

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

72-76-978 F 3

The following information is provided pursuant to the Responsible Property Transfer Act of 1988

For Use By County Recorder's Office
County
Date
Doc. No.
Vol.
Page
Rec'd by:

\$18.00

I. PROPERTY IDENTIFICATION:

A. Address of property: 3475 N Clark St
Street
Chicago, Ill Lakeview
City or Village Township

Permanent Real Estate Index No: 14-20-403-017-0000

B. Legal Description:
Section 20 Township 40 North Range 14
Enter or attach complete legal description in this area:

Lot 33 in Block 1 in the Resubdivision of Lot 2 of Assessor's Subdivision of the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 40 North, Range 14 East of the 3rd P.M.

Prepared By: Robert W. Kaufman Return To: Box 333 in Cook County, Ill
name name
321 N Clark St AFFILIATED BANK
address address
Chicago, Ill 60610 7952 N. LINCOLN AVENUE
SKOKIE, ILLINOIS 60077
HAN CLYDE SPOFFORD

LIABILITY DISCLOSURE

Transferees and transferees of real property are advised that their ownership or other control of such property may render them liable for any environmental clean-up costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

C. Property Characteristics:

Lot Size 1,975 sq ft Acreage .045
Check all types of improvement and uses that pertain to the property:
 Apartment building (6 units or less)
 Commercial apartment (over 6 units)
 Store, office, commercial building
 Industrial building
 Farm, with buildings
 Other (specify) MIXED USE - 1 STORE 2 APTS

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COOK COUNTY CLERK

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II. NATURE OF TRANSFER:

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| A. (1) Is this a transfer by deed or other instrument of conveyance? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) A lease exceeding a term of 40 years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (4) A mortgage or collateral assignment of beneficial interest? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

B. (1) Identify Transferor:

NOBORU ASATO
Name

3406 N. ALBANY
Current Address of Transferor

CHICAGO, ILL 60618

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust. (Trust No.)

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

NOBORU ASATO

Name
(SAME)

Position (if any)

Address

Telephone No.

C. Identify Transferee:

MAMORU YOKOMORI AND MICHIE YOKOMORI
Name

6442 N. Spaulding LINCOLNWOOD, ILL 60645
Current Address of Transferee

III. NOTIFICATION

Under the Illinois Environmental Protection Act,² owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act³ states:

"Notwithstanding any other provision (or rule) of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois as a result of a release or substantial threat of a release of a hazardous substance:

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- (1) The owner and operator of a facility or vessel from which there is a release of substantial threat of release of a hazardous substance;
- (2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance;
- (3) Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances owned, controlled or possessed by such person at a facility there is a release or substantial threat of a release of such hazardous substances; and
- (4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance."

2. Section 4(q) of the Act⁴ states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(k) of the Act states:

"If any person who is liable for a release or substantial threat of release of a hazardous substance fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the agency upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as result of such failure to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act⁵ states:

"Notwithstanding any other provision or rule or law, except as provided otherwise in subsection (b), the owner or operator, or both, of an underground storage tank shall be liable for all costs of preventive action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of release of petroleum from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes in the text of the statutes cited, but no disclosure statement shall be invalid merely because it sets forth an obsolete or superseded version of such text.

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IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage or handling of "hazardous substances", as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximate amount, concentration and manner as they are sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing or cleaning operations on the property.

Yes
No

2. Has the transferor ever conducted operations on the property which involved the processing, storage or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes
No

3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment or disposal of "hazardous or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

Yes
No

4. Are there any of the following specific units (operating or closed) at the property which are or were used by the transferor to manage waste, hazardous wastes, hazardous substances or petroleum?

	YES	NO
Landfill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Treatment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Pile	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Incinerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Container Storage Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Injection Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wastewater Treatment Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Septic Tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transfer Stations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Recycling Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Treatment Detoxification	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Land Disposal Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, attach a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency along with this disclosure document.

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5. Has the transferor ever held any of the following in regard to this real property?

- | | | |
|--|-----|-------------------------------------|
| a. Permits for discharges of wastewater to waters of the State. | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| b. Permits for emissions to the atmosphere. | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| c. Permits for any waste storage, waste treatment or waste disposal operation. | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |

6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes
No

7. Has the transferor taken any of the following actions relative to this property?

- | | | |
|--|-----|-------------------------------------|
| a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| b. Filed an Emergency and Hazardous Chemical Inventory form pursuant to the Federal Emergency Planning and Community Right-to-Know Act of 1986. ⁶ | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |

8. Has the transferor or any facility on the property or the property been the subject of any of the following State or federal governmental actions?

- | | | |
|--|-----|-------------------------------------|
| a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| b. Filing an environment enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| c. If item b. was answered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property. | Yes | <input type="checkbox"/> |
| | No | <input type="checkbox"/> |

9. Environmental Releases During Transferor's Ownership

- | | | |
|---|-----|-------------------------------------|
| a. Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under State or federal laws? | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |

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c. If the answers to questions (a) and (b) are Yes, have any of the following actions or events been associated with a release on the property?

- Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials
- Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials
- Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act
- Sampling and analysis of soils
- Temporary or more long-term monitoring of groundwater at or near the site
- Impaired usage of an on-site or nearby water well because of offensive characteristics of the water
- Coping with fumes from subsurface storm drains or inside basements, etc.
- Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site

10. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?

Yes _____
No

11. Is there any explanation needed for clarification of any of the above answers or responses?

B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

1. Provide the following information about the previous owner or any entity or person the transferor leased the site to or otherwise contracted with for the management of the site or real property:

Name: Property acquired in 1973 -
no knowledge of prior use or ownership

Type of business/ _____
or property usage _____

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2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, other contracts for management or use of the facilities or real property:

	YES	NO
Landfill	_____	<u> X </u>
Surface Impoundment	_____	<u> X </u>
Land Treatment	_____	<u> X </u>
Waste Pile	_____	<u> X </u>
Incinerator	_____	<u> X </u>
Storage Tank (Above Ground)	_____	<u> X </u>
Storage Tank (Underground)	_____	<u> X </u>
Container Storage Area	_____	<u> X </u>
Injection Wells	_____	<u> X </u>
Wastewater Treatment Units	_____	<u> X </u>
Septic Tanks	_____	<u> X </u>
Transfer Stations	_____	<u> X </u>
Waste Recycling Operations	_____	<u> X </u>
Waste Treatment Detoxification	_____	<u> X </u>
Other Land Disposal Area	_____	<u> X </u>

V. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

Michael Grant
TRANSFEROR
(or on behalf of Transferor)

B. This form was delivered to me with all elements completed on

 9/25 19 90

Michael Grant
TRANSFEEEE
(or on behalf of Transferee)

C. This form was delivered to me with all elements completed on

 9-25 19 90

Affiliated Bank/CHICAGO

BY: *Sally A. ...*
LENDER *REBE*

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