

PREPARED BY:

UNOFFICIAL COPY



\*2112525051\*

Digital Grand Avenue 2, LLC  
In Care of Digital Realty Inc.  
Attn: Rafal Rak  
9355 West Grand Avenue,  
Franklin Park, Illinois 60131

Doc# 2112525051 Fee \$91.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 05/05/2021 01:35 PM PG: 1 OF 21

RETURN TO:

Digital Grand Avenue 2, LLC  
In Care of Digital Realty Inc.  
Attn: Rafal Rak  
9355 West Grand Avenue,  
Franklin Park, Illinois 60131

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: 0310965515

Digital Grand Avenue 2, LLC, the Remediation Applicant, whose address is 9355 West Grand Avenue, Franklin Park, Illinois 60131 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 1 IN WEST GRAND AVENUE SUBDIVISION RECORDED ON JULY 31, 1997 AS DOCUMENT NUMBER 97557554 OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS; EXCEPT FROM PARCEL ONE THAT LAND TAKEN BY THE GRAND AVENUE RAILROAD RELOCATION AUTHORITY, A UNIT OF LOCAL GOVERNMENT, PURSUANT TO CASE 03-L-050830, ORDER VESTING TITLE RECORDED MARCH 25, 2004 AS DOCUMENT 0408503023, DESCRIBED AS FOLLOWS: THAT PART OF LOT 1 IN WEST GRAND AVENUE SUBDIVISION RECORDED ON JULY 31, 1997 AS DOCUMENT NUMBER 97557554 OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING SOUTH 01 DEGREE 13 MINUTES 42 SECONDS WEST, ON THE EAST LINE OF SAID LOT, 52.98 FEET; THENCE NORTH 50 DEGREES 09 MINUTES 47 SECONDS WEST, 62.88 FEET; THENCE NORTH 77 DEGREES 29 MINUTES 19 SECONDS WEST, 67.71 FEET; THENCE NORTHWESTERLY 261.30 FEET ON A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 5674.98 FEET, THE CHORD OF SAID CURVE BEARS NORTH 78 DEGREES 48 MINUTES WEST, 69.87 FEET TO THE NORTH LINE OF SAID LOT; THENCE SOUTH 81 DEGREES 10 MINUTES 54 SECONDS EAST ON SAID NORTH LINE 431.15 FEET; THENCE SOUTHEASTERLY 14.07 FEET ON SAID NORTH LINE BEING A CURVE TO THE NORTH, HAVING A RADIUS OF 9582.30 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 81 DEGREES 13 MINUTES 26 SECONDS EAST, 14.07 FEET TO THE POINT OF BEGINNING.

RECORDING FEE            \$ 801  
DATE 5/5/21 COPIES 6x  
OK BY RVIJTD

**UNOFFICIAL COPY**

LOT 2 IN WEST GRAND AVENUE SUBDIVISION RECORDED ON JULY 31, 1997 AS DOCUMENT NUMBER 97557554 OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 27 TOWNSHIP 40 NORTH RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

2. Common Address: 9401 West Grand Avenue, Franklin Park, Illinois 60131
3. Real Estate Tax Index/Parcel Index Number: 12-27-300-063, 12-27-300-064
4. Remediation Site: Digital Realty, Inc.
5. Land Use: 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



# 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

March 30, 2021

CERTIFIED MAIL

7020 2450 0000 1709 5745

Digital Grand Avenue 2, LLC  
 In Care of Digital Realty Inc.  
 Attn: Rafal Rak  
 9355 West Grand Avenue,  
 Franklin Park, Illinois 60131

Re: 0310965515/Cook  
 Franklin Park/Digital Realty  
 Site Remediation Program/Technical Reports  
 No Further Remediation Letter

Dear Mr. Rak:

The *Response to Illinois EPA's Comments* (December 4, 2020/Log No.20-72260) as prepared by K-Plus Engineering Services, LLC 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 August 19, 2019/Log No. 19-69897) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 18.5 acres, is located at 9401 West Grand Avenue, Franklin Park, 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 April 9, 2018/Log No. 16-66867), is Digital Grand Avenue 2, LLC.

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.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
 1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120  
 9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
 595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
 412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
 4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

# UNOFFICIAL COPY

## Conditions and Terms of Approval

### Level of Remediation and Land Use Limitations

- 1) The Remediation Site is restricted to 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 clean soil barrier, which is comprised of a minimum of three feet of clean soil covering the area shown on the attached Site Base Map, must remain over the contaminated soils. This clean soil barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 4) The asphalt barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This concrete 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.

#### Institutional Controls:

- 6) 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.

# UNOFFICIAL COPY

- 7) Ordinance Number 2021-G-50 adopted by the Village of Franklin Park on December 21, 2020 effectively prohibits the installation and use of potable water supply wells in the Village of Franklin Park This ordinance provides an acceptable institutional control under the following conditions:
- a) The current owner or successor in interest of this Remediation Site who relies on this ordinance as an institutional control shall:
    - i) Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this Remediation Site; and
    - ii) Notify the Illinois EPA of any approved variance requests or ordinance changes within thirty (30) days after the date such action has been approved.
  - b) The Remediation Applicant shall provide written notification to the Village of Franklin Park and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
    - i) The name and address of the local unit of government;
    - ii) The citation of Ordinance 2021-G-50;
    - iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
    - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
    - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
    - vi) A statement as to where more information may be obtained regarding the ordinance.
  - c) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date this Letter is recorded 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
  - d) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
    - i) Modification of the referenced ordinance to allow potable uses of groundwater;

# UNOFFICIAL COPY

- ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
- iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date this Letter is recorded of written notification to Village of Franklin Park and affected property owner(s) of the intent to use Ordinance 2021-G-50 as an institutional control at the Remediation Site; and
- iv) Violation of the terms and conditions of this No Further Remediation letter.

## Other Terms

- 8) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 7 of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 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;



# UNOFFICIAL COPY

- 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.
- 12) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Digital Grand Avenue 2, 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;

# UNOFFICIAL COPY

- 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 Digital Realty site.
- 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 Digital Realty property, you may contact the Illinois EPA project manager, Jenessa Conner at 217-524-2084.

Sincerely,



Jeron Schultz, Manager  
Remedial Project Management Section  
Division of Remediation Management  
Bureau of Land



# UNOFFICIAL COPY

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

cc: Jessica Madsen- jessicam@kplus.com

Bureau of Land File  
Mr. Jim Scott

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

---

## THE VILLAGE OF FRANKLIN PARK COOK COUNTY, ILLINOIS

---

### ORDINANCE

NUMBER 2021-G-50

---

**AN ORDINANCE OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY,  
ILLINOIS PROHIBITING THE USE OF GROUND WATER AS A POTABLE  
WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE  
WATER SUPPLY WELLS OR BY ANY OTHER METHOD  
(9401 GRAND AVENUE, FRANKLIN PARK, ILLINOIS)**

---

**BARRETT F. PEDERSEN, Village President  
ROBERTA JOHNSON, Village Clerk**

**IRENE AVITIA  
JOHN JOHNSON  
GIL HAGERSTROM  
WILLIAM RUHL  
KAREN SPECIAL  
ANDY YBARRA  
Trustees**

---

Published in pamphlet form by authority of the President and Village Clerk of the Village of Franklin Park on 12/21/20  
Village of Franklin Park – 3737 Acorn Lane - Franklin Park, Illinois 60131

# UNOFFICIAL COPY

## ORDINANCE NUMBER 2021-G-50

**AN ORDINANCE OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS PROHIBITING THE USE OF GROUND WATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD (9401 GRAND AVENUE, FRANKLIN PARK, ILLINOIS)**

---

**WHEREAS**, the Village of Franklin Park, Cook County, Illinois (the "Village") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

**WHEREAS**, in enacting Ordinance Number 1314-VC-16 entitled "An Ordinance Amending Chapter Eight of Title Seven of the Village Code of the Village of Franklin Park, Cook County, Illinois to Establish a Site Specific Groundwater Use Restriction Zone Application Process" (the "Site Specific Application Process") the Village President and Board of Trustees of the Village Franklin Park (the "Corporate Authorities") have determined that groundwater within the Village is a valuable natural resource that should be protected and preserved; and

**WHEREAS**, the Corporate Authorities, in enacting a Site Specific Application Process, have determined it is inappropriate to restrict in perpetuity the use of all groundwater located within the corporate boundaries of the Village (hereinafter referred to as a "*border-to-border restriction*"); and

**WHEREAS**, the Corporate Authorities have determined, in enacting a Site Specific Application Process, that a border-to-border restriction may lead to further contamination of groundwater by industrial and commercial activity taking place within the Village; and

**WHEREAS**, the Corporate Authorities, in enacting a Site Specific Application Process, have determined that the Village should consider, on a case-by-case basis, the enactment of in

# UNOFFICIAL COPY

perpetuity restrictions on the use of contaminated groundwater that qualify as an institutional control under Title XVII of the Illinois Environmental Protection Act, Site Remediation Program, 415 ILCS 5/58 *et seq.* and Subpart J of the TIERED APPROACH TO CORRECTIVE ACTION OBJECTIVES, Institutional Controls, 35 IAC 742.1000 *et seq.* (hereinafter referred to as an “*institutional control*”); and

**WHEREAS**, in accordance with the Site Specific Application Process, the Corporate Authorities find that it is in the public interest and will tend to promote the health, safety, morals, comfort, convenience and general welfare of the residents of the Village to establish a Restricted Groundwater Zone that will qualify as an institutional control.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

**Section 1.** That the above recitals and legislative findings as found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** The use or attempted use of groundwater as a potable water supply from within the area shown on Exhibit A and more particularly described in Exhibit B, copies of such being attached hereto and made a part hereof, by the installation of wells or by any other method, is hereby prohibited.

**Section 3.** The prohibition contained in Section 2 of this Ordinance shall also apply to the Village of Franklin Park, including the operation of its water utility.

**Section 4.** Penalties. Any person violating the provisions of this Ordinance shall be subject to a fine of up to Seven Hundred Fifty Dollars (\$750.00) for each violation.

# UNOFFICIAL COPY

**Section 5. Definitions.**

"Person" shall mean any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" shall mean any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

**Section 6.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 7.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid or its application to any person or under any circumstances is adjudged invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**Section 8.** This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.


(Intentionally Left Blank)

# UNOFFICIAL COPY

**ADOPTED** by the President and Board of Trustees of the Village of Franklin Park,  
Cook County, Illinois this 21<sup>st</sup> day of December 2020, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA	X				
HAGERSTROM	X				
JOHNSON	X				
RUHL	X				
SPECIAL	X				
YBARRA	X				
PRESIDENT PEDERSEN					
<b>TOTAL</b>	<b>6</b>				

**APPROVED** by the President of the Village of Franklin Park, Cook County, Illinois on  
this 21<sup>st</sup> day of December 2020.




---

**BARRETT F. PEDERSEN**  
VILLAGE PRESIDENT

ATTEST:




---

**ROBERTA JOHNSON**  
VILLAGE CLERK



# UNOFFICIAL COPY

Exhibit A

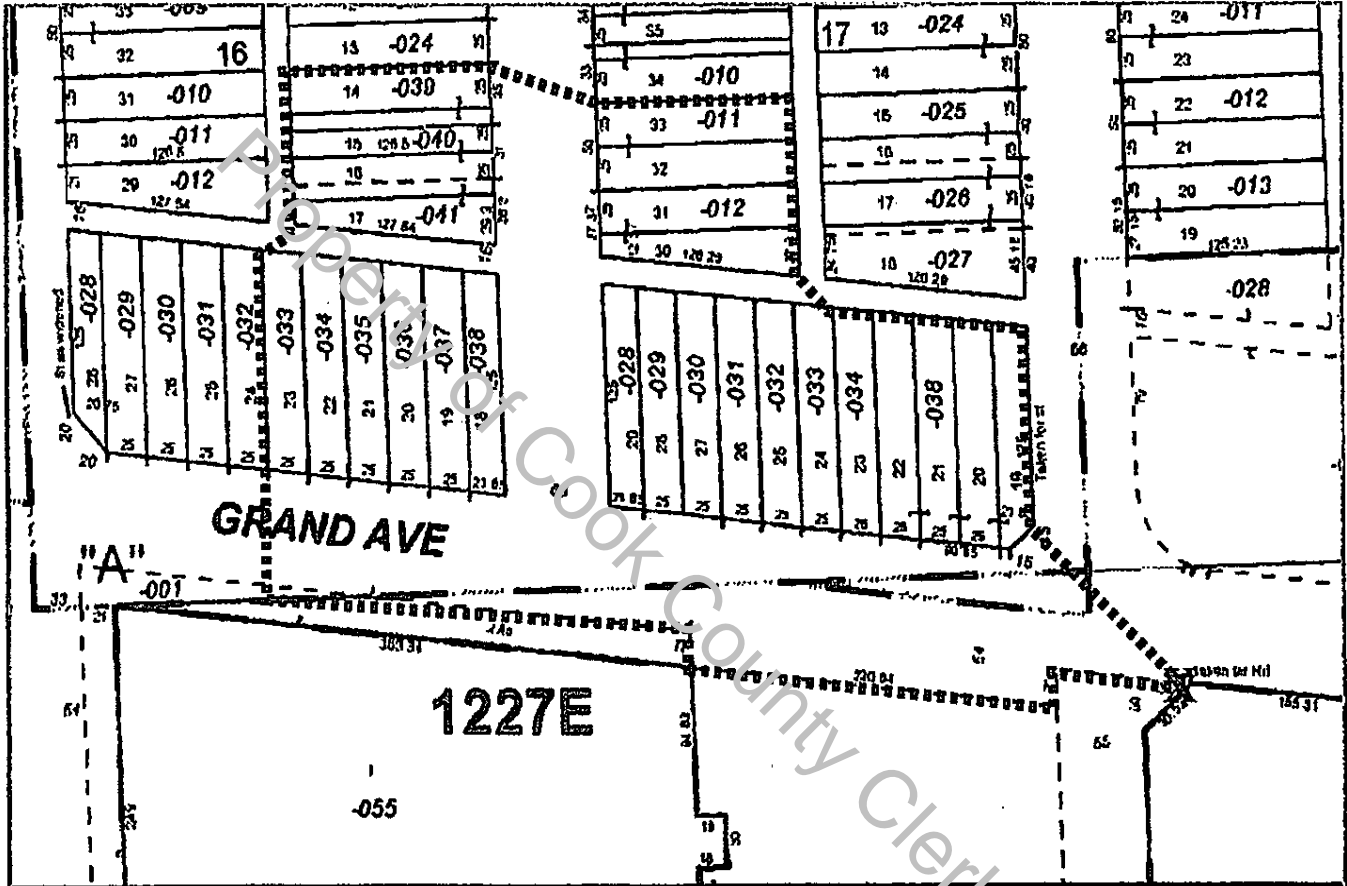
2019 Tax Map  
Page 1227C  
40-12-27C

## Cook County, Illinois W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 27 - 40 - 12 LEYDEN



© 2019 Cook County, Illinois

\*\*\*



X = Point of Beginning

# UNOFFICIAL COPY

Exhibit A (Continued)

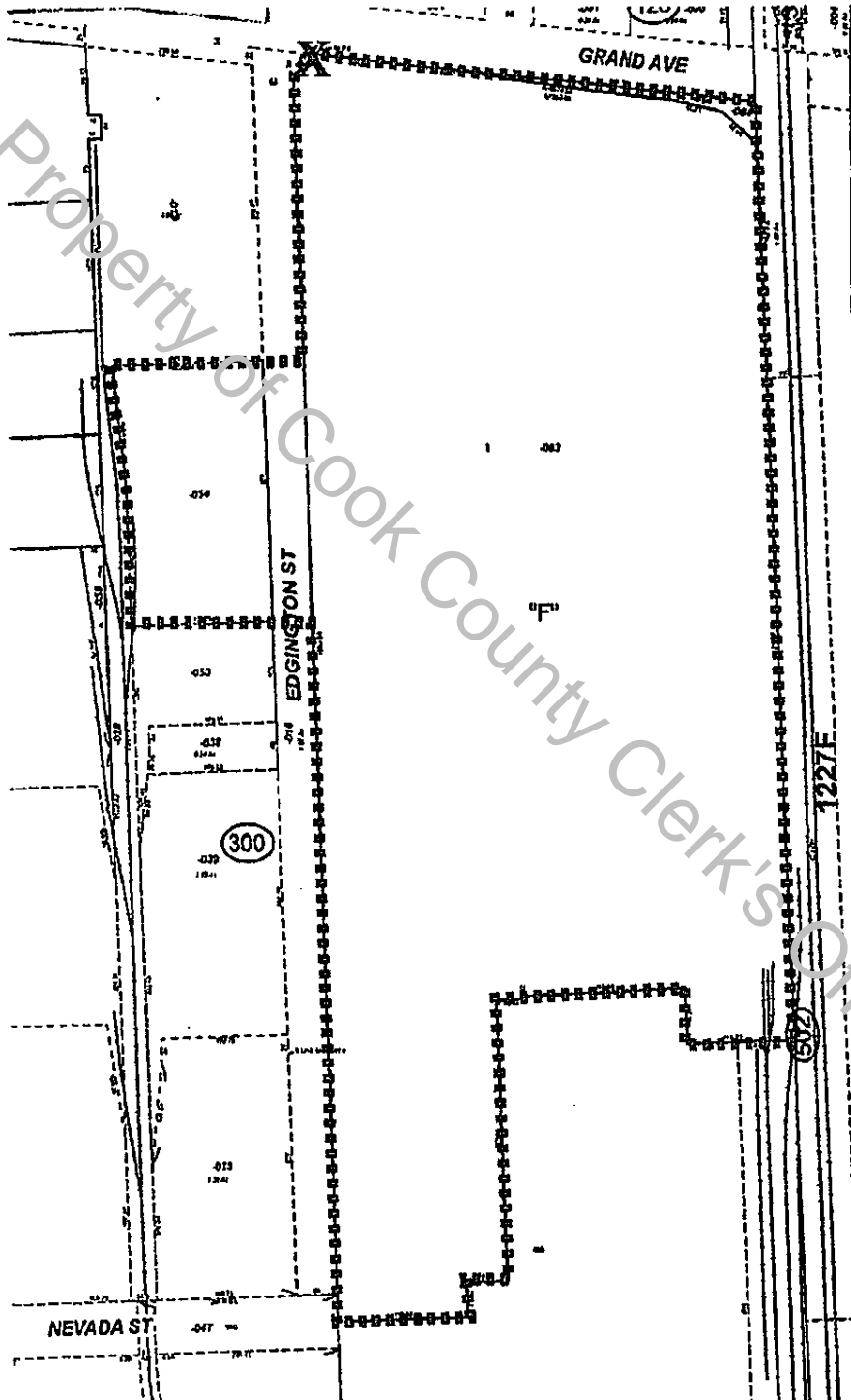
2019 Tax Map  
Page 1227E  
40-12-27E

## Cook County, Illinois W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27 - 40 - 12 LEYDEN



© 2019 Cook County, Illinois

\*\*\*



X = Point of Beginning

# UNOFFICIAL COPY

## Exhibit B

Beginning at the Point of Beginning, the Northeast corner of the of the property identified as 12-27-300-016 in the Village of Franklin Park, Illinois;

Thence northwest across a public right-of-way to the southeast corner of the property identified as 12-27-121-038;

Thence northeast along the boundary of the property identified as 12-27-121-038 to the east boundary of the property identified as 12-27-121-038;

Thence north along the east boundary of the property identified as 12-27-121-038 to the northeast corner of the property identified as 12-27-121-038;

Thence west along the north boundaries of the properties identified as 12-27-121-038 and 12-27-121-034 to the northwest corner of the property identified as 12-27-121-034;

Thence northwest across a public right-of-way to the southeast corner of the property identified as 12-27-121-012;

Thence north along the east boundaries of properties identified as 12-27-121-012 and 12-27-121-011 to the northeast corner of the property identified as 12-27-121-011;

Thence west along the north boundary of the property identified as 12-27-121-011 to the northwest corner of the property identified as 12-27-121-011;

Thence northwest across a public right-of-way to the northeast corner of the property identified as 12-27-120-039;

Thence west along the north boundary of the property identified as 12-27-120-039 to the northwest corner of the property identified as 12-27-120-039;

Thence south along the west boundaries of the properties identified as 12-27-120-039, 12-27-120-040 and 12-27-120-041 to the southwest corner of the property identified as 12-27-120-041;

Thence southwest across a public right-of-way to the northwest corner of the property identified as 12-27-120-033;

Thence south along the west boundary of the property identified as 12-27-120-033 to the southwest corner of the of the property identified as 12-27-120-033;

Thence due south across a public right-of-way to the northern boundary of the property identified as 12-27-300-001;

Thence east along the north boundaries of the properties identified as 12-27-300-001 and 12-27-300-023 to the northeast corner of the property identified as 12-27-300-023;

# UNOFFICIAL COPY

Thence south along the east boundary of the property identified as 12-27-300-023 to the southeast corner of the property identified as 12-27-300-023;

Thence east along the north boundary of the property identified as 12-27-300-019 to the northeast corner of the property identified as 12-27-300-019;

Thence north along the west boundary of the property identified as 12-27-300-016 to the northwest corner of the property identified as 12-27-300-016;

Thence east along the north boundary of the property as 12-27-300-016 to the Point of the Beginning, the northeast corner of the of the property identified as 12-27-300-016;

Thence southwest along the boundary of the property identified as 12-27-300-063 to the west boundary of the property identified as 12-27-300-063;

Thence south along the west border of the property identified as 12-27-300-063 to the point on the west boundary of the property identified as 12-27-300-063 that is coterminous with the northeast corner of the property identified as 12-27-300-54;

Thence due west across of the property identified as 12-27-300-016 to the northwest corner of the property identified as 12-27-300-054;

Thence west along the north boundary of the property identified as 12-27-300-054 to the northwest corner of the property identified as 12-27-300-054;

Thence south along the west boundary of the property identified as 12-27-300-054 to the southwest corner of the property identified as 12-27-300-054;

Thence east along the south boundary of the property identified as 12-27-300-054 to the southeast corner of the property identified as 12-27-300-054;

Thence due east across of the property identified as 12-27-300-016 to the location on west boundary of the property identified as 12-27-300-063 that is coterminous with the southeast corner of the property identified as 12-27-300-054;

Thence south along the west boundary of the property identified as 12-27-300-063 to the southwest corner of the property identified as 12-27-300-063;

Thence east along the boundary of the property identified as 12-27-300-063;

Thence north along the boundary of the property identified as 12-27-300-063;

Thence east along the boundary of the property identified as 12-27-300-063;

Thence north along the boundary of the property identified as 12-27-300-063;

Thence east along the boundary of the property identified as 12-27-300-063;

Thence south along the boundary of the property identified as 12-27-300-063;

# UNOFFICIAL COPY

Thence east along the boundary of the property identified as 12-27-300-0063 to the southeast corner of the property identified as 12-27-300-063;

Thence north along the east boundaries of the properties identified as 12-27-300-063 and 12-27-300-064 to the northeast corner of the property identified as 12-27-300-064;

Thence west along the north boundaries of the properties identified as 12-27-300-064 and 12-27-300-063 to the Point of the Beginning, the northeast corner of the of the property identified as 12-27-300-016.

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

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

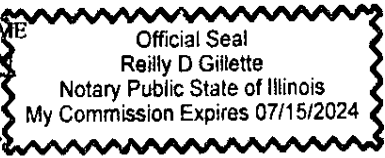
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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.

<b>Property Owner Information</b>	
Owner's Name: <u>RAKAL RAK</u>	
Title: <u>VP OF PORTFOLIO MGMT</u>	
Company: <u>DIGITAL REALTY</u>	
Street Address: <u>350 E. CERMAK STE. 100</u>	
City: <u>CHICAGO</u> State: <u>IL</u> Zip Code: <u>60616</u> Phone: <u>408. 429. 5630</u>	
<b>Site Information</b>	
Site Name: <u>9401 W. GRAND AVE</u>	
Site Address: <u>9401 W. GRAND AVE</u>	
City: <u>FRANKLIN PARK</u> State: <u>IL</u> Zip Code: <u>60131</u> County: <u>COOK</u>	
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. <u>12-27-300-063, 12-27-300-064</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>4/19/21</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>19</u> day of <u>April</u> , 20 <u>21</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.



# 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.