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PREPARED BY:

Jerry Ebert
ZoE Life Evanston Labs Owner
LLC
700 Commerce Drive, Suite 455
Oakbrook, IL 60623



Doc# 2417207010 Fee \$88.00
ILRHSP FEE:\$18.00 RPRF FEE:\$1.00
CEDRIC GILES

COOK COUNTY CLERK'S OFFICE

DATE: 6/20/2024 10:46 AM

PAGE: 1 OF 8

RETURN TO:

Jerry Ebert
ZoE Life Evanston Labs Owner
LLC
700 Commerce Drive, Suite 455
Oakbrook, IL 60623

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: 0310815405

ZoE Life Evanston Labs Owner LLC, the Remediation Applicant, whose address is 700 Commerce Drive, Suite 455, Oakbrook, Illinois 60623 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: THE EAST 50 FEET OF LOT 12 IN BLOCK 16 IN THE VILLAGE (NOW CITY) OF EVANSTON IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO

PARCEL 2: PART OF LOT 1 IN BLOCK 16 IN VILLAGE (NOW CITY) OF EVANSTON IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE EASTERLY LINE OF SAID LOT 1, 81 FEET NORTHEASTERLY OF THE SOUTH EAST CORNER OF SAID LOT; RUNNING THENCE NORTHEASTERLY ON SAID EASTERLY LINE, 77 FEET 9-5/8 INCHES TO THE NORTH EAST CORNER OF SAID LOT 1; RUNNING THENCE WESTERLY ON THE NORTH LINE OF SAID LOT 1, 118 FEET 7-1/2 INCHES, MORE OR LESS TO THE NORTH WEST CORNER OF SAID LOT 1; RUNNING THENCE SOUTH ON THE WEST LINE OF SAID LOT, 51 FEET 3 INCHES TO A POINT ON SAID WEST LINE 99 FEET NORTH OF THE SOUTH WEST CORNER OF SAID LOT; RUNNING THENCE SOUTHEASTERLY 96 FEET 7 INCHES MORE OR LESS, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO

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PART OF LOT 1 IN BLOCK 16 IN VILLAGE (NOW CITY) OF EVANSTON IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EASTERLY LINE OF SAID LOT 1, 49 FEET NORTHERLY OF THE SOUTH EAST CORNER OF SAID LOT, THENCE RUNNING NORTHEASTERLY ON SAID EAST LINE 32 FEET; THENCE NORTHWESTERLY 96 FEET 7 INCHES, MORE OR LESS, TO A POINT ON THE WEST LINE OF SAID LOT, 99 FEET NORTH OF THE SOUTH WEST CORNER OF SAID LOT, RUNNING THENCE SOUTH ON SAID WEST LINE, 32 FEET; THENCE SOUTHEASTERLY 85 FEET 7-1/2 INCHES, TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PROPERTY DESCRIPTION, FILE NO: NCS-1060580-MPLS

THAT PART OF LOT 1 IN BLOCK 16 IN EVANSTON, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID LOT 1; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE 49 FEET; THENCE NORTHWESTERLY TO A POINT IN THE WEST LINE 67 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG THE WESTERLY LINE 67 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE EAST ALONG THE SOUTH LINE 70.33 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

2. Common Address: 710 Clark Street, Evanston, IL
3. Real Estate Tax Index/Parcel Index Number: 11-18-127-012-0000
11-18-127-019-0000
4. Remediation Site Owner: ZoE Life Evanston Labs Owner LLC
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)



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

June 10, 2024

CERTIFIED MAIL

7022 3330 0000 8734 4806

Jerry Ebert
 ZoE Life Evanston Labs Owner LLC
 700 Commerce Drive, Suite 455
 Oakbrook, IL 60123

Refer to: 0310815405/Cook County
 Evanston/Evanston Labs
 Site Remediation/Technical
 No Further Remediation Letter

Dear Mr. Ebert:

The *Remedial Action Completion Report* (received March 14, 2024/Log No. 24-77933), as prepared by GEI Consultants, Inc. 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 0.494 acres, is located at 710 Clark Street Evanston, 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 February 16, 2023/Log No. 23-76104), is ZoE Life Evanston Labs Owner 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
 115 S. LaSalle Street, Suite 2203, Chicago, IL 60603
 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 approved for Residential and/or Industrial/Commercial land use.
- 2) The land use specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 3) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below 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:

There are no engineering controls required.

Institutional Controls:

- 4) Any existing buildings or any future buildings constructed on the site must contain a full concrete slab-on-grade floor or full concrete basement floor and walls with no sumps.

Other Terms

- 5) 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.

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- 6) 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

- 7) 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;
- 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.

- 8) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) ZoE Life Evanston Labs Owner LLC;
- b) The owner and operator of the Remediation Site;

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- 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.
- 9) 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 Evanston Labs property.
- 10) 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

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11) 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 Evanston Labs property, you may contact the Illinois EPA project manager, Kimberly Brown at 217-524-0007.

Sincerely,

TH 

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
Property Owner Certification of the NFR Letter under the Site Remediation
Program Form
Instructions for Filing the NFR Letter

cc: Jay Basso
GEI Consultants, Inc.
jbasso@geiconsultants.com

Bureau of Land File

Ms. Christina Gunther

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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