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PREPARED BY:

Richard Sciortino
McCrary Senior Apartments, LLC
c/o Brinshore Development
666 Dundee Road, Suite 1102
Northbrook, Illinois 60062-2735

Doc#: 1907357109 Fee: \$54.00
Edward M. Moody
Cook County Recorder of Deeds
Date: 03/14/2019 10:46 AM Pg: 1 of 9

RETURN TO:

Richard Sciortino
McCrary Senior Apartments, LLC
c/o Brinshore Development
666 Dundee Road, Suite 1102
Northbrook, Illinois 60062-2735

THE ABOVE SPACE FOR RECORDER'S OFFICE

40013131

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: 0316275380

McCrary Senior Apartments, LLC c/o: Brinshore Development, the Remediation Applicant, whose address is 666 Dundee Road, Suite 1102, Northbrook, Illinois 60062-2735 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:

LOTS 4, 5, 6, 7, 8 AND 9 IN ASSESSOR'S DIVISION OF LOTS 3 TO 7 AND (EXCEPT THE EAST 30 FEET) OF LOT 2 IN BLOCK 64 OF PAGE & WOOD'S SUB OF BLOCKS 50, 63 AND 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO KNOWN AS:

PARCEL 1 (1659 WEST WASHINGTON BOULEVARD):

THE WEST 29.75 FEET OF THE NORTHWEST QUARTER OF THE ORIGINAL LOT 5 IN ASSESSOR'S DIVISION OF PART OF LOT 2 AND ALL OF LOTS 3 TO 7 IN BLOCK 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2 (1655 WEST WASHINGTON BOULEVARD):

THE EAST 30 FEET OF THE NORTHWEST QUARTER OF LOT 5 (EXCEPT THAT PART TAKEN AND USED FOR PUBLIC ALLEY) IN PAGE AND WOODS SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ALSO KNOWN AS THE EAST 30 FEET OF LOT 9 IN ASSESSOR'S DIVISION OF LOTS 3 TO 7 AND (EXCEPT THE EAST 30 FEET) OF LOT 2 IN BLOCK 64 IN PAGE AND WOOD SUBDIVISION OF BLOCKS 50, 63 AND 64 IN CANAL TRUSTEE'S SUBDIVISION

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OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3 (1653 WEST WASHINGTON BOULEVARD):

THE WEST 1/3 OF LOT 8 IN ASSESSOR'S DIVISION OF PART OF LOT 2 AND ALL OF LOTS 3 TO 7 IN BLOCK 64 OF PAGE AND WOOD'S SUBDIVISION OF BLOCKS 50, 63 AND 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4 (1651 WEST WASHINGTON BOULEVARD):

THE WEST 19.95 FEET OF THE EAST 39.90 FEET OF THE NORTH 1/2 OF LOT 5 IN PAGE AND WOODS SUBDIVISION OF BLOCK 64 IN CANAL TRUSTEES SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5 (1649 WEST WASHINGTON BOULEVARD):

THE EAST 19.91 FEET OF LOT 8 IN ASSESSOR'S DIVISION OF LOTS 3 TO 7 AND (EXCEPT THE EAST 30 FEET) OF LOT 2 IN BLOCK 64 OF PAGE & WOOD'S SUB OF BLOCKS 50, 63 AND 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 6 (1647 WEST WASHINGTON BOULEVARD):

LOT 7 OF ASSESSOR'S DIVISION OF PART OF LOT 2 AND ALL OF LOTS 3 TO 7 IN PAGE AND WOOD'S SUBDIVISION OF BLOCK 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 7 (1643 WEST WASHINGTON BOULEVARD):

LOT 6 IN ASSESSOR'S DIVISION OF LOTS 3 TO 7 AND (EXCEPT THE EAST 30 FEET) OF LOT 2 IN BLOCK 64 OF PAGE AND WOOD'S SUBDIVISION OF BLOCKS 50, 63 AND 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 8 (1641 WEST WASHINGTON BOULEVARD):

THE WEST 20.16 FEET OF LOT 5 IN ASSESSOR'S DIVISION OF LOTS 3 TO 7 AND (EXCEPT THE EAST 30 FEET) OF LOT 2 IN BLOCK 64 OF PAGE AND WOOD'S SUBDIVISION OF BLOCKS 50, 63 AND 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 9 (1639 WEST WASHINGTON BOULEVARD):

THE WEST 10.445 FEET OF LOT 4 AND THE EAST 9.715 FEET OF LOT 5 IN ASSESSOR'S DIVISION OF LOTS 3, 4, 5, 6 AND 7 AND THE WEST PART OF LOT 2 IN PAGE AND WOOD'S SUBDIVISION OF BLOCK 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14, (EXCEPT FROM SAID ABOVE DESCRIBED PREMISES THAT PART THEREOF TAKEN OR USED FOR ALLEY) LYING EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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PARCEL 10 (1637 WEST WASHINGTON BOULEVARD):

THE EAST 19.43 FEET OF LOT 4 IN ASSESSOR'S DIVISION OF LOTS 3, 4, 5, 6 AND 7 AND (EXCEPT THE EAST 30 FEET THEREOF) OF LOT 2 IN BLOCK 64 OF PAGE AND WOOD'S SUBDIVISION OF BLOCKS 50, 63 AND 64 IN CANAL TRUSTEE'S SUBDIVISION OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

2. Common Address: 1637-1659 West Washington Boulevard, Chicago, Illinois 60612
3. Real Estate Tax Index/Parcel Index Number:

17-07-430-001-0000
17-07-430-002-0000
17-07-430-003-0000
17-07-430-004-0000
17-07-430-005-0000
17-07-430-006-0000
17-07-430-007-0000
17-07-430-008-0000
17-07-430-009-0000
17-07-430-010-0000
4. Remediation Site Owner: McCrory Senior Apartments, LLC c/o Brinshore Development
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



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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

JB PRITZKER, GOVERNOR

JOHN J. KIM, ACTING DIRECTOR

(217) 524-3300

March 7, 2019

CERTIFIED MAIL

7017 2680 0001 0214 0904

McCrorry Senior Apartments, LLC
 c/o: Brinshore Development
 Attn: Richard Sciortino
 666 Dundee Road, Suite 1102
 Northbrook, Illinois 60062-2735

Re: 0316275380/Cook County
 Chicago/McCrorry Senior Apartments, LLC
 Site Remediation Program/Technical Reports
 No Further Remediation Letter

Dear Mr. Sciortino:

The November 12, 2018 *Remedial Action Completion Report* (received November 28, 2018/Log No. 18-68286), as prepared by Pioneer Engineering & Environmental Services, 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, 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 0.68 acre, is located at 1637-1659 West Washington Boulevard, 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 28, 2018/Log No. 18-68286), is McCrorry Senior Apartments, LLC c/o: Brinshore Development.

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 St., 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 St., Suite 4-500, Chicago, IL 60601

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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

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 the ground surface 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 concrete slab of the building, as shown on the attached Site Base Map, must remain over the contaminated soils. This concrete slab must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 5) The concrete cap barrier, 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 ingestion of the contaminated media.
- 6) The alternative engineered barrier, which is comprised of permeable pavers underlain by 48 inches of stone overlying a geotextile filter fabric 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.
- 7) The alternative engineered barrier, which is comprised of 18 inches of clean soil underlain by

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a Mirafi® 140N geotextile fabric 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:

- 8) 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 sump(s).

Other Terms

- 9) 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.

- 10) 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

- 11) 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;

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- 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.
- 12) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) McCrory Senior Apartments, LLC c/o Brinshore Development;
 - 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.

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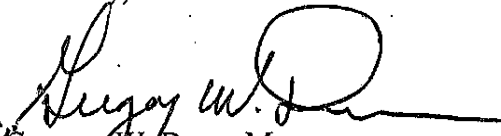
- 13) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first 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 McCrory Senior Apartments, LLC property.
- 14) 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

- 15) In accordance with Section 58.0(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 McCrory Senior Apartments, LLC property, please contact the Illinois EPA project manager, Jeffrey J. Guy at (217) 785-8724.

Sincerely,


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

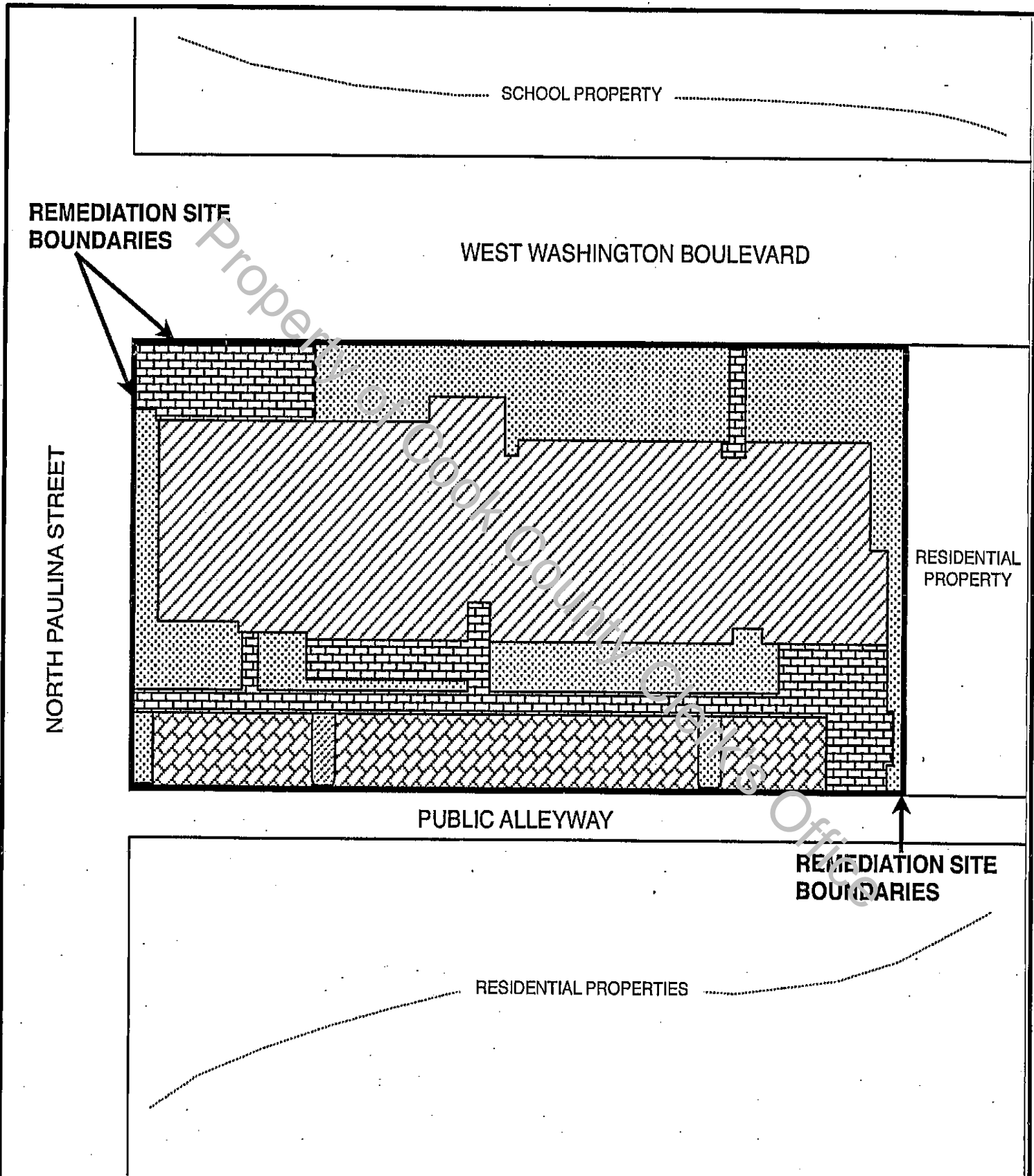
Attachments: Illinois EPA Site Remediation Program Environmental Notice
 Site Base Map
 Property Owner Certification of No Further Remediation Letter under the Site
 Remediation Program Form
 Instructions for Filing the NFR Letter

cc: Megan Wells-Paske, Pioneer Environmental Services, LLC:
mwellspaske@pioneerees.com

Bureau of Land File
 Mr. Jim Scott


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SITE BASE MAP
LPC# 0316275380 - COOK COUNTY
CHICAGO /M^CRORY SENIOR APARTMENTS, LLC
SITE REMEDIATION /TECHNICAL REPORTS



Legend: Engineered Barriers Required to Exclude the Residential Soil Ingestion Exposure Route

-  Concrete Building Slab
-  Concrete Paving
-  Geotextile & 18" Clean Soil/ Stone
-  Concrete Pavers

Scale: 1"=40'
0'  40'

*A site safety plan is in place to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil.

*Any existing buildings or 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.

Address: 1637 - 1659 West Washington Boulevard
Chicago, IL
Date: February 2019