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## ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

90628378

The following information is provided pursuant to the Responsible Property Transfer Act of 1988  
Seller: \_\_\_\_\_  
Buyer: \_\_\_\_\_  
Document No: \_\_\_\_\_

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

### I. PROPERTY IDENTIFICATION:

A. Address of Property: Palatine Twp. Street City or Village Township  
Permanent Real Estate Index No: 07-34-315-003 thru 007, 07-34-315-009 thru 015  
07-34-315-017 thru 021

B. Legal Description:  
Section 34 Township 41 North Range 10E, 3rd PM

Enter or attach current legal description in this area: See attached

Prepared By: John E. Prince on behalf of Return To: \_\_\_\_\_  
Name: Commonwealth Edison Company Name: \_\_\_\_\_  
Address: P.O. Box 767; Chicago, IL 60690 Address: A. McCormack

### 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 cleanup costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

C. Property Characteristics:  
Lot Size \_\_\_\_\_ Acreage 2.030 Acres

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) Vacant Land

COOK COUNTY, ILLINOIS

1990 DEC 28 PM 2:46

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71-27-706 DG

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12345  
P.O. Box 16024 ED

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## II. NATURE OF TRANSFER

- |   | <u>Yes</u> | <u>No</u> |
|---|------------|-----------|
| A. 1. Is this a transfer by deed or other instrument of conveyance?                                   | <u>X</u>   | —         |
| 2. Is this a transfer by assignment of over 25% of the beneficial interest of an Illinois land trust? | —          | <u>X</u>  |
| 3. A lease of exceeding a term of 40 years?   | —          | <u>X</u>  |
| 4. A mortgage or collateral assignment of beneficial interest?  | —          | <u>X</u>  |

### B. 1. Identify Transferor:

Commonwealth Edison Co., P.O. Box 767, Chicago, IL 60690, As sole beneficiary of Chicago Title and Trust Company Trust #45553

Name and current address of Transferor

Name and address of Trustee if this is a transfer of beneficial Trust No. \_\_\_\_\_ interest of a land trust

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

Diane H. Richardson, Senior Chemist, Commonwealth Edison Co., P.O. Box 767, Chicago, Illinois 60690 312/294-4438

Name, position (if any), and address

Telephone No.

### C. Identify Transferee:

Illinois Department of Transportation

Name and current address of Transferee

## III. NOTIFICATION

Under the Illinois Environmental Protection Act<sup>1</sup>, owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act<sup>2</sup> 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;

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## III. NOTIFICATION (continued)

- (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 where 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(c) of the Act<sup>4</sup> 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 three 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 to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered 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<sup>5</sup> 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.

## IV. ENVIRONMENTAL INFORMATION

### A. 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

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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 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 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?

Landfill	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Surface Impoundment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Land Treatment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Waste Pile	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Incinerator	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Storage Tank (above ground)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Storage Tank (underground)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Container Storage Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Injection Wells	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Wastewater Treatment Units	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Septic Tanks	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Transfer Stations	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Waste Recycling Operations	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Waste Treatment Detoxification	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Other Land Disposal Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If there are "Yes" answers to any of the 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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Permits for emissions to the atmosphere	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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- 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<sup>5</sup> 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 transactions?
- a. Written notification regarding known, suspected or alleged contamination (in 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 \_\_\_
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? Yes \_\_\_ No \_\_\_

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- 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 response?

No \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 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: Howard Acceptance Company, Harold E. Danzer, Ronald Kral,  
Rose Maday, Western National Bank of Cicero, Cosmopolitan  
National Bank of Chicago

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:

Landfill	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Surface Impoundment	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Land Treatment	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Waste Pile	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Incinerator	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Storage Tank (above ground)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Storage Tank (underground)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Container Storage Area	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Injection Wells	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Wastewater Treatment Units	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Septic Tanks	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Transfer Stations	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Waste Recycling Operations	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Waste Treatment Detoxification	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Other Land Disposal Area	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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## 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.

*Brian M McCann*

Signature

Brian M. McCann

(type or print name)

Transferor or Transferors (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on 12-28, 1990.

*Thomas Falduto*

Signature

Thomas Falduto

(type or print name)

Transferee or Transferees (or on behalf of Transferee)

C. This form was delivered to me with all elements completed on \_\_\_\_\_, 19\_\_\_\_.

Signature

(type or print name)

Lender

<sup>1</sup>Chapter 111-1/2 Section 1001 et seq.

<sup>2</sup>Chapter 111-1/2 Section 1002.2.

<sup>3</sup>Chapter 111-1/2 Section 1004.

<sup>4</sup>Chapter 111-1/2 Section 1022.18.

<sup>5</sup>42 USCA Section 11001 et. seq.

Form Reflects September 6, 1989 Amendment

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All of Lots 7, 8, 9, 10, 11 and the North Half of Lot 12 and all of Lot 13 in Block 16 in N. O. Shively and Company's High View Addition in Section 34, Township 41 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois.

Said parcel containing 1.431 Acres, more or less.

## AND ALSO

That part of Lots 1, 2, 3, 4, 5 and 14 in Block 16 in N. O. Shively and Company's High View Addition in Section 34, Township 41 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois; described as follows:

Beginning at the Northeast corner of said lot 1; thence South 00 degrees 21 minutes 02 seconds West, bearing based on Illinois State Plane Coordinates East Zone, along the east line of said lots 1 through 5, inclusive, 300.62 feet to the Southeast corner of said lot 5; thence South 86 degrees 53 minutes 48 seconds West along the south line of said lots 5 and 14 a distance of 248.83 feet to the Southwest corner of said lot 14; thence North 00 degrees 28 minutes 25 seconds East along the west line of said lot 14 a distance of 85.43 feet; thence South 69 degrees 14 minutes 54 seconds East 153.22 feet; thence North 55 degrees 10 minutes 53 seconds East 50.88 feet; thence North 04 degrees 18 minutes 06 seconds East 252.01 feet to the north line of said lot 1; thence North 86 degrees 45 minutes 26 seconds East along said north line 45.92 feet to the point of beginning.

Said parcel containing 0.599 Acres, more or less.

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