

# UNOFFICIAL COPY

PREPARED BY:

Ms. Kimberly Worthington  
City of Chicago, Department of  
Fleet and Facility Management  
30 North LaSalle Street, Suite 300  
Chicago, Illinois 60002



Doc# 1827145025 Fee \$52.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 09/28/2018 12:24 PM PG: 1 OF 8

RETURN TO:

Ms. Kimberly Worthington  
City of Chicago, Department of  
Fleet and Facility Management  
30 North LaSalle Street, Suite 300  
Chicago, Illinois 60002

**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: 0316225328

The City of Chicago, Department of Fleet and Facility Management, the Remediation Applicant, whose address is 30 North LaSalle Street, Suite 300, Chicago, Illinois 60002 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:  
  
Lot 20 (Except the North 18 feet thereof), all of Lot 21 and the North Half of Lot 22 in Block 3 in the Subdivision of the East 19 acres of the West 38 acres of the Northwest Quarter of the Southwest Quarter of Section 36, Township 40 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois. (6,460 S.F., MORE OR LESS)
2. Common Address: 1808 North Whipple Street, Chicago, Illinois 60647
3. Real Estate Tax Index/Parcel Index Number: 13-36-310-042-0000; 13-36-310-043-0000
4. Remediation Site Owner: City of Chicago, Department of Fleet and Facility Management
5. Land Use: Residential and/or Industrial/Commercial

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6. Site Investigation: Comprehensive

See NFR letter for other terms.

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

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RECORDER OF DEEDS**

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## 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:

Preventive Controls: There are no preventive controls required.

Engineering Controls: There are no engineering controls required.

Institutional Controls: There are no institutional controls required.

### Other Terms

- 3) 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.
- 4) 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, Illinois 62794-9276

- 5) 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:

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- 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.
- 6) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) City of Chicago, Department of Fleet and Facility Management.
  - 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;

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- 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.
- 7) 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 Julia de Burgos Park Extension property.
- 8) 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
- 9) 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.

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If you have any questions regarding the Julia de Burgos Park Extension property, you may contact the Illinois EPA project manager, Barbara Landers at (217) 557-6939 or [barb.landlers@illinois.gov](mailto:barb.landlers@illinois.gov).

Sincerely,

*NVL MC Gregory W. Dunn*  
Gregory W. Dunn, Manager  
Remedial Project Management Section  
Division of Remediation Management  
Bureau of Land

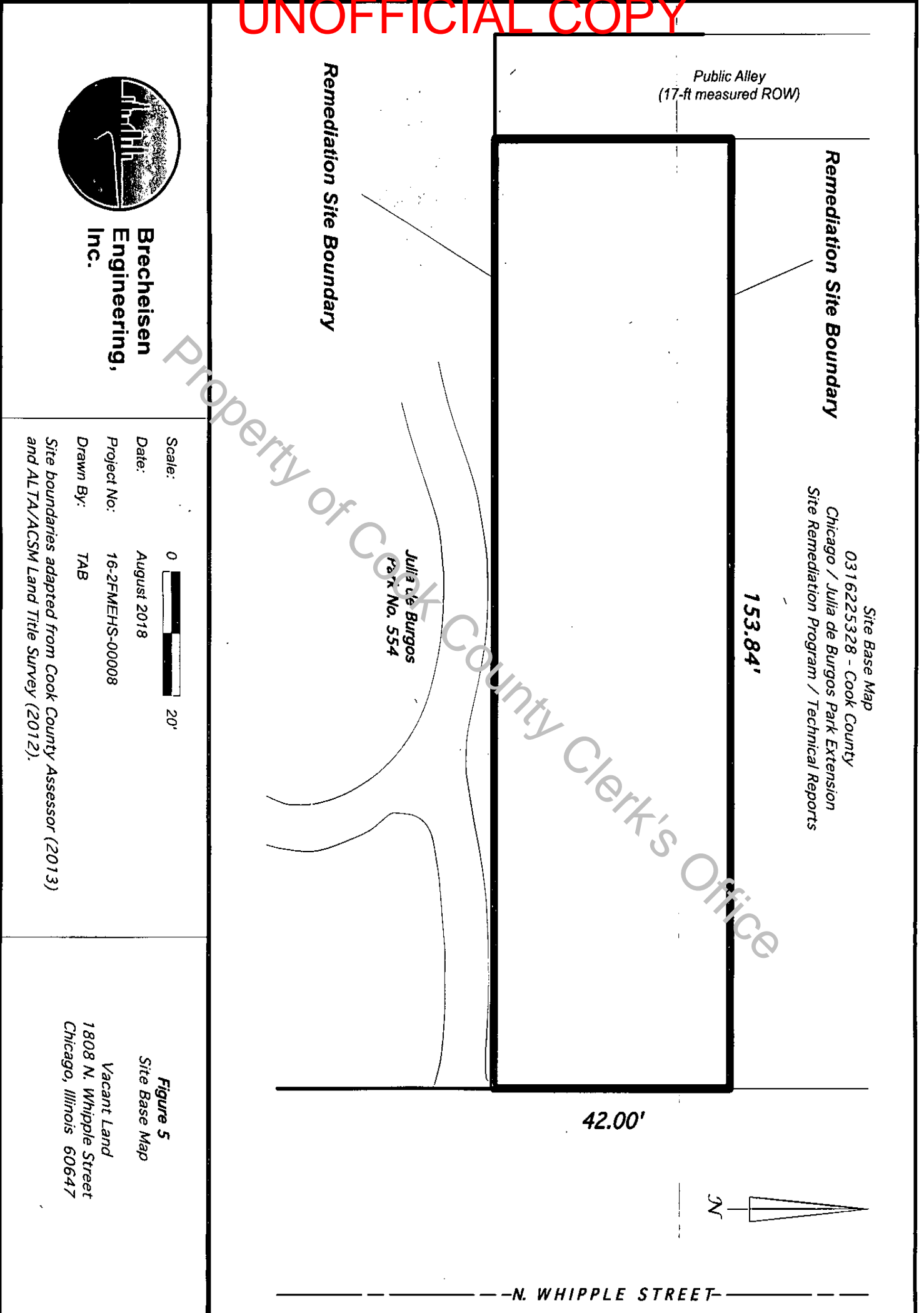
Attachments: Illinois EPA Site Remediation Program Environmental Notice  
Site Base Map  
Property Owner Certification of No Further Remediation Letter under the Site  
Remediation Program Form  
Instructions for Filing the NFR Letter

cc: Tom Brecheisen: [tom@beichicago.com](mailto:tom@beichicago.com)

Bureau of Land File  
Mr. Jim Scott

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Site Base Map  
 0316225328 - Cook County  
 Chicago / Julia de Burgos Park Extension  
 Site Remediation Program / Technical Reports

Remediation Site Boundary

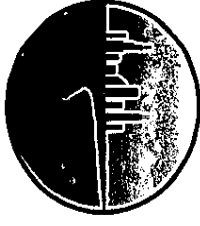
Julia de Burgos  
Park No. 554

Public Alley  
(17-ft measured ROW)

153.84'

42.00'

N. WHIPPLE STREET



**Brecheisen  
 Engineering,  
 Inc.**

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Scale: 0 20'

Date: August 2018

Project No: 16-2FMEHS-00008

Drawn By: TAB

Site boundaries adapted from Cook County Assessor (2013) and ALTA/ACSM Land Title Survey (2012).

**Figure 5**  
 Site Base Map  
 Vacant Land  
 1808 N. Whipple Street  
 Chicago, Illinois 60647