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#### PREPARED BY:

Mr. Richard Golf Lakeshore Recycling Systems LLC 5500 Pearl Street, 3<sup>rd</sup> Floor Rosemont, IL 60018 Doc# 2328322010 Fee \$73.00

RHSP FEE:\$18.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 10/10/2023 10:40 AM PG: 1 OF 12

#### RETURN TO:

Mr. Richard Golf Lakeshore Recycling Systems LLC 5500 Pearl Street, 3<sup>rd</sup> Floor Rosemont, IL 60018

#### 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: 0316616500

Lakeshore Recycling Systems LLC, the Remediation Applicant, whose address is 5500 Pearl Street, Rosemont, IL 60018 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:

ALL THAT PART OF LOTS 1 AND 2 OF THE SUBDIVISION OF ELOCK 1 IN PACKER'S ADDITION TO CHICAGO, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 30, 1883 AS DOCUMENT NO. 511030, AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANCE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 IN THE SUBDIVISION OF BLOCK 1 IN PACKER'S ADDITION; THENCE NORTH 00 DEGREES 09 MINUTES 22 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 397.04 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE NORTH 00 DEGREES 09 MINUTES 22 SECONDS EAST ALONG THE WEST LINE OF THE EAST 25 ACRES OF SAID NORTHWEST QUARTER, 100.00 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 38 SECONDS WEST, 100.00 FEET TO THE EAST LINE OF LOT 7 IN PACKER'S FOURTH ADDITION; THENCE NORTH 00 DEGREES 09 MINUTES 22 SECONDS EAST ALONG SAID EAST LINE, 141.61 FEET; THENCE NORTH 85 DEGREES 20 MINUTES 38 SECONDS WEST, 66.50 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 652.95 FEET AND AN ARC DISTANCE OF 42.12 FEET, THE CHORD OF SAID ARC HAVING A LENGTH OF 42.11 FEET AND A BEARING OF NORTH 84 DEGREES 26 MINUTES 38 SECONDS WEST; THENCE NORTH 00 DEGREES 09 MINUTES 22 SECONDS EAST, 128.48 FEET; THENCE SOUTH 89 DEGREES 36 MINUTES 38 SECONDS EAST, 108.22 FEET TO THE EAST LINE OF LOT 6 IN PACKER'S FOURTH ADDITION; THENCE

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NORTH 00 DEGREES 09 MINUTES 22 SECONDS EAST ALONG SAID EAST LINE AND THE EXTENSION THEREOF, 253.92 FEET TO THE SOUTH LINE OF THE LAND CONVEYED BY A DEED DATED NOVEMBER 26, 1875 AND RECORDED FEBRUARY 11, 1876 AS DOCUMENT NO. 71660; THENCE EASTERLY ALONG SAID SOUTH LINE, BEING A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 2125.00 FEET AND AN ARC DISTANCE OF 100.38 FEET TO THE WEST LINE OF SAID EAST 25 ACRES, THE CHORD OF SAID ARC HAVING A LENGTH OF 100.37 FEET AND A BEARING OF SOUTH 84 DEGREES 56 MINUTES 15 SECONDS EAST; THENCE SOUTH 00 DEGREES 09 MINUTES 22 SECONDS WEST ALONG SAID WEST LINE, 4.10 FEET TO THE NORTH LINE OF THE LAND CONVEYED BY QUIT CLAIM DEEDS RECORDED AS DOCUMENT NO. 1525726037 AND 16020222078: THENCE SOUTHEASTERLY ALONG SAID NORTH LINE, BEING A CURVE CONCAVE TO THE SOUTHWEST ALONG SAID NORTH LINE HAVING A RADIUS OF 540.00 FEET AND AN ARC DISTANCE OF 408.96 FEET, THE CHORD OF SAID ARC HAVING A LENGTH OF 399.26 FEET AND A BEARING OF SOUTH 52 DEGREES 46 MINUTES 03 SECONDS EAST; THENCE SOUTH 31 DEGREES 04 MINUTES 17 SECONDS EAST, ALONG THE NORTHEASTERLY LINE OF SAID DOCUMENTS, 33.76 FFET; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE, BEING A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 463.34 FEET AND AN ARC DISTANCE OF 251.88 FEET, THE CHORD OF SAID ARC HAVING A LENCTH OF 248.79 FEET AND A BEARING OF SOUTH 15 DEGREES 29 MINUTES 53 SECONDS EAST; THENCE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS WEST ALONG A LINF 7.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF AFORESAID LOT 1 IN THE SUBDIVISION OF BLOCK 1 IN PACKER'S ADDITION TO CHICAGO, 506.87 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE EXHIBIT A TO LEASE AGREEMEN', FOR LRS OF AFORESAID BLOCK 1; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY EXTENSION AND SOUTH LINE OF SAID BLOCK 1 A DISTANCE OF 403.89 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 3:

THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 IN PACKER'S FOURTH ADDITION, A PRIVATE SUBDIVISION ACCORDING TO THE PLAT RECORDED JULY 25, 1877 AS DOCUMENT NUMBER 144039, THENCE NORTH 01 DEGREE 22 MINUTES 44 SECONDS WEST ALONG THE EAST LINE OF LOT 7, BEING ALSO THE WEST LINE OF PACKERS AVENUE 70.00 FEET TO A LINE THAT 1/3 100 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID NORTHWEST 1/4; THENCE NORTH 88 DEGREES 31 MINUTES 26 SECONDS EAST ALONG SAID PARALLEL LINE, 100 FEET TO THE EAST LINE OF PACKERS AVENUE; THENCE SOUTH 1 DEGREE 22 MINUTES 44 SECONDS ALONG SAID EAST LINE 70.00 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 7; THENCE SOUTH 88 DEGREES 31 MINUTES 26 SECONDS WEST ALONG SAID EXTENSION 100 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

2. Common Address: 1300 West Exchange Avenue (aka 4121 South Packers Avenue), Chicago, IL

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3. Real Estate Tax Index/Parcel Index Number: 20-05-102-019-0000

20-05-102-046-0000 20-05-102-027-0000 20-05-102-011-0000 20-05-102-012-0000 20-05-102-025-0000 20-05-102-024-0000 20-05-102-023-0000 20-05-106-001-0000 20-05-106-006-0000 20-05-106-007-0000 20-05-106-008-0000 20-05-106-003-0000

- 4. Remediation Si e Owner: OSCAR (IL) LLC
- 5. Land Use: Industrial/Commercial
- 6. Site Investigation: Focused

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

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#### **TABLE A:** Regulated Substances of Concern

#### LPC# 0316616500/Cook County Chicago/1300 West Exchange, LLC Site Remediation/Technical

BTEX		
CAS No.	Compound Name	
71-43-2	Benzene	
100-41-4	Ethylbenzene	
108-88-3	Toluene	
1330-20-7	Xylene (totals)	

Polynuclear Aromatic	
Compounds (PNAs)	
CAS No.	Compound Name
208-96-8	Acenaphthalene
83-32-9	Aceraphthene
120-12-7	Anthracene
56-55-3	Benzo(a)arııi racene
205-99-2	Benzo(b)fluc ranthene
207-08-9	Benzo(k)fluoranthene
191-24-2	Benzo(g,h,i)peryler e
50-32-8	Benzo(a)pyrene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene

Inorganics		,	
CAS No.	Compound Name	· · · · · · · · · · · · · · · · · · ·	
	. •	4	•
7439-92-1	Lead		



### ILLINOIS ENVERONMENTAL PROTECTION AGENCY

021 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

September 8, 2023

CERTIFIED MAIL
7022 1670 0001 4382 2379

Mr. Richard Golf Lakeshore Recycling Systems LLC 5500 Pearl Sweet, 3rd Floor Rosemont, IL 60018

Refer to: 0316616500/Cook County

Chicago/1300 West Exchange, LLC

Site Remediation/Technical No Further Remediation Letter

Dear Mr. Golf:

The Remedial Action Completion Report (received March 24, 2023/Log No. 23-76268), as prepared by Civil and Environmental Consultants, L.c. for the above referenced Remediation Site, has been reviewed and approved by the Illinois Environmental Protection Agency ("Illinois EPA"). This report demonstrates the remediation objectives approved for the site, in accordance with 35 Illinois Administrative Code Part 742 are above the existing concentrations of regulated substances and the remedial action was completed in accordance with the Remedial Action Plan (received December 9, 2013/Log No. 13-55463); as amended by the Amended Remedial Action Plan (received March 28, 2014/Log No. 14-56283), as amended by the Amended Remedial Action Plan (received February 10, 2015/Log No. 15-58662), as amended by the Amended Remedial Action Plan (received May 11, 2020/Log No. 20-71343), as amended by the Amended Remedial Action Plan #2 (received March 1, 2022/Log No. 22-74358) and 35 Illinois Administrative Code Part 740.

The Remediation Site, consisting of 9.836 acres, is located at 1300 West Exchange Avenue (aka 4121 South Packers Avenue), 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 March 1, 2022/Log No. 22-74358), is Lakeshore Recycling Systems LLC.

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This focused 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 for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms of this Letter.

#### **Conditions and Terms of Approval**

#### Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions characterized by the focused site investigation and successfully addressed, consist of the contaminants of concern identified in the attached Table A.
- 2) The Remediation Site is restricted to industrial/commercial land use.
- 3) 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:**

4) 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 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.

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#### **Engineering Controls:**

- 5) 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.
- 6) 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 inhalation and ingestion of the contaminated media.

#### Institutional Controls:

- 7) No person shall construct, install, maintain, or operate a well at the Remediation Site. All water supplies and vater services for the Remediation Site must be obtained from a public water supply system. The provisions of this institutional control shall be applicable to all water usage (e.g., domestic, industrial/commercial uses and outdoor watering).
- 8) Any existing buildings or any fixure buildings constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sumps.

#### **Other Terms**

- 9) Where the Remediation Applicant is <u>not</u> 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;

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- 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;
- 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) Lakeshore Recycling Systems 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;

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- 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;

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- 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-ininterest 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 or 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 1300 West Exchange, LLC property.
- 14) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

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 1300 West Exchange, LLC property, you may contact the Illinois EPA project manager, Michael Meng at (217) 524-7207.

Sincerely,

Jeron Schultz, Manager

Remedial Project Management Section Division of Remediation Management

Bureau of Land

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SOOF COUNTY CICRAS OFFICE

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Attachments: Illinois EPA Site Remediation Program Environmental Notice

Site Base Map

Table A: Regulated Substances of Concern

Property Owner Certification of the NFR Letter under the Site Remediation

Program Form

Instructions for Filing the NFR Letter

cc: Mr. Peter Bates

OSCAR (IL) LLC c/o W.P. Carey, Inc.

50 kockefeller Plaza

New York, NR 100-20-1607

Mr. Steven Kroll, Civil & Environmental Consultants, Inc.

skroll@cecinc.com

Bureau of Land File

Ms. Christina Gunther

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

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including but not limited to:

- for corporations, a principal executive officer of at least the level of vicepresident;
- 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, at ach 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.

etter.	
}	Property Owner Information
	Owner's Name: Oscar (IL) LLC
	Title: Sam Rubenstein, Vice President Company: W.P. Carey Inc.
	Street Address: 395 9th Avenue, 58th Floo
	City: New York State: NY Zip Code: 10001 Phone: (212) 492-1156
	Site Information
	Site Name: Lakeshore Recycling Systems LLC (1300 West Exchange, LLC)
	Site Address: 1300 West Exchange Avenue (aka 4121 South Packers Avenue)
	y: Chicago State: IL Zip Code: 60609 Courty: Cook
	nois inventory identification number: 0316616500
ı	al Estate Tax Index/Parcel Index No. 20-05-102-019-0000; 20-05-102-046-0000; 20-05-102-027-0007; 20-05-102-011-0000; 20-05-102
	102-102-02-000, 20-03-102-02-100-03-000, 20-03-100-03-000, 20-03-100-03-000, 20-03-100-03-000, 310 20-03-100-03-000
	ereby certify that I have reviewed the attached No Further Remediation Letter and that I accept ne terms and conditions
and	any land use limitations set forth in the letter.
0,,,	mer's Signature: Date: 10-3-2-3
] Ow	ners signature.
SUE	BSCRIBED AND SWORN TO BEFORE ME GILLIAN RICHARDS-DESHONG
this	Notary Public, State of New York
<b> </b>	Registration #01RI6319653
$\uparrow \chi_{\lambda}$	Qualified In Kings County Commission Expires 2/23/2
1	Notary Public
L_Y	

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.