



# 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

Doc# 2223822049 Fee \$88.00



KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 08/26/2022 04:09 PM PG: 1 OF 23

August 5, 2022

CERTIFIED MAIL

7021 2720 0002 0463 8354

RLF III Central LLC  
Attn: Edward Brickley  
201 West Street  
Annapolis, Maryland 21401

Re: 0316275402/Cook County  
Chicago/54th and Pulaski  
Site Remediation Program/Technical Reports  
No Further Remediation Letter

Dear Mr. Brickley:

The *Remedial Action Completion Report* (received February 1, 2022/Log No. 22-74213), as prepared by Weaver Consultants Group North Central, 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 18.07 acres, is located at West 54th Street and South Pulaski Road, 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 April 24, 2020/Log No. 20-71303), is RLF III Central 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

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## 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:

- 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 asphalt/concrete barrier, as shown on the attached Site Base Map, must remain over the contaminated soils. This asphalt/concrete barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

#### Institutional Controls:

- 5) 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.
- 6) Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), effectively prohibits the installation and the use of potable water supply wells and is an acceptable institutional control under the following conditions:

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- a) The Remediation Applicant shall provide written notification to the City of Chicago 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 Section 11-8-390;
  - 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.
- b) 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. Mike Killen  
Illinois Environmental Protection Agency  
Bureau of Land/RPM's #24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

- c) 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;
  - 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 the City of Chicago and affected property owner(s) of the intent to use Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), as an institutional control at the Remediation Site; and
  - iv) Violation of the terms and conditions of this No Further Remediation letter.

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## Other Terms

- 7) The Remediation Applicant has remediated the release associated with Leaking UST Incident Number 20200599.
- 8) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 6 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 19275  
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) RLF III Central 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.

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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 54th and Pulaski 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. Mike Killen  
 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 18.10(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 54th and Pulaski property, you may contact the Illinois EPA project manager, Robin Ambrose at 217/558-6546.

Sincerely,



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

Attachments: Illinois EPA Site Remediation Program Environmental Notice  
 Site Base Map  
 City of Chicago Groundwater Ordinance  
 Property Owner Certification of the NFR Letter under the Site Remediation Program Form  
 Instructions for Filing the NFR Letter

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cc: Colin Pannier  
Weaver Consultants Group North Central, LLC  
cpannier@wcgrp.com

Bureau of Land File  
Mr. Mike Killen

Commissioner, Department of Assets, Information and Services  
Bureau of Environmental, Health and Safety Management  
AIS\_NFR\_Letters@cityofchicago.org

Property of Cook County Clerk's Office

**UNOFFICIAL COPY****PREPARED BY:**

Edward Brickley  
 RLF III Central LLC  
 201 West Street  
 Annapolis, Maryland 21401

**RETURN TO:**

Edward Brickley  
 RLF III Central LLC  
 201 West Street  
 Annapolis, Maryland 21401

**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: 0316275402

RLF III Central LLC, the Remediation Applicant, whose address is 201 West Street, Annapolis, Maryland 21401 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**

THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE EAST 668.73 FEET OF SAID SECTION, WITH A LINE DRAWN 75 FEET SOUTHEASTERLY OF, AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTHEASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO UNION TRANSFER RAILROAD COMPANY; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE TO ITS INTERSECTION WITH A LINE DRAWN 1348 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF THE RIGHT OF WAY OF THE TERMINAL RAILROAD COMPANY; THENCE NORTHWESTERLY ALONG A LINE DRAWN PERPENDICULAR TO THE SOUTHEASTERLY LINE OF THE CHICAGO UNION TRANSFER RAILROAD COMPANY, 75 FEET TO THE SAID SOUTHEASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO UNION TRANSFER RAILROAD COMPANY; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO ITS INTERSECTION WITH THE WEST LINE OF THE EAST 668.73 FEET OF SAID SECTION; THENCE SOUTH ALONG SAID WEST LINE TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PARCEL 2**

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:



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BEGINNING AT A POINT 618.73 FEET WEST OF THE WEST LINE OF PULASKI ROAD (SAID WEST LINE BEING 50 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST 1/4 AND 617 FEET NORTH OF THE NORTH LINE OF TERMINAL RAILROAD COMPANY; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF TERMINAL RAILROAD COMPANY, 365 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE WEST LINE OF PULASKI ROAD, 33 FEET; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF TERMINAL RAILROAD COMPANY, TO THE EAST LINE OF SOUTH KEELER AVENUE; THENCE NORTH ON THE EAST LINE OF SOUTH KEELER AVENUE, 181 FEET, 10 AND 3/8 INCHES; THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF TERMINAL RAILROAD COMPANY, 270 FEET; THENCE NORTH ON A LINE PARALLEL WITH THE WEST LINE OF PULASKI ROAD, 80.41 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONVEX TO THE NORTHWEST WITH A RADIUS OF 390.54 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND WESTERN INDIANA RAILROAD COMPANY; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY TO A POINT WHICH IS 618.73 FEET WEST OF THE WEST LINE OF PULASKI ROAD; THENCE SOUTH TO THE POINT OF BEGINNING; EXCEPTING FROM SAID TRACT, THAT PART THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 983.73 FEET WEST OF THE WEST LINE OF PULASKI ROAD (SAID WEST LINE BEING 50 FEET WEST OF THE EAST LINE OF SAID SECTION) AND 584 FEET NORTH OF THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY TO THE EAST LINE OF SOUTH KEELER AVENUE; THENCE NORTH ON THE EAST LINE OF SOUTH KEELER AVENUE, 181 FEET, 10 3/8 INCHES; THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF TERMINAL RAILROAD COMPANY, 270 FEET; THENCE SOUTH TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## PARCEL 3

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 983.75 FEET WEST OF THE WEST LINE OF PULASKI ROAD ( SAID WEST LINE BEING 50 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST 1/4) AND 584 FEET NORTH OF THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY, TO THE EAST LINE OF SOUTH KEELER AVENUE; THENCE NORTH ON THE EAST LINE OF SOUTH KEELER AVENUE 181 FEET 10 3/8 INCHES; THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF TERMINAL RAILROAD COMPANY, 270 FEET; THENCE SOUTH TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## PARCEL 4

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY WHICH IS 618.73 FEET WEST OF THE WEST LINE OF PULASKI ROAD (SAID WEST LINE BEING 50 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST 1/4); THENCE NORTH ON A LINE PARALLEL WITH SAID WEST LINE OF PULASKI ROAD 617 FEET; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY, 365 FEET; THENCE SOUTH ON A LINE PARALLEL TO THE WEST LINE OF PULASKI ROAD, 504 FEET; THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF THE TERMINAL

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RAILROAD COMPANY, 332 FEET; THENCE SOUTH ON A LINE PARALLEL TO THE WEST LINE OF PULASKI ROAD, 113 FEET; THENCE EAST TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PARCEL 5**

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING ON THE WEST LINE OF PULASKI ROAD (SAID WEST LINE BEING 50 FEET WEST OF THE EAST LINE OF THE SOUTHEAST 1/4) AT A POINT 284 FEET NORTH OF THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY; THENCE WEST ON A LINE PARALLEL WITH SAID NORTH LINE OF THE TERMINAL RAILROAD COMPANY, 618.73 FEET; THENCE NORTH ON A LINE PARALLEL WITH THE WEST LINE OF PULASKI ROAD, 317 FEET; THENCE EAST ON A LINE PARALLEL WITH SAID NORTH LINE OF THE TERMINAL RAILROAD COMPANY, TO THE WEST LINE OF PULASKI ROAD; THENCE SOUTH ON THE WEST LINE OF PULASKI ROAD TO THE POINT OF BEGINNING, (EXCEPT THE EAST 555.73 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

**PARCEL 6**

THE WEST 310 FEET OF THE EAST 555.73 FEET OF THE NORTH 317 FEET OF THE SOUTH 601 FEET LYING NORTH OF THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY RIGHT OF WAY IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL 7**

THE WEST 55 FEET OF THE EAST 295.73 FEET OF THE NORTH 317 FEET OF THE SOUTH 601 FEET LYING NORTH OF THE NORTH LINE OF THE TERMINAL RAILROAD COMPANY RIGHT OF WAY IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL 8**

THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE RIGHT OF WAY OF THE INDIANA HARBOR BELT RAILROAD 270 FEET EAST OF ITS INTERSECTION WITH THE EAST LINE OF SOUTH KEELER AVENUE; THENCE NORTH PARALLEL WITH THE EAST LINE OF SOUTH KEELER AVENUE 113 FEET; THENCE EAST PARALLEL WITH THAT NORTH LINE OF THE RIGHT OF WAY OF THE INDIANA HARBOR BELT LINE RAILROAD 332 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SOUTH KEELER AVENUE, 113 FEET; THENCE WEST ON THE NORTH LINE OF THE RIGHT OF WAY OF THE INDIANA HARBOR BELT LINE RAILROAD, 332 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PARCEL 9**

THE WEST 1/2 (EXCEPT THE WEST 303 FEET THEREOF) OF A STRIP OF LAND 66 FEET WIDE ACROSS THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID STRIP BEING 33 FEET ON EACH SIDE OF A CENTER LINE DESCRIBED AS FOLLOWS:

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BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 10 WHICH IS 880.8 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 10, THENCE WEST 1,337 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, WHICH IS 874.2 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 10, IN COOK COUNTY, ILLINOIS.

## PARCEL 10

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, THE EAST 14 FEET OF LOT 15 AND THE VACATED ALLEY NORTH OF AND ADJOINING SAID LOTS ALL IN BLOCK 2 IN OLIVER SALLINGER AND COMPANY'S CRAWFORD AVENUE AND 55TH STREET SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTH OF THE INDIANA HARBOR BELT RAILROAD RIGHT OF WAY, IN COOK COUNTY, ILLINOIS.

## PARCEL 11

ALL OF THAT CERTAIN PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF A 100 FOOT WIDE STRIP OF RIGHT-OF-WAY DESCRIBED BY THE CHICAGO UNION TRANSFER COMPANY TO THE CHICAGO AND WESTERN INDIANA RAILROAD COMPANY BY WARRANTY DEED DATED SEPTEMBER 30, 1912, AND DULY RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON OCTOBER 1, 1912, AS DOCUMENT NUMBER 5054474, IN BOOK NUMBER 12106 OF RECORDS, AT PAGE 15, AND THE EAST LINE OF SOUTH KEELER AVENUE; THENCE SOUTH ALONG THE EAST LINE OF KEELER AVENUE, A DISTANCE OF 166.76 FEET; THENCE EAST AT RIGHT ANGLES TO SAID EAST LINE OF KEELER AVENUE, A DISTANCE OF 270 FEET; THENCE NORTH PARALLEL WITH SAID EAST LINE OF KEELER AVENUE, A DISTANCE OF 80.41 FEET; THENCE NORTHEASTERLY ON A CURVE (CONVEX TO THE NORTHWEST) WITH A RADIUS OF 390.54 FEET TO A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF CHICAGO AND WESTERN INDIANA RAILROAD COMPANY ABOVE MENTIONED, THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY FOR A DISTANCE OF 444.54 FEET TO THE PLACE OF BEGINNING

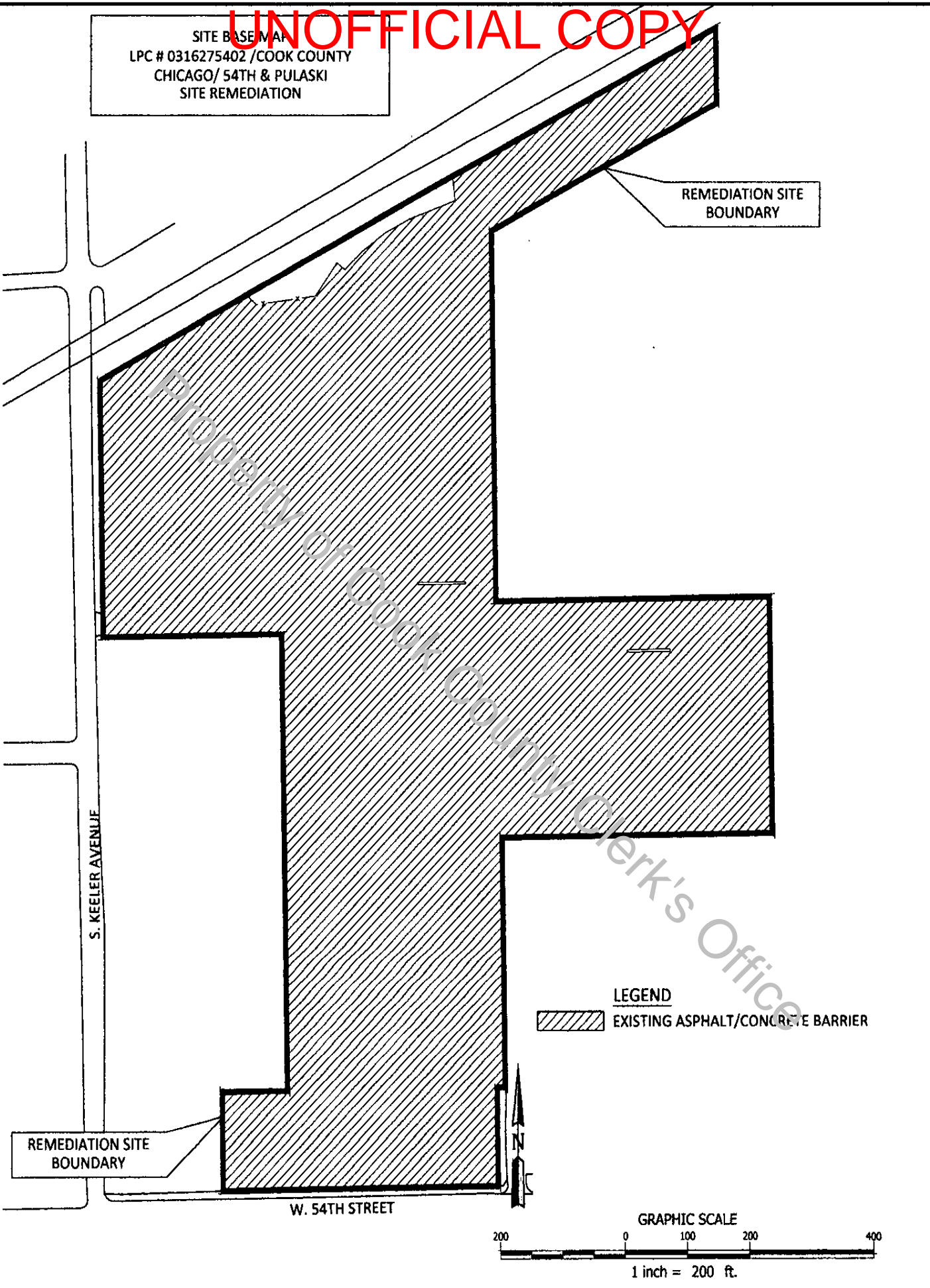
2. Common Address: West 54th Street and South Pulaski Road, Chicago, IL 60612
3. Real Estate Tax Index/Parcel Index Numbers:  
19-10-408-026-0000; 19-10-408-035-0000; 19-10-408-034-0000; 19-10-408-017-0000;  
19-10-408-018-0000; 19-10-408-023-0000; 19-10-408-038-0000; 19-10-408-047-0000;  
19-10-408-012-0000; 19-10-408-037-0000; 19-10-413-023-0000; and 19-10-408-004-0000
4. Remediation Site Owner: RLF III Central LLC
5. Land Use: Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

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

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SITE BASE MAP  
LPC # 0316275402 / COOK COUNTY  
CHICAGO/ 54TH & PULASKI  
SITE REMEDIATION



REMEDIATION SITE BOUNDARY

REMEDIATION SITE BOUNDARY

S. KEELER AVENUE

W. 54TH STREET

LEGEND



EXISTING ASPHALT/CONCRETE BARRIER



PREPARED FOR:

RLF III CENTRAL LLC

SITE BASE MAP

LPC# 0316275402/ COOK COUNTY  
CHICAGO/ 54TH STREET AND PULASKI ROAD  
SITE REMEDIATION PROGRAM

REUSE OF DOCUMENTS

THIS DOCUMENT, AND THE DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF WEAVER CONSULTANTS GROUP, AND IS NOT TO BE USED IN WHOLE OR IN PART, WITHOUT THE WRITTEN AUTHORIZATION OF WEAVER CONSULTANTS GROUP.



Weaver  
Consultants  
Group

CHICAGO, ILLINOIS  
(312) 922-1030 www.wcgrp.com

DRAWN BY: RMD

REVIEWED BY: CP

DATE: 6/15/2022

FILE: 3747-312-04

CAD: SITELOC SRP.dwg

FIGURE 2

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The following is said ordinance as passed:

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. Chapter 11-8 of the Municipal Code of Chicago is hereby amended by adding a new Section 11-8-385 and by amending Section 11-8-390 by inserting the language in italics, as follows:

*11-8-385 Potable Water Defined.*

*Potable water is any water used for human consumption, including, but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce intended for human consumption is grown.*

*11-8-390 Prohibited Use Of Secondary Water; Prohibited Installation Of New Potable Water Supply Wells.*

No secondary water shall overflow into or be discharged into any surge tank, storage tank, or reservoir, or shall in any way be piped or conveyed into the water supply system of any building, structure, or premises to become a part of or be mixed with the fresh water supply from the mains of the Chicago Waterworks System either inside of the premises or in the water service pipe. Secondary water shall not be piped to or used in any plumbing fixture, or for cooling crushers, rollers, or mixers where foods, candies, liquids or materials are manufactured for human or animal consumption. No connection, tap, or opening shall be made in a water distribution system other than an approved water distribution system which will permit such water being used for drinking.

Wherever the fire-protective equipment in any building, structure or premises has service from the Chicago Waterworks System, no pipe or other conduit which conveys secondary water shall be cross-connected to the fire-protective equipment. All fire-protective equipment connected to the Chicago Waterworks System shall be constructed in such manner that

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all tanks, pipes, pumps, surge tanks, and fire hydrants can be thoroughly drained, flushed and cleaned by the owners of such equipment and premises and there shall be no direct connections from the tanks, pipes and other equipment to any drainage pipes or sewers. *No groundwater well, cistern or other groundwater collection device installed after the effective date of this amendatory ordinance may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by units of local government pursuant to intergovernmental agreement with the City of Chicago.*

SECTION 2. Section 2-30-030 of the Municipal Code of Chicago is hereby amended by deleting the language in brackets and inserting the language in italics, as follows:

2-30-030 Commissioner -- Powers And Duties Designated.

The commissioner of the environment shall have the following powers and duties:

\* \* \* \* \*

(21) To enter into grant agreements, cooperation agreements and other agreements or contracts with governmental entities, private business and civic and community groups necessary to implement the Green Streets Program and other urban forestry, beautification and environmental enhancement programs, *and agreements to implement the State of Illinois Site Remediation Program.*

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

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STATE OF ILLINOIS, }  
County of Cook. } ss.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office amending Title 11, Chapter 8 and Title 2, Chapter 38 of Municipal Code of Chicago by establishing the definition and regulation of the potable water supply system and Empowerment of Commissioner of Environment for Implementation of State of Illinois Site Remediation Program.

I DO FURTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the fourteenth (.14th) day of May, A.D. 1997 and deposited in my office on the fourteenth (.14th) day of May, A.D. 1997.

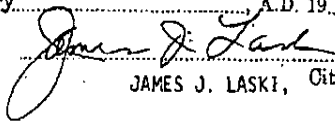
I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit: Yeas, 47, Nays, none.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the passage thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor did approve and sign the said ordinance on the fourteenth (.14th) day of May, A.D. 1997.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the [L.S.] County and State aforesaid, this third (.3rd) day of February, A.D. 1998.

ORIGINAL

  
JAMES J. LASKI, City Clerk.

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July 1, 1997

City of Chicago  
Richard M. Daley, Mayor

Department of Environment

Henry L. Henderson  
Commissioner

Twenty-fifth Floor  
30 North LaSalle Street  
Chicago, Illinois 60602-2575

(312) 744-7606 (Voice)

(312) 744-6451 (FAX)

(312) 744-3586 (TTY)

<http://www.ci.chi.il.us>

Mr. Gary P. King  
Manager, Division of Remediation Management  
Bureau of Land  
Illinois Environmental Protection Agency  
1001 N. Grand Avenue, East  
Springfield, IL 62702

Re: Chicago Ordinance No. 097990

Dear Mr. King:

Pursuant to 35 Ill. Adm. Code 742.1015(l)(2), Section 11-8-385 and 11-8-390 of the Municipal Code of Chicago, as amended by Ordinance No. 097990, apply to all areas within the corporate limits of the City of Chicago.

Sincerely,

  
Henry L. Henderson  
Commissioner

cc: Mort Ames  
Asst. Corp. Counsel



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**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHICAGO, ILLINOIS AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING (A) THE USE OF A LOCAL POTABLE WATER SUPPLY WELL ORDINANCE AS AN ENVIRONMENTAL INSTITUTIONAL CONTROL AND (B) THE PROVISION OF INFORMATION RELATING TO "NO FURTHER REMEDIATION" DETERMINATIONS BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY TO THE CITY OF CHICAGO**

## I. PURPOSE AND INTENT

- A. This Memorandum of Understanding ("MOU") is entered into between the City of Chicago, Illinois ("the City") and the Illinois Environmental Protection Agency ("Illinois EPA") for the purpose of (a) satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of potable water supply well ordinances as environmental institutional controls and (b) ensuring that the City will be provided with copies of all "No Further Remediation" letters or determinations issued by the Illinois EPA pursuant to specific programs for sites located within the boundaries of Chicago, Illinois, in order to enable the City to maintain a complete and up-to-date registry of sites as required by 35 Ill. Adm. Code 742.1015(i)(5). The Illinois EPA has reviewed Sections 11-8-385 and 11-8-390 of the Municipal Code of Chicago as amended by Ordinance Number 097990 ("Potable Water Supply Well Ordinance"), attached as Attachment A, and has determined that the Municipal Code of Chicago prohibits the installation and use of new potable water supply wells by private entities but will allow the installation of potable water supply wells by the City and other units of local government pursuant to intergovernmental agreements with the City. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the City may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.
- B. The intent of this Memorandum of Understanding is to (a) specify the responsibilities that must be assumed by the City to satisfy the requirements for MOUs as set forth at 35 Ill. Adm. Code 742.1015(i), and (b) require the Illinois EPA to provide the City with copies of all "No Further Remediation" letters or determinations that the Illinois EPA issues for sites located within the City of Chicago to enable the City to maintain a registry of sites pursuant to 35 Ill. Adm. Code 742.1015(i)(5).

## II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

- A. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance is effectively managed, the City hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742.1015(i):

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1. The City will notify the Illinois EPA Bureau of Land of any changes to or requests for variance from the Potable Water Supply Well Ordinance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015(i)(4));
2. The City will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA pursuant to specific programs (35 Ill. Adm. Code 742.1015(i)(5));
3. If the City determines to install a new potable water supply well(s), the City will review the registry of sites established under paragraph II.A.2. prior to siting such potable water supply well(s) within the area covered by the Potable Water Supply Well Ordinance, pursuant to 35 Ill. Adm. Code 742.1015(i)(6)(A);
4. If the City determines to install a new potable water supply well(s), the City will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraphs II.A.2. and 3. (35 Ill. Adm. Code 742.1015(i)(6)(B)); and
5. If the City determines to install a new potable water supply well(s), the City will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1015(i)(6)(C));
6. If the City enters into intergovernmental agreements under Section 11-8-390 of the Municipal Code of Chicago to allow other units of local government to install new potable water supply well(s) within the corporate limits of the City, the City will require compliance with the procedures set forth in paragraphs II.A.3., 4., and 5. as a part of such agreements.
7. Notification under paragraph II.A.1. above, or other communications concerning this MOU directed to the Illinois EPA, shall be addressed to:

Manager, Division of Remediation Management  
 Bureau of Land  
 Illinois Environmental Protection Agency  
 P.O. Box 19276  
 Springfield, IL 62794-9276

- B. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance or other specific programs can be effectively managed, the Illinois EPA hereby assumes

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the following responsibilities:

1. The Illinois EPA will provide the City with copies of all "No Further Remediation" letters or determinations that it issues pursuant to 35 Ill. Adm. Code 742, and other specific programs, for sites located within the boundaries of the City at the time said letters or determinations are provided to remediation applicants.
2. Copies of "No Further Remediation" letters or determinations provided to the City pursuant to paragraph II.B.1. above, or other communications concerning this MOU directed to the City, shall be addressed to:

Commissioner  
Chicago Department of Environment  
25th Floor  
30 North LaSalle Street  
Chicago, IL 60602-2575

### III. SUPPORTING DOCUMENTATION

The following documentation is required by 35 Ill. Adm. Code 742.1015(i) and is attached to this MOU:

- A. Attachment A: A copy of the Potable Water Supply Well Ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(i)(3)) and a statement of the authority of the City to enter into the MOU (35 Ill. Adm. Code 742.1015(i)(1)).;
- B. Attachment B: Identification of the legal boundaries within which the Potable Water Supply Well Ordinance is applicable (35 Ill. Adm. Code 742.1015(i)(2)); and

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IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

**FOR: The City of Chicago, Illinois**

BY: *Abos J. Henderson* DATE: *July 1, 1997*  
Commissioner  
Department of Environment  
City of Chicago

**FOR: Illinois Environmental Protection Agency**

BY: *Gary P. King* DATE: *July 3, 1997*  
(Name and title of signatory)  
Mgr, Division of Remediation Management  
Bureau of Land

Version 6/27/97

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## DEPARTMENT OF FLEET AND FACILITY MANAGEMENT CITY OF CHICAGO

March 7, 2012

Kyle Rominger  
Deputy Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East, P.O. Box 19276  
Springfield, IL 62794-0276

Dear Mr. Rominger:

Enclosed is the executed original of the amendment to the agreement between the Illinois Environmental Protection Agency and the City of Chicago regarding the Use of a Local Potable Water Supply Well Ordinance.

Thank you for your assistance with these changes.

Sincerely,

Kimberly Worthington, P.E., LEED AP  
Deputy Commissioner  
Bureau of Environmental Management

Enclosure

**RECEIVED**  
Division of Legal Counsel

MAR 14 2012

Environmental Protection  
Agency

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AGREEMENT TO AMEND THE MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF CHICAGO ILLINOIS AND THE ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY REGARDING (A) THE USE OF A LOCAL POTABLE WATER  
SUPPLY WELL ORDINANCE AS AN ENVIRONMENTAL INSTITUTIONAL CONTROL  
AND (B) THE PROVISION OF INFORMATION RELATING TO "NO FURTHER  
REMEDICATION" DETERMINATIONS BY THE ILLINOS ENVIRONMENTAL  
PROTECTION AGENCY TO THE CITY OF CHICAGO

This agreement is made and entered into by and between the Illinois Environmental Protection Agency ("IEPA") and the City of Chicago ("CITY") to amend the above referenced Memorandum of Understanding dated July 1997 ("1997 MOU").

WHEREAS, the IEPA and CITY entered into the 1997 MOU for the purpose of (a) satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of potable water supply well ordinances as environmental institutional controls and (b) ensuring that CITY will be provided copies of all "No Further Remediation" letters or determinations issued by IEPA pursuant to specific programs for sites located within the boundaries of Chicago, Illinois, in order to enable CITY to maintain a complete and up-to-date registry of sites as required by 35 Ill. Adm. Code 742.1015(i)(5); and

WHEREAS, the 1997 MOU provided at Section II B. 2. the address for copies of "No Further Remediation" letters, determinations, or other communications concerning the MOU to be directed to the CITY's Department of Environment at 25<sup>th</sup> Floor, 30 North LaSalle Street, Chicago, Illinois 60602; and

WHEREAS, a portion of the CITY's Department of Environment has been merged into the CITY's Department of Fleet and Facility Management as of January 1, 2012, and the 1997 MOU is now being administered by the CITY under its Department of Fleet and Facility Management; and

WHEREAS, the IEPA and CITY desire to correct the address to send copies of "No Further Remediation" letters, determinations, or other communications to the CITY listed at Section II B. 2. of the 1997 MOU; and

WHEREAS, the IEPA and CITY desire for all other provisions of the 1997 MOU to remain the same.

NOW, THEREFORE, IEPA and CITY hereby agree to amend that part of Section II B. 2. of the 1997 MOU that provides the address to send copies of "No Further Remediation" letters, determinations, or other communications to the CITY as follows, with all other parts of Section II B. 2. to remain the same:

Commissioner  
Chicago Department of Fleet and Facility Management  
30 North LaSalle Street  
Suite 300  
Chicago, Illinois 60602

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Commissioner  
Chicago-Department-of-Environment  
25th-Floor  
30-North-LaSalle-Street  
Chicago-Illinois-60602-2575

By the signatures of their authorized representatives below, the IEPA and CITY acknowledge they have read and understand this agreement and intend for this agreement to take effect upon execution.

City of Chicago, by and through the  
Department of Fleet and Facility Management:

Illinois Environmental Protection Agency

  
\_\_\_\_\_  
David J. Reynolds  
Commissioner  
Department of Fleet and Facility Management

  
\_\_\_\_\_  
John L. Kim  
Interim Director

Date: 02/02/12

Date: 2/22/12

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