.  
Attn. Mr. John Chitwood  
[John.Chitwood@arcadis.com](mailto:John.Chitwood@arcadis.com)

Bureau of Land File  
Mr. Jim Scott