



2108345060

PREPARED BY:

Name: Groundwater & Environmental Services, Inc. Attn: Samantha Hlavac
Address: 1050 Corporate Blvd. Suite C Aurora, Illinois 60505

Doc# 2108345060 Fee \$93.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 03/24/2021 02:40 PM PG: 1 OF 11

RETURN TO:

Name: Groundwater & Environmental Services, Inc. Attn: Samantha Hlavac
Address: 1050 Corporate Blvd. Suite C Aurora, Illinois 60505

THE ABOVE SPACE FOR RECORDER'S OFFICE

Environmental Land Use Control

THIS ENVIRONMENTAL LAND USE CONTROL ("ELUC"), is made this 30 day of December, 2020, by Oakton Kostner Corp, ("Property Owner") of the real property located at the common address 8 Piper Lane, Prospect Heights, Illinois ("Property").

WHEREAS, 415 ILCS 5/58.17 and 35 Ill. Adm. Code 742 provide for the use of an ELUC as an institutional control in order to impose land use limitations or requirements related to environmental contamination so that persons conducting remediation can obtain a No Further Remediation determination from the Illinois Environmental Protection Agency ("IEPA"). The reason for an ELUC is to ensure protection of human health and the environment. The limitations and requirements contained herein are necessary in order to protect against exposure to contaminated soil or groundwater, or both, that may be present on the property as a result of a release of petroleum from the underground storage tanks (USTs) present at the former Mobil Retail Station located at 1201 South Wolf Road, Prospect Heights, Illinois. Under 35 Ill. Adm. Code 742, the use of risk-based, site-specific remediation objectives may require the use of an ELUC on real property, and the ELUC may apply to certain physical features (e.g., engineered barriers, monitoring wells, caps, etc.).

WHEREAS, ExxonMobil Oil Corporation intends to request risk-based, site-specific soil and groundwater remediation objectives from IEPA under 35 Ill. Adm. Code 742 to obtain risk-based closure of the site, identified by Bureau of Land LPC #0312535013, utilizing an ELUC.

NOW, THEREFORE, the recitals set forth above are incorporated by reference as if fully set forth herein, and the Property Owner agrees as follow:

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Section One. Property Owner does hereby establish an ELUC on the real estate, situated in the County of Cook, State of Illinois and further described in Exhibit A attached hereto and incorporated herein by reference (the "Property").

Attached as Exhibit B are site maps that show the legal boundary of the Property, any physical features to which the ELUC applies, the horizontal and vertical extent of the contaminants of concern above the applicable remediation objectives for soil and groundwater or both, and the nature, location of the source, and direction of movement of the contaminants of concern, as required under 35 Ill. Adm. Code 742.

Section Two. Property Owner represents and warrants he is the current owner of the Property and has the authority to record this ELUC on the chain of title for the Property with the Office of the Recorder or Registrar of Titles in Cook County, Illinois.

Section Three. The Property Owner hereby agrees, for themselves, and their heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property or holder of any portion thereof or interest therein, that any buildings shall be required to be fitted with a building control technology (BCT) consisting of the installation of a SSD system to create a negative pressure field below the building to prevent the entry of soil vapor by one or more penetrations made in the concrete floor slab or basement; the Property shall be utilized for industrial-commercial use only; the groundwater under the Property shall not be used as a potable supply of water; and any contaminated groundwater or soil that is removed, excavated, or disturbed from the Property described in Exhibit A herein must be handled in accordance with all applicable laws and regulations.

Section Four. This ELUC is binding on the Property Owner, their heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property or the holder of any portion thereof or interest therein. This ELUC shall apply in perpetuity against the Property and shall not be released until the IEPA determines there is no longer a need for this ELUC as an institutional control; until the IEPA, upon written request, issues to the site that received the no further remediation determination a new no further remediation determination approving modification or removal of the limitations(s) or requirement(s); the new no further remediation determination is filed on the chain of title of the site subject to the no further remediation determination; and until a release or modification of the land use limitation or requirement is filed on the chain of title for the Property.

Section Five. Information regarding the remediation performed on the Property may be obtained from the IEPA through a request under the Freedom of Information Act (5 ILCS 140) and rules promulgated thereunder by providing the IEPA with the LPC #0312535013 listed above.

Section Six. The effective date of this ELUC shall be the date that it is officially recorded in the chain of title for the Property to which the ELUC applies.

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WITNESS the following signatures:

Property Owner(s)

By: Lauren Kostner

Its: Vice President
OAKTON KOSTNER CORP.

Date: 12/30/2020

Property
COOK COUNTY
RECORDER OF DEEDS

Cook County
COOK COUNTY
RECORDER OF DEEDS

Clerk's Office
COOK COUNTY
RECORDER OF DEEDS

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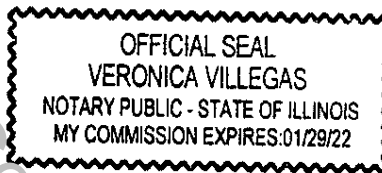
STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, Veronica Villegas the undersigned, a Notary Public for said County and State, DO HEREBY CERTIFY, that Lawrence Radler, personally known to me to be the Property Owner(s) of 8 Piper Lane, Prospect Heights, Illinois and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that in said capacities they signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal, this 30 day of 12, 2020.

Veronica Villegas

Notary Public



Property of Cook County Clerk's Office

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PIN No. 03-24-100-014-0000
(Parcel Index Number)

Exhibit A

The subject property is located in the City of Prospect Heights, Cook County, State of Illinois, commonly known as 8 Piper Lane, Prospect Heights, Cook County, Illinois and more particularly described as:

COMMON ADDRESS: 8 Piper Lane, Prospect Heights, Cook County, Illinois ; (03-24-100-014-0000)

LEGAL DESCRIPTION: Part of the Northwest Quarter of Section 24, Township 42 North, Range 11 East of the Third Principal Meridian, Cook County, Illinois, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 24; thence on an assumed bearing South 89 degrees 19 minutes 20 seconds East on the north line of said Northwest Quarter, 50.01 feet to the northerly extension of the easterly right-of-way line of Wolf Road; thence South 0 degrees 09 minutes 20 seconds East on said northerly extension, 165.80 feet to the southerly right-of-way line of F.A.P. 305 (Palatine Road), thence North 67 degrees 21 minutes 05 seconds East on said southerly right-of-way line, 75.76 feet; thence South 89 degrees 42 minutes 30 seconds East on said southerly right-of-way line, 45.01 feet to the east line of the west 165 feet of said northwest quarter, also being the Point of Beginning; thence South 89 degrees 45 minutes 46 seconds East on said southerly right-of-way line 130.00 feet to the east line of the west 295 feet of said Northwest Quarter; thence South 0 degrees 09 minutes 20 seconds East on said east line, 9.93 feet; thence South 87 degrees 23 minutes 39 seconds West 130.12 feet to said east line of the west 165 feet; thence North 0 degrees 09 minutes 20 seconds West on said east line, 16.38 feet to the Point of Beginning.

REAL ESTATE TAX INDEX OR PARCEL No.: 03-24-100-014-0000

(PURSUANT TO 742.1010(D)(2))

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PTN Nos. 03-24-100-014-0000

Exhibit B

IN ACCORDANCE WITH SECTION 741.1010(D)(8)(A)-(D), PROVIDE ALL THE FOLLOWING ELEMENTS. ATTACH SEPARATE SHEETS, LABELED AS EXHIBIT B, WHERE NECESSARY.

- (A) A scaled map showing the legal boundary of the property to which the ELUC applies. (Exhibit B1)
- (B) Scaled maps showing the horizontal and vertical extent of constituents of concern above the applicable remediation objectives for soil to which the ELUC applies. (Exhibit B2 & B3)
- (C) Scaled maps showing the physical features to which an ELUC applies (e.g. engineered barriers, monitoring wells, caps, etc.) (Exhibit B2)
- (D) Scaled maps showing the nature, location of the source, and direction of movement of the constituents of concern. (Exhibit B4 & B5)

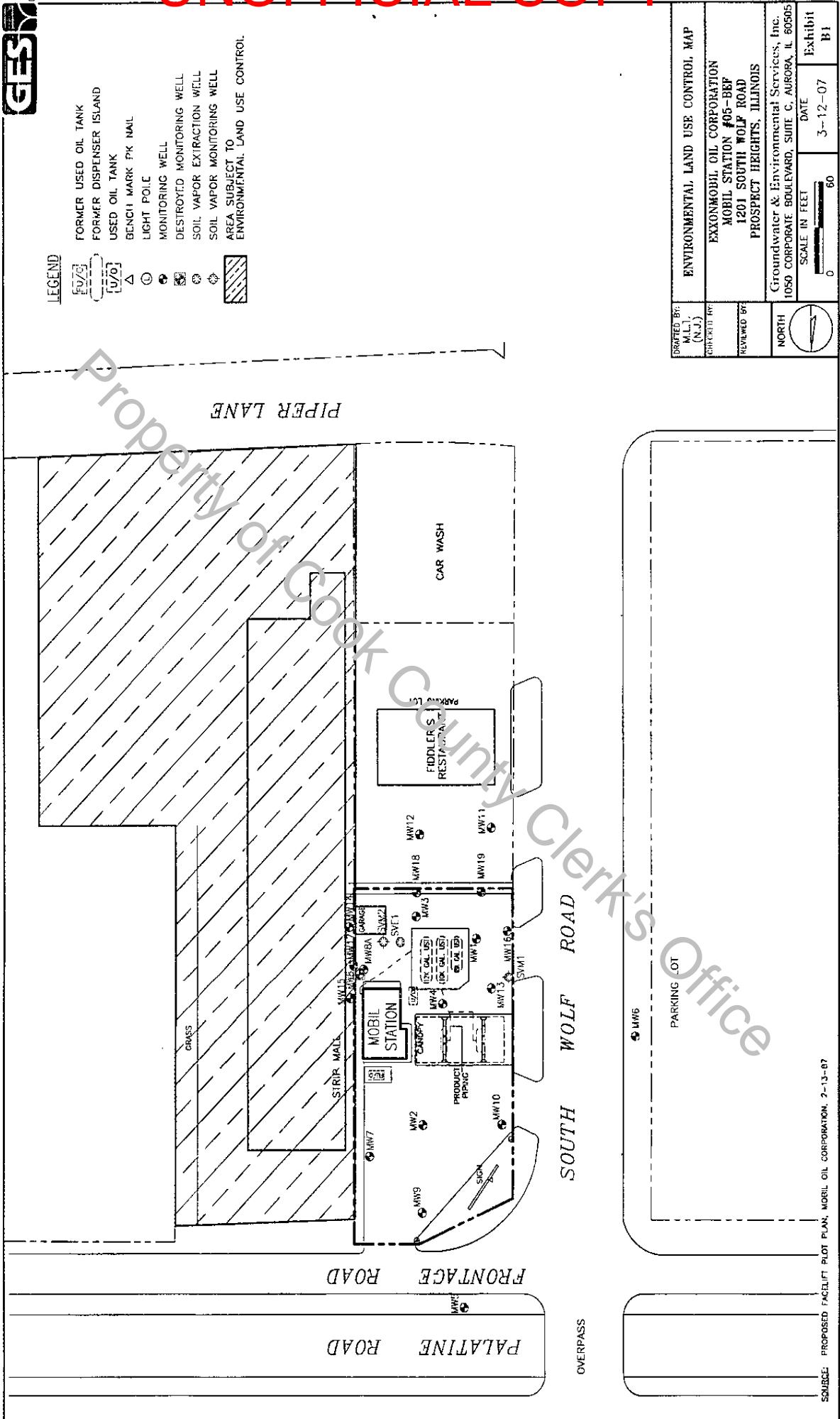
Property of Cook County Clerk's Office

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LEGEND

- FORMER USED OIL TANK
- FORMER DISPENSER ISLAND
- USED OIL TANK
- BENCH MARK PK NAIL
- LIGHT POLE
- MONITORING WELL
- DESTROYED MONITORING WELL
- SOIL VAPOR EXTRACTION WELL
- SOIL VAPOR MONITORING WELL
- AREA SUBJECT TO ENVIRONMENTAL LAND USE CONTROL

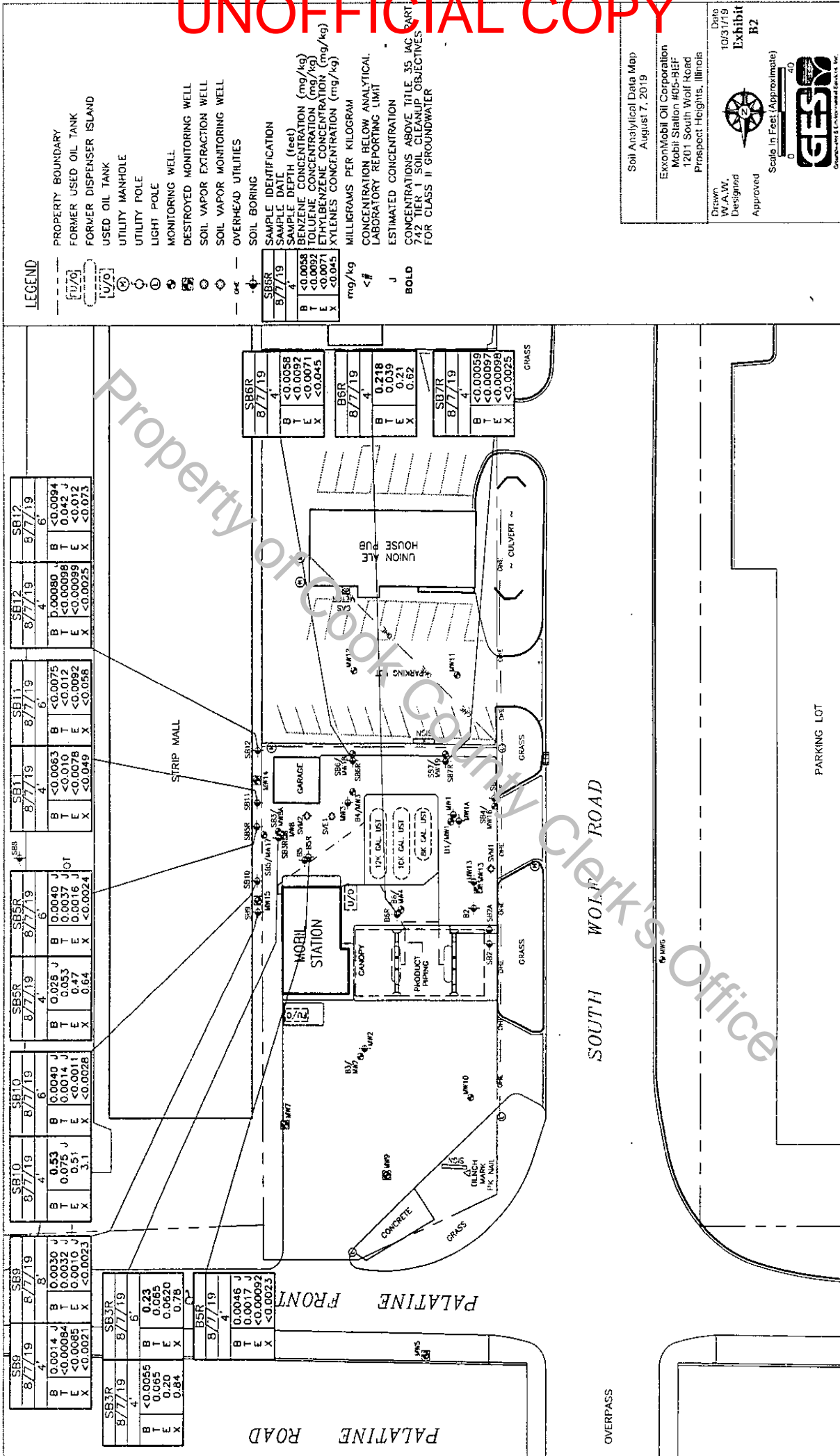


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|--------------------------------------|--|------------------------------|----------------------|
| DRAWN BY: M.L.L. (N.J.) | ENVIRONMENTAL LAND USE CONTROL MAP | SCALE IN FEET 0 60 | Exhibit B1 |
| CHECKED BY: | EXXONMOBIL OIL CORPORATION | DATE 3-12-07 | |
| REVIEWED BY: | MOBIL STATION #05-BBF | | |
| | 1201 SOUTH WOLF ROAD | | |
| | PROSPECT HEIGHTS, ILLINOIS | | |
| NORTH | Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505 | | |

SOURCE: PROPOSED FACILITY PLOT PLAN, MOBIL OIL CORPORATION, 2-13-07

Property of Cook County Clerk's Office

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LEGEND

- PROPERTY BOUNDARY
- FORMER USED OIL TANK
- FORMER DISPENSER ISLAND
- USED OIL TANK
- UTILITY MANHOLE
- UTILITY POLE
- LIGHT POLE
- MONITORING WELL
- DESTROYED MONITORING WELL
- SOIL VAPOR EXTRACTION WELL
- SOIL VAPOR MONITORING WELL
- OVERHEAD UTILITIES
- SOIL BORING
- SAMPLE IDENTIFICATION
- SAMPLE DATE
- SAMPLE DEPTH (feet)
- BENZENE CONCENTRATION (mg/kg)
- TOLUENE CONCENTRATION (mg/kg)
- ETHYLBENZENE CONCENTRATION (mg/kg)
- XYLENES CONCENTRATION (mg/kg)
- MILLIGRAMS PER KILOGRAM
- CONCENTRATION BELOW ANALYTICAL LABORATORY REPORTING LIMIT
- ESTIMATED CONCENTRATION
- CONCENTRATIONS ABOVE TITLE 35 IAC PART 742 TIER 1 SOIL CLEANUP OBJECTIVES FOR CLASS II GROUNDWATER

| Sample ID | Date | Depth (ft) | Benzene (mg/kg) | Toluene (mg/kg) | Ethylbenzene (mg/kg) | Xylenes (mg/kg) |
|-----------|--------|------------|-----------------|-----------------|----------------------|-----------------|
| SB9 | 8/7/19 | 4 | 0.0014 J | 0.0032 J | 0.0010 J | 0.0021 J |
| SB10 | 8/7/19 | 4 | 0.53 | 0.075 J | 0.51 | 3.1 |
| SB11 | 8/7/19 | 4 | <0.0063 | <0.010 | <0.0078 | <0.049 |
| SB12 | 8/7/19 | 4 | 0.00080 | <0.00098 | <0.00099 | <0.0025 |
| SB17 | 8/7/19 | 6 | <0.0094 | 0.042 J | <0.012 | <0.073 |
| SB19 | 8/7/19 | 4 | <0.0058 | <0.0092 | <0.0071 | <0.045 |
| SB20 | 8/7/19 | 4 | 0.218 | 0.039 | 0.21 | 0.62 |
| SB21 | 8/7/19 | 4 | <0.00059 | <0.00097 | <0.00098 | <0.0025 |

Soil Analytical Data Map
August 7, 2019

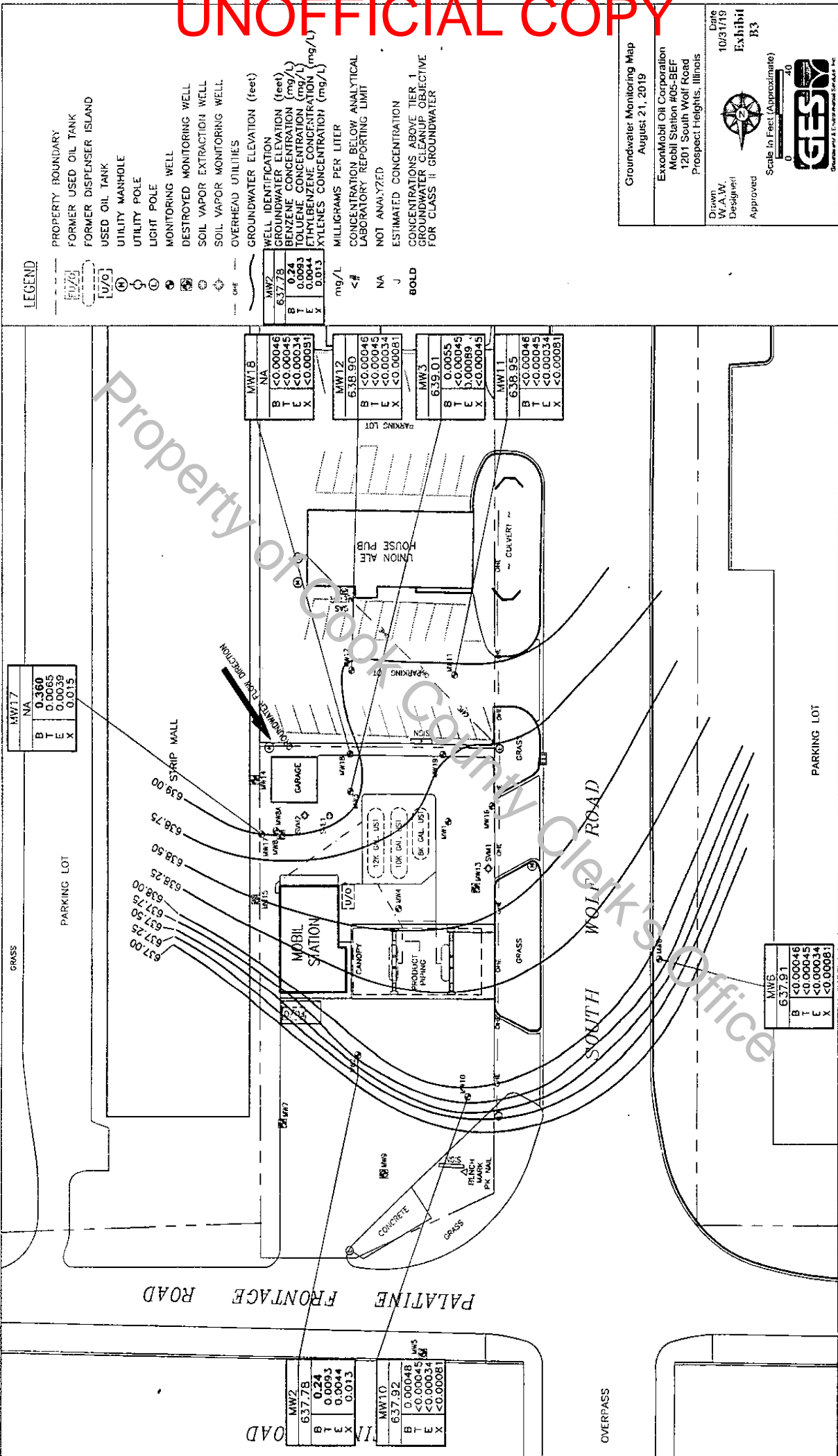
ExxonMobil Oil Corporation
Mobil Station #05-BEF
1201 South Wolf Road
Prospect Heights, Illinois

Date: 10/3/19
Exhibit B2

Drawn: W.A.W.
Designed: Approved

Scale: In Feet (Approximate)

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Groundwater Monitoring Map
August 21, 2019

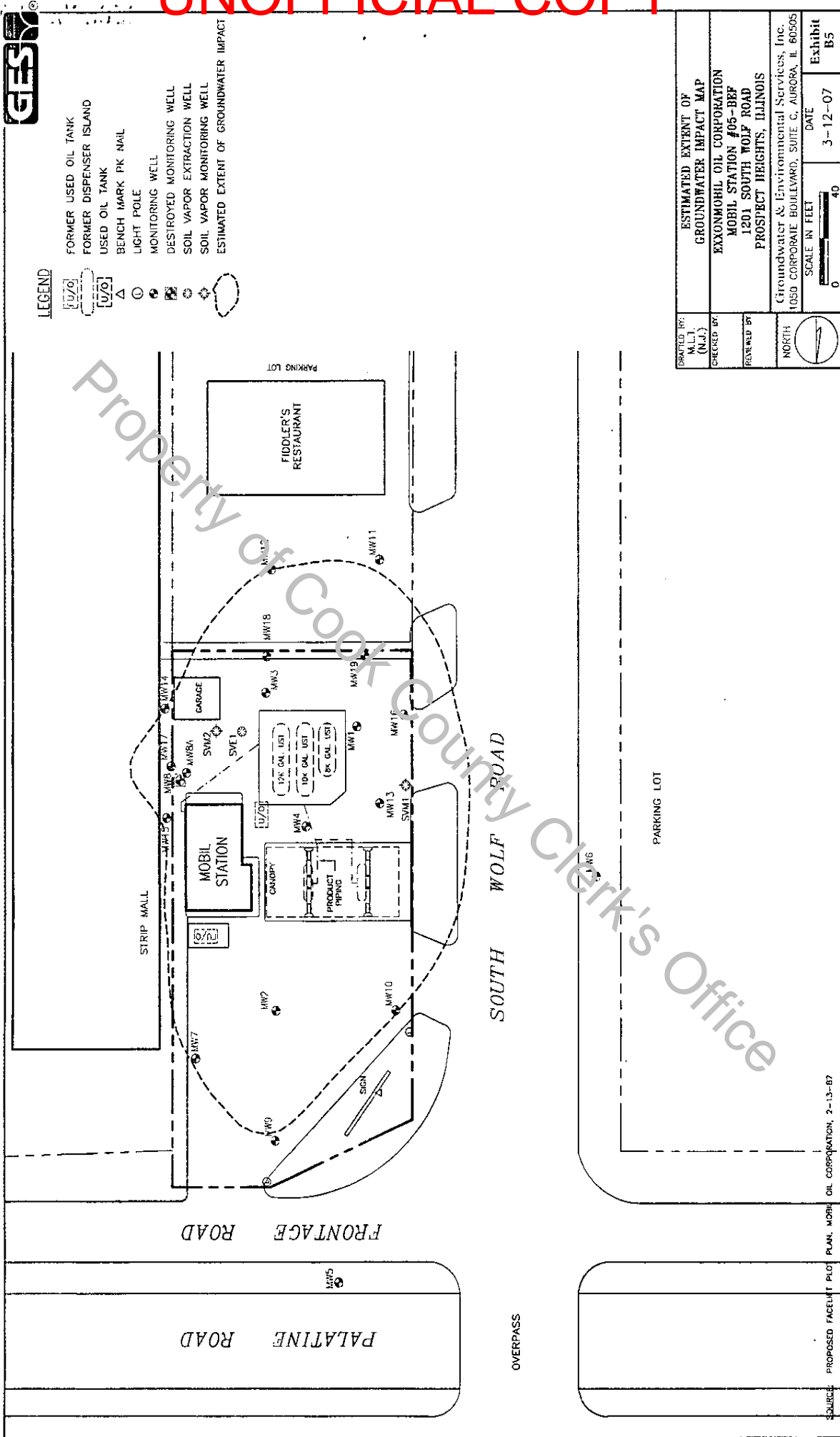
ExxonMobil Oil Corporation
Mobil Station #05-BEF
1201 South Wolf Road
Prospect Heights, Illinois

Date
10/3/19
Exhibit
B3

Drawn
D.A.V.
Designed
Approved

Scale: In Feet (Approximate)

UNOFFICIAL COPY



| | |
|---------------------------------|---|
| DRAFTED BY: M.L.L. (N.J.) | ESTIMATED EXTENT OF GROUNDWATER IMPACT MAP |
| CHECKED BY: | EXXONMOBIL OIL CORPORATION MOBIL STATION #05-BEF 1201 SOUTH WOLF ROAD PROSPECT HEIGHTS, ILLINOIS |
| PREPARED BY: | Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505 |
| NORTH | SCALE IN FEET: 0 40 DATE: 3-12-07 Exhibit B5 |

SOURCE: PROPOSED FACILITY PLOT PLAN, MOBIL OIL CORPORATION, 2-13-07