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PREPARED BY:

David Block
EREG Development, LLC
566 W. Lake Street,
Suite 400
Chicago, Illinois 60661



Doc# 1932913053 Fee \$88.00

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

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 11/25/2019 02:30 PM PG: 1 OF 9

RETURN TO:

David Block
EREG Development, LLC
566 W. Lake Street,
Suite 400
Chicago, Illinois 60661

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: 0316025106

EREG Development, LLC, the Remediation Applicant, whose address is 566 W. Lake Street, Suite 400, Chicago, Illinois 60661 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:

PARCEL 1:

LOTS 6 TO 14, INCLUSIVE IN BLOCK 20 IN NATIONAL CITY REALTY COMPANY'S FOURTH ADDITION TO ROGERS PARK MANOR, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH AND SOUTH OF THE INDIAN BOUNDARY LINE (EXCEPT THAT PART OF SAID LOTS 6 TO 14 LYING EAST OF A LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID DIRECTION) IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1, 2, 3, 4, AND 5 IN BLOCK 20 IN NATIONAL CITY REALTY COMPANY'S FOURTH ADDITION TO ROGERS PARK MANOR, BEING A SUBDIVISION OF THE 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PORTION OF SAID LOTS TAKEN FOR WIDENING OF WESTERN AVENUE), IN COOK COUNTY, ILLINOIS.

2. Common Address: 6800 N. Western Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 10-36-230-028-0000; 10-36-230-029-0000; 10-36-230-030-0000; 10-36-230-031-0000; 10-36-230-032-0000; 10-36-230-033-0000; 10-36-230-

S ✓
P9 ✓
S =
M =
SC ✓
E =
INT ✓

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034-0000; 10-36-230-035-0000; 10-36-230-036-0000; 10-36-230-037-0000; 10-36-230-038-0000; 10-36-230-039-0000; 10-36-230-040-0000; 10-36-230-041-0000

4. Remediation Site Owner: Chicago Housing Authority
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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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

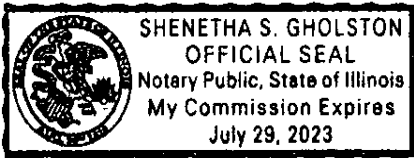
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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>Northtown Apartments LP</u>	
Title: <u>David Block, Manager</u>	
Company: _____	
Street Address: <u>566 W. Lake St., Ste 400</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60611</u> Phone: <u>312-234-9400</u>	
Site Information	
Site Name: <u>Northtown Apartments</u>	
Site Address: <u>6800 N. Western Avenue</u>	
City: <u>Chicago</u> State: <u>IL</u> Zip Code: <u>60645</u> County: <u>Cook</u>	
Illinois inventory identification number: <u>0316025106</u>	
Real Estate Tax Index/Parcel Index No. <u>10-36-230-028-0000; 10-36-230-029-0000; 10-36-230-030-0000; 10-36-230-031-0000; 10-36-230-032-0000; 10-36-230-033-0000; 10-36-230-034-0000; 10-36-230-035-0000; 10-36-230-036-0000; 10-36-230-037-0000; 10-36-230-038-0000; 10-36-230-039-0000; 10-36-230-040-0000; 10-36-230-041-0000</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>11-13-2019</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>14th</u> day of <u>November</u> , 20 <u>19</u>	
<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.

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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.

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 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.
- 5) 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.
- 6) The alternative engineered barrier, which is comprised of Geotextile (6 oz.) under two feet of clean soil 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.

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Institutional Controls:

- 7) 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 sumps.

Other Terms

- 8) The Remediation Applicant has remediated the release associated with Leaking UST Incident Numbers 890593 and 930864.
- 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 avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance 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:
- Any violation of institutional controls or the designated land use restrictions;
 - The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - 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;
 - The failure to comply with the recording requirements for this Letter;
 - Obtaining the Letter by fraud or misrepresentation;
 - 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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- 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) EREG Development, LLC;
- 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.

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 Northtown Apartments property.

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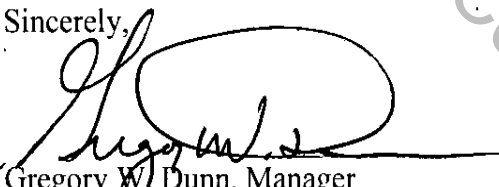
14) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

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 58.10(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 Northtown Apartments property, you may contact the Illinois EPA project manager, Tammy Smith at 217-758-8410.

Sincerely,


NVL 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: Adam Screeden, Carnow, Conibear & Associates, Ltd. – ascreeden@ccaltd.com

Bureau of Land File

Mr. Jim Scott



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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, DIRECTOR

217/524-3300

November 1, 2019

CERTIFIED MAIL

7018 1830 0000 5288 7060

EREG Development, LLC
 Attn: David Block
 566 W. Lake Street, Suite 400
 Chicago, Illinois 60661

Re: 0316025106/Cook County
 Chicago/Northtown Apartments
 Site Remediation Program/Technical Reports
 No Further Remediation Letter

Dear Mr. Block:

The *Remedial Action Completion Report* (received September 3, 2019/Log No. 19-70005), as prepared by Carnow Conibear & Associates, Ltd. 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 are above the existing concentrations of regulated substances and the remedial action was completed in accordance with the *Remedial Action Plan* (received December 20, 2017/Log No. 17-66120) and 35 Illinois Administrative Code Part 740.

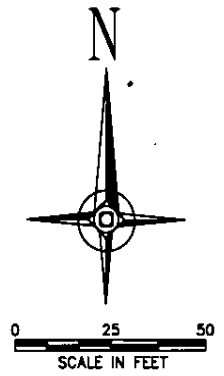
The Remediation Site, consisting of 0.917 acres, is located at 6800 N. Western Avenue, Chicago, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act"), 15 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (received May 22, 2017/Log No. 17-64792), is EREG Development, LLC.

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760
 595 S. State Street, Elgin, IL 60123 (847) 608-3131
 2125 S. First Street, Champaign, IL 61820 (217) 278-5800
 2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
 412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
 2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
 100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

Site Base Map
0316025106 - Cook County
Chicago/Northtown Apartments
Site Remediation/Technical Reports

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W. Farwell Avenue

108'

Alley

Residential

REMEDIA-
TION
SITE BOUNDARY

100'

258'

N. Western Avenue

Residential

121'

2

32'

REMEDIA-
TION
SITE BOUNDARY

32'

6'

W. Pratt Avenue

LEGEND



Remediation Site Boundary



Concrete Pavement



Building Slab



Alternative Barrier - 2' Clean
Fill Underlain By Geotextile

*All site soils (excluding engineered barrier materials) are subject to construction worker caution requirements as stated in the NFR letter.

Date: October 2019
Scale: 1"= 50'
Drawn by: AS
Checked by: DB

Attachment A: Site Base Map
Northtown Apartments
6800 N. Western Avenue
Chicago, Illinois 60645

Your Environmental Resource

\\carnow-dc2\EEERC\Evergreen Real Estate Group\6800 N. Western\001\BAND\Draw\Site Base Map.dwg

Carnow, Conibear & Assoc., Ltd.
Environmental Consulting Services
600 W. Van Buren St., Suite 500, Chicago, IL 60607
t. 312.782.4486 f. 312.782.5145

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