

# UNOFFICIAL COPY

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## ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY



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

For Use By County

Buyer: ROBERT W. PAULIOTIS

Recorder's Office

Seller: ~~Amherst Trust and Savings Bank Trust No. 2235~~

County

Seller: Larry E. Henhayat

Date

Document No.:

Doc. No.

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Rec'd by: \_\_\_\_\_

### I. PROPERTY IDENTIFICATION:

A. Address of property: Unit 11E, 6301 North Sheridan Road, Chicago, Lake View

Street

City or Village

Township

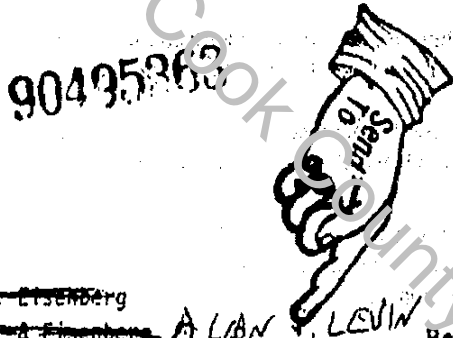
Permanent Real Estate Index No.: 14-05-203-011-1144

### B. Legal Description:

Section 5 Township 40N Range 14

Enter or attach current legal description in this area:

See Exhibit A Attached Here to



DEPT-01 RECORDING \$16.25  
T43333 TRAM 0084 10/10/90 13:21:00  
\$2601.40 \*90-495363  
COOK COUNTY RECORDER

ALAN S. LEVIN

Marshall E. Eisenberg

Prepared by: ~~Neal Barber & Eisenberg~~ ALAN S. LEVIN  
111 W. WASHINGTON #1319  
202 South LaSalle Street, Suite 1000  
Chicago, Illinois address 60602

Return to: ~~Marshall E. Eisenberg~~  
111 W. WASHINGTON #1319  
202 South LaSalle Street, Suite 1000  
Chicago, Illinois address 60602

### 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. Transferor is the owner of condominium unit no. 11E (the "Unit") at 6301 N. Sheridan Rd., Chicago, Illinois and is making the following disclosures with respect to this Unit only to the best of his knowledge.

### C. Property Characteristics:

Lot Size \_\_\_\_\_ Acreage \_\_\_\_\_

Check all types of improvement and uses that pertain to the property:

Apartment building (6 units or less)

Industrial building

Commercial apartment (over 6 units)

Farm, with buildings

Store, office, commercial building

Other, specify Condominium Unit

### II. NATURE OF TRANSFER:

A. (1) Is this a transfer by deed or other instrument of conveyance? Yes  No

(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? Yes  No

(3) A lease exceeding a term of 40 years? Yes  No

(4) A mortgage or collateral assignment of beneficial interest? Yes  No

1025

036781-A 20f3

First American Title Order #

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- B. (1) Identify Transferor: LARRY L. HONHAYAT  
~~Amalgamated Trust and Savings Bank Trust No. 3635, One W. Monroe, Chicago, Illinois 60609~~  
Name and Current Address of Transferor
- 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: ALAN S. LEVIN  
~~Marshall E. Eisenberg, agent for beneficiaries of Trust No. 3635 at 312/269-8000~~  
Name, Position (if any), and address ROBERT W. PHILIPIS, 6301 N. SACRIAN Telephone No. CNISCALD
- C. Identify Transferee: Larry L. Honhaya, 274, 1308 W. Lunt, Chicago, Illinois 60626  
Name and Current Address of Transferee 122

### III. NOTIFICATION

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

#### 1. Section 22.2(i) of the Act 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:

- (1) The owner and operator of a facility or vessel from which there is a release or 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 Act 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 or 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 Act states:

"Notwithstanding any other provision or rule of 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.

### 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 X

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 X

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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 X

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

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.

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 \_\_\_\_\_ No X
- b. Permits for emissions to the atmosphere. Yes \_\_\_\_\_ No X
- c. Permits for any waste storage, waste treatment or waste disposal operation. Yes \_\_\_\_\_ No X

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

Yes \_\_\_\_\_ No X

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 \_\_\_\_\_ No X
- b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes \_\_\_\_\_ No X
- c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes \_\_\_\_\_ No X

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 \_\_\_\_\_ No X
- b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. Yes \_\_\_\_\_ No X
- 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 \_\_\_\_\_ No X

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 \_\_\_\_\_ No X
- b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes \_\_\_\_\_ No X
- 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 \_\_\_\_\_ Unknown \_\_\_\_\_

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

condominium unit owner at 6301 North Sheridan Road, Chicago, Illinois and has attempted to complete  
this Disclosure Statement to the best of its ability. All responses relate to Transferor's specific unit (Unit 11E)  
at 6301 N. Sheridan Road, Chicago, Illinois. For further information, contact Shoreline Towers Condominium,  
6301 North Sheridan Road, Chicago, Illinois, 60660, 312/338-1300.

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## 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: \_\_\_\_\_ Unknown: \_\_\_\_\_

Type of business/ \_\_\_\_\_  
or property usage \_\_\_\_\_

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

## 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:

*This form was delivered to me with all elements completed on October 3, 1998*

*Robert W. Philo*  
\_\_\_\_\_  
Robert W. Philo  
type or print name

TRANSFEREE

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

19<sup>90</sup>

*Alan S. Lew*  
\_\_\_\_\_  
ALAN S. LEW  
signature, Alan S. Lew, Buyer

type or print name

~~TRANSFEREE OR TRANSFEROR~~ (As on behalf of Transferee)

TRANSFEROR

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

19\_\_\_\_\_

signature

type or print name

LENDER

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(Ch. 30, par. 906)

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## LEGAL DESCRIPTION

UNIT NO. 11-E IN SHORELINE TOWERS CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

THAT PART OF LOTS 9, 10, 11 AND 12 AND THE ACCRETIONS THEREOF IN BLOCK 1 IN COCHRAN'S SECOND ADDITION TO EDGEWATER IN SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE EAST LINE OF SHERIDAN ROAD AS NOW LOCATED AND WEST OF THE WEST LINE OF LINCOLN PARK AS ESTABLISHED BY DECREE IN CASE B 84157 AND CASE 57 C 1554 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NO. 24559390 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

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