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ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

For Use By County

Recorder's Office

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

County

Date

Doc. No.

Vol.

Page

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. COOK COUNTY RECORDER

I. PROPERTY IDENTIFICATION:

A. Address of property: 1839 E. Railroad Ave., Evanston
Street City or Village Township

Permanent Real Estate Index No.: 11-18-112-036

B. Legal Description:

Section 18 Township 41N Range 14

Enter or attach current legal description in this area:

SEE EXHIBIT A ATTACHED HERETO

LIABILITY DISCLOSURE

Transferors 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.

Please return to: Mary Lou Kennedy
Ticor Title Insurance Co.
203 N. LaSalle St., Suite 1400
Chicago, IL 60601
Re: NL4-18604-14 / 253824

Box 15

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C. Property Characteristics:

Lot Size approx. 100'x150' Acreage approx. 0.45

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 building
- Other (specify)

II. NATURE OF TRANSFER

- | | <u>Yes</u> | <u>No</u> |
|--|--------------------------|-------------------------------------|
| A. (1) Is this a transfer by deed or other instrument of conveyance? | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> |

B. (1) Identify Transferor:

CHS 1839 Railroad Associates Limited Partnership,
pursuant to a Ground Lease dated December 7, 1989

Name and Current Address of Transferor
by and between Transferor, as Ground Lessee, and
Research Park, Inc., as Ground Lessor
676 St. Clair, Suite 2200, Chicago, IL 60611

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N/A
Name and Address of Trustee if Trust No.
this is a transfer of a beneficial
interest of a land trust.

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

information contained in this form is Evanston, Inc. which
Robert J. Winter, Jr., as Vice President of this Evanston, Inc. which
is the General Partner of Transferor, 676 St. Clair, Suite 2200,
Chicago, IL (312) 943-8800
Name, Position (if any), and Address Telephone No.

C. Identify Transferee:

NBD Bank Evanston, Orrington at Davis, Evanston, IL 60204
Name and Current Address of Transferee

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(f) 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;

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(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 owned or operated by another party or entity from which 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

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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 (a) result of such failure to take such removal or remedial action. The punitive damages 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 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."

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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

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handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes _____

No X

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 |
|-----------------------------|-------|--------------|
| 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> |

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| | <u>YES</u> | <u>NO</u> |
|--------------------------------|------------|------------|
| Wastewater Treatment Units | _____ | X _____ |
| Septic Tanks | _____ | X _____ |
| Transfer Stations | _____ | X _____ |
| Waste Recycling Operations | _____ | X _____ |
| Waste Treatment Detoxification | _____ | X _____ |
| Other Land Disposal Area | _____ | X _____ |

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

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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
- 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
- c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes No

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
- 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

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- c. If item b. was answered by checking Yes _____
Yes, then indicate whether or not
the final order or decree is still No _____
in effect for this property.

9. Environmental Releases During Transferor's Ownership

a. Has any situation occurred at this site which resulted in 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

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- 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?
Transferor is the Ground Lessee of the Property pursuant to a Ground Lease dated December 7, 1989 with Research Park, INC. as Ground Lessor. The property contains an underground storage tank ("UST") which has not been used for a considerable time and has never been used by Transferor. This UST is currently being removed from the property in accordance with applicable local, state and federal regulations. (See Section B, Question 2)

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

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or otherwise contracted with for the management of the site or real property:

Name: _____

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 |
|-----------------------------|------------|------------|
| Landfill | _____ | X _____ |
| Surface Impoundment | _____ | X _____ |
| Land Treatment | _____ | X _____ |
| Waste Pile | _____ | X _____ |
| Incinerator | _____ | X _____ |
| Storage Tank (Above Ground) | _____ | X _____ |
| Storage Tank (Underground) | X _____ | _____ |
| Container Storage Area | _____ | _____ |
| Injection Wells | _____ | X _____ |
| Wastewater Treatment Units | _____ | X _____ |
| Septic Tanks | _____ | X _____ |
| Transfer Stations | _____ | X _____ |
| Waste Recycling Operations | _____ | X _____ |

(See Question 11)

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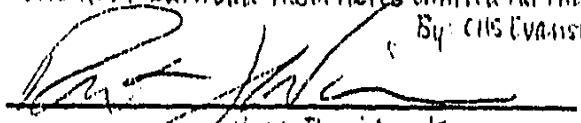
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| | <u>Yes</u> | <u>No</u> |
|--------------------------------|------------|-------------|
| Waste Treatment Detoxification | _____ | _____X_____ |
| Other Land Disposal Area | _____ | _____X_____ |

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.

CNS 1839 Railroad Associates Limited Partnership
By: CNS Evanston, Inc.



Vice President

TRANSFEROR

(or on behalf of Transferor)

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

_____ Feb 2 1990
NBD Bank Evanston N.A.
By: 

Vice President

TRANSFEE

(or on behalf of Transferee)

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

_____ 19____

LENDER

After Recording Return To:
Patrice M. Gliniecki, Esq.
333 W. Wacker Drive
Suite 2100
Chicago, IL 60606

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EXHIBIT A

Lots 13, 14 and 15 in Block 1 in Circuit Court
Subdivision in Partition of Lot 22 in Clerk's Division of
unsubdivided Lands in Section 18, Township 41 North,
Range 14, East of the Third Principal Meridian, except
that part of Lots 13 and 14, if any, which falls in Lots
1 and 3, in Owner's Subdivision of Lot 21, in County
Clerk's Division, aforesaid, of unsubdivided lands in the
Northwest Quarter of Section 18, Township 41 North, Range
14, East of the Third Principal Meridian, in Cook County,
Illinois.

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Glenda Boecher, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Robert J. (Mike) [unclear], personally known to me to be the CIA Provisionary of CHS Evanston, Inc., a Delaware corporation, which is the general partner of CHS 1839 Railroad Associates Limited Partnership, a limited partnership organized and existing under the laws of the State of Illinois, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Robert J. (Mike) [unclear] he/she signed and delivered the said instrument as his/her free and voluntary act, and as the free and voluntary act and deed of said corporation and partnership for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 12 day of November, 1993.

Glenda Boecher
Notary Public

My Commission expires:

" OFFICIAL SEAL "
GLEND A BOECHER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 1/25/93

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

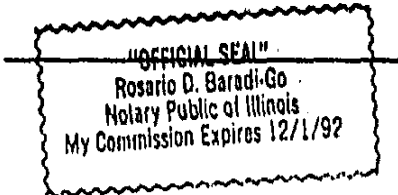
I, Rosario D. Baradi-Go, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Mary Pat Krasinski, personally known to me to be the deed president of NBD Bank Evanston, N.A., and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such deed president of said corporation he/she signed and delivered the said instrument pursuant to proper authority given by the _____ of said corporation as his/her free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2nd day of February, 1990.

Rosario D. Baradi-Go
Notary Public

[Seal]

My Commission expires:



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