

Duty to Record

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Within 30 days after the date, any real property subject to the provisions of the Responsible Property Transfer Act of 1988 is transferred, this completed document must be filed in the office of the recorder of the county in which such property is located and filed with the Illinois Environmental Protection Agency.

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**ENVIRONMENTAL DISCLOSURE DOCUMENT
FOR TRANSFER OF REAL PROPERTY**

Seller: Metro Chicago Investment Co.
Buyer: Lender: Ford Motor Credit Co.
Document No.:

DEPT-01 \$17.00
T#7777 TRAN 9152 02/22/90 16:01:00
#9862 * -90-086088
COOK COUNTY RECORDER

Property Identification:

A. Address of property: 4330 South Racine Ave Chicago 72001 Lake
Street City or Village Township

Permanent Real Estate Index No.: 20-05-302-011 and 20-05-302-010

B. Legal Description:

Section: 5 **Township:** 38N **Range:** 14E

Enter current legal description in this area:

ATTACHED AA Ed, A

Prepared by: Name: Linda Miller
Company: The Shidler Group
Address: 150 N. Wacker Dr., Ste. 150
City: Chicago State: IL Zip: 60606

Return to: Linda Miller
The Shidler Group
150 N. Wacker Dr., Ste. 150
Chicago, IL 60606

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

BOX 15

NTS RYBAK



Provided courtesy of
The Illinois Chamber
20 North Wacker Drive
Chicago, Illinois 60606-3083
312-372-7373

[Handwritten signature]

(5407-99)

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CLERK

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

A. Property Characteristics:

Lot Size..... Acreage 5.57 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)

II. Nature of Transfer

A. (1) Is this a transfer by deed or other instrument of conveyance?

Yes..... No..X..

(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?

Yes..... No..X..

(3) A lease exceeding a term of 40 years?

Yes..... No..X..

(4) A mortgage or collateral assignment of beneficial interest?

Yes..X..... No.....

B. (1) Identify Transferor:

Metro Chicago Invest. Company

Name and Current Address of Transferor:

Metro Chicago Invest. Co., 150 N. Wacker Drive, Ste. 150, Chicago, IL

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:

Linda Miller, The Shidler Group, 150 N. Wacker Dr., Ste. 150, Chicago,

Name, Position (if any) and Address

Telephone No. IL 60606 (312) 704-6600

C. Identify Transferee:

LENDER: Ford Motor Credit Company

Name and Current Address of Transferee:

Ford Motor Credit Company c/o United States Real Estate

615 Battery Street

P. O. Box 3985

San Fransisco, CA 94119

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 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;

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.

Landfill	Yes.....	NoX.....
Surface Impoundment	Yes.....	NoX.....
Land Treatment	Yes.....	NoX.....
Sludge Pile	Yes.....	NoX.....
Incinerator	Yes.....	NoX.....
Storage Tank (Above Ground)	Yes.....	NoX.....
Storage Tank (Underground)	Yes.....	NoX.....
Container Storage Area	Yes.....	NoX.....
Injection Wells	Yes.....	NoX.....
Wastewater Treatment Units	Yes.....	NoX.....
Septic Tanks	Yes.....	NoX.....
Transfer Stations	Yes.....	NoX.....
Waste Recycling Operations	Yes.....	NoX.....
Waste Treatment Detoxification	Yes.....	NoX.....
Other Land Disposal Area	Yes.....	NoX.....

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 waste, hazardous substances or petroleum?
Yes..... NoX..... To the best of my knowledge.

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..... NoX..... To the best of my knowledge.

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..... NoX..... To the best of my knowledge.

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, process- ing transportation, treatment, storage or handling of "hazardous substances" as defined by the Illinois Environ- mental 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 consumer, 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..... NoX..... To the best of my knowledge.

IV. Environmental Information

A. Regulatory Information During Current Ownership

- 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."
3. 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.
- Section 4(g) 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 the 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 a 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 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 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."
3. 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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11. Is there any explanation needed for clarification of any of the above answers or responses?

Yes..... No.....

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

- 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
- Coping with fumes from subsurface storm drains or inside basements, etc.
- Impaired usage of an on-site or nearby water well because of offensive characteristics of the water
- Temporary or more long-term monitoring of groundwater at or near the site
- Sampling and analysis of soils

- Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act
- Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials
- Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials

9. 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.....

b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site?

Yes..... No.....

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 law?

Yes..... No.....

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.....

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.....

a. Written notification regarding known, suspected or alleged contamination on or emanating from the property; federal government actions; Has the transfer or any facility on the property or the property been the subject of any of the following State or federal government actions:

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.....

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.....

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

Yes..... No.....

a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act

Yes..... No.....

b. Permits for discharges of wastewater to waters of the State.

Yes..... No.....

c. Permits for any waste storage, waste treatment or waste disposal operation.

Yes..... No.....

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

Yes..... No.....

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.....
 TITLE

 LENDER REPRESENTATIVE (PLEASE TYPE)

 LENDER

 SIGNATURE(S)

..... 19.....
 C. This form was delivered to me with all elements completed on
 (or on behalf of Transferor)
 TRANSFEROR OR TRANSFEREES (PLEASE TYPE)

.....
 SIGNATURE(S)

..... 19.....
 B. This form was delivered to me with all elements completed on
 (or on behalf of Transferor)
 TRANSFEROR OR TRANSFEREES (PLEASE TYPE)

.....
 SIGNATURE(S)

Michael P. Miller, Attorney at Law

 TRANSFEROR OR TRANSFEREES (PLEASE TYPE)

 MTR INC. CHICAGO INVEST. CO.

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.

V. Certification

Landfill	Yes.....	No.....
Surface Impoundment	Yes.....	No.....
Land Treatment	Yes.....	No.....
Waste Pile	Yes.....	No.....
Incinerator	Yes.....	No.....
Storage Tank (Above Ground)	Yes.....	No.....
Storage Tank (Underground)	Yes.....	No.....
Container Storage Area	Yes.....	No.....
Injection Wells	Yes.....	No.....
Wastewater Treatment Unit	Yes.....	No.....
Septic Tanks	Yes.....	No.....
Transfer Stations	Yes.....	No.....
Waste Recycling Operations	Yes.....	No.....
Waste Treatment Detention	Yes.....	No.....
Other Land Disposal Area	Yes.....	No.....

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

Type of business or property usage

Name of Current Landlord/Owner has no knowledge as to the usage of the property by the prior owner.

3. 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:
 Site Information Under Other Ownership or Operation

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EXHIBIT A - LEGAL DESCRIPTION

A parcel of land comprised of part of Block 9 and all of Block 10, together with all of the East and West 30 foot strip of land lying between said Blocks 9 and 10, and all of the North 1/2 of the East and West 30 foot strip of land lying South of and adjoining the South line of said Block 10; together with a part of the North and South 25 foot strip of land lying East of and adjoining the East line of said Blocks 9 and 10, and lying East of and adjoining the East and West strips of land aforesaid; all in Packer's Subdivision of the North East 1/4 of the South West 1/4 of Section 5, Township 38 North, Range 14 East of the Third Principal Meridian; which parcel of land is bounded and described as follows:

Beginning on the South line, extended East, of the North 1/2 of the East and West 30 foot strip of land lying South of and adjoining the South line of said Block 10 in Packer's Subdivision aforesaid, at a point which is 6.60 feet West from the East line of the North East 1/4 of the South West 1/4 of said Section 5, (said point of beginning being on the West line of South Racine Avenue as opened pursuant to ordinance passed by the City Council of the City of Chicago on the 26th day of March, 1968), and running thence West along said Eastward extension, along the South line of the North 1/2 of said East and West 30 foot strip of land, and along a Westward extension thereof, a distance of 391.06 feet to an intersection with the West line, extended South of Block 10; thence North along said Southward extension and along the West line of Block 10 a distance of 622.19 feet to an intersection with the South line of the North 40.00 feet of the North East 1/4 of the South West 1/4 of said Section 5; thence East along the South line of the North 40.00 feet aforesaid (said South line being the South line of West 43rd Street as opened pursuant to said ordinance passed on the 26th day of March, 1968), a distance of 364.92 feet to a deflection point in said South line which is 32.76 feet West from the East line of the North East 1/4 of the South West 1/4 of said Section 5; thence Southeastwardly along a straight line, a distance of 35.40 feet to a deflection point in the West line of South Racine Avenue as opened pursuant to said ordinance passed on the 26th day of March, 1968, said deflection point being 65.00 feet South from the North line and 7.71 feet West from the East line of said North East 1/4 of the South West 1/4 of Section 5; and thence South along said West line of South Racine Avenue as opened, a distance of 597.26 feet to the point of beginning, in Cook County, Illinois.

Permanent Index Number: 20-05-302-010
20-05-302-011

Volume: 414

Address of Property: 4330 S. Racine
Chicago, IL