



UNOFFICIAL COPY

ENVIRONMENTAL DISCLOSURE DOCUMENT
FOR TRANSFER OF REAL PROPERTY

90193948

23.00

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: _____

Seller: Mueller Manufacturing Co., Inc.
Buyer: Ideal Tool & Manufacturing Company
Document No.: _____

72-52-428 D2

PROPERTY IDENTIFICATION:

A. Address of property: 3721 North Clark Street Chicago 40N
Street City or Village Township

Permanent Real Estate Index No.: 14-20-215-014, 015, 019, 020, 021, 023, 035, 036, 038, 040

B. Legal Description:
Section 20 Township 40N Range 14

Enter or attach current legal description in this area:

Lot 3, 4, 5, 6, 7, 8, 9, 10 and 21 in Block 1 in Buckingham's Second Addition to Lake View in the North East 1/4 of Section 20, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

COOK COUNTY, ILLINOIS
REC'D FOR RECORD

NOV 27 1980

90183948

Prepared by: Richard A. Barnes
3721 North Clark Street
Chicago, IL 60613

Recorded by: Darius F. Vavra, Valder Price Kaufman & Kamholz
22 North LaSalle Street
Chicago, IL 60601

LIABILITY DISCLOSURE

Box 333

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 29,674.02 Sq. Ft. 6812 Acres
6,641.35 Sq. Ft. 1528 Acres

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

- | | |
|---|---|
| <input type="checkbox"/> Apartment building (6 units or less) | <input checked="" type="checkbox"/> Industrial building |
| <input type="checkbox"/> Commercial apartment (over 6 units) | <input type="checkbox"/> Farm, with buildings |
| <input type="checkbox"/> Store, office, commercial building | <input type="checkbox"/> Other specify _____ |

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"/> |

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B. (1) Identify Transferor:

Mueller Manufacturing Co., Inc., 3721 N. Clark Street, Chicago, IL
Name and Current Address of Transferor

60613

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:

Richard A. Bonas, 3721 N. Clark Street, Chicago, IL 60613
Name, Position (if any), and address

(312)935-2828

Telephone No.

C. Identify Transferee: Ideal Tool & Manufacturing Company, 5615 South Claremont Avenue, Name and Current Address of Transferee Chicago, IL 60636

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;

(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(e) 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 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 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 to reflect changes in the text of the statutes cited, but no 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 filling 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

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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

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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Injection Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wastewater Treatment Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Treatment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Septic Tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Pile	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Transfer Stations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Incinerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Waste Recycling Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Waste Treatment Detoxification	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Land Disposal Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Container Storage Area	<input checked="" type="checkbox"/>	<input 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 (or next).

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

- a. Permits for discharges of wastewater to waters of the State. Yes No
- b. Permits for emissions to the atmosphere. Yes No
- c. Permits for any waste storage, waste treatment or waste disposal operation. Yes No

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

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8. 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: Northbrook Corporation, owner of all the issued and outstanding common stock of Mueller Manufacturing Co., Inc.
Type of business/ or property usage: Manufacturing

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:

Table with 4 columns: Item, YES, NO, YES, NO. Rows include Landfill, Surface Impoundment, Land Treatment, Waste Pile, Incinerator, Storage Tank (Above Ground), Storage Tank (Underground), Container Storage Area, Injection Wells, Wastewater Treatment Units, Septic Tanks, Transfer Stations, Waste Recycling Operations, Waste Treatment Detoxification, Other Land Disposal Area.

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.

Signature: Dennis T. Hurst
Type or print name: DENNIS T. HURST
TRANSFEROR OR TRANSFEREE (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on APRIL 27, 19 90

Signature: Eric Sund
Type or print name: ERIC E. SUNN
TRANSFEROR OR TRANSFEREE (or on behalf of Transferor)

C. This form was delivered to me with all elements completed on _____ 19____

Signature: _____
Type or print name: LENDER

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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

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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Injection Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wastewater Treatment Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Treatment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Septic Tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Pile	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Transfer Stations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Incinerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Waste Recycling Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Waste Treatment Detoxification	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Land Disposal Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Container Storage Area	<input checked="" type="checkbox"/>	<input 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.

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

- a. Permits for discharges (i.e. wastewater) to waters of the State. Yes No
- b. Permits for emissions to the atmosphere. Yes No
- c. Permits for any waste storage, waste treatment or waste disposal operation. Yes No

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?

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- 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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- b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? 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
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1. Provide the following information about the previous owner or any entity or person who transferred or leased the site to or otherwise contracted with for the management of the site or real property:

Name: Northbrook Corporation, owner of all the issued and outstanding common stock of Mueller Manufacturing Co., Inc.

Type of business/ Manufacturing
or property usage _____

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

	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>	_____			

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.

By: Dennis T. Hurst
signature of person certifying
DENNIS T. HURST
type or print name
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on April 27, 19 90

Idex Tool & Manufacturing Company
By: [Signature]
signature
ERIC E. SWAN
type or print name
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

C. This form was delivered to me with all elements completed on _____ 19 _____

signature

type or print name
LENDER

(Ch. 30, sec 906)

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11. *The Transferor has knowledge of three Underground Storage Tanks (UST) on the property. Without investigation, the Transferor believes that the UST's contain some type of petroleum products. The UST's have not been used in the conduct of Transferor's business operations. **Although Transferor has not filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986, it may have been required to do so.

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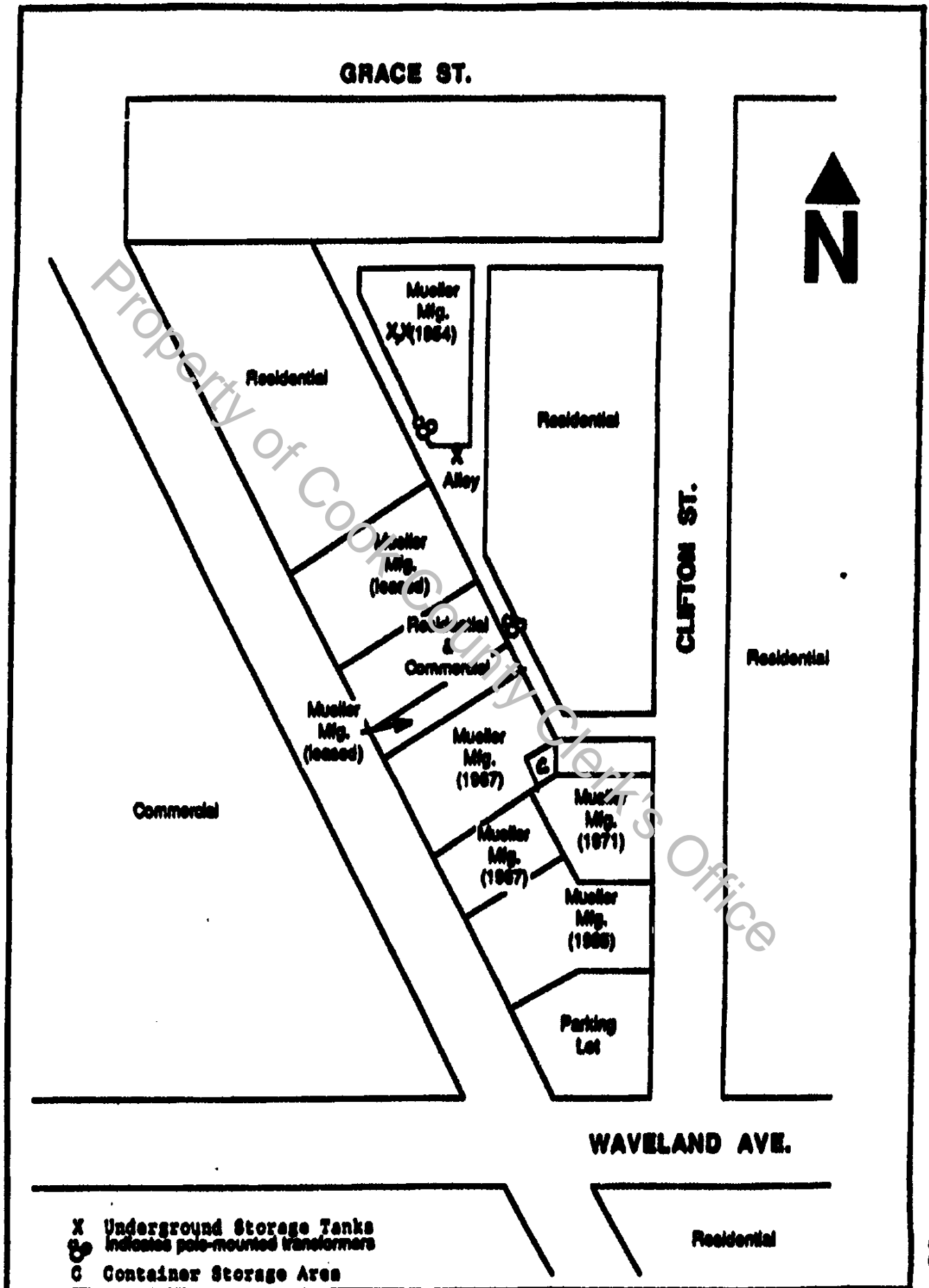


Figure 2.
Site Layout Map

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Property of Cook County Clerk's Office

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**WAIVER OF THIRTY (30) DAY TIME PERIOD WITH RESPECT TO THE
DELIVERY OF DISCLOSURE DOCUMENT
UNDER RESPONSIBLE PROPERTY TRANSFER ACT OF 1988**

Section 4(a) of the Responsible Property Transfer Act of 1988 (the "Act") requires transferors of real property subject to the Act to deliver a disclosure document in the form and containing the information as required in Section 5 of the Act. The disclosure document shall be delivered to transferee or to any lender, within thirty (30) days following execution of a written contract, if any, for the transfer of the property, but not later than thirty (30) days prior to the transfer of real property subject to the Act.

Mueller Manufacturing Co., Inc., an Illinois corporation ("Mueller") and Ideal Tool & Manufacturing Company, a Delaware corporation ("Ideal") are parties to a transaction involving the sale of certain property to which the Act pertains and which is legally described on Exhibit A attached hereto. The parties acknowledge, agree and fully understand that the purpose and intent of the disclosure document required to be delivered by Section 4(a) of the Act, is to ensure that parties involved in certain real estate transactions are made aware of the existing environmental liabilities associated with ownership of such properties, as well as the past use and environmental status of such properties.

Section 4(b) of the Act provides that the parties to the transfer may waive the time period specified by Section 4(a) of the Act if they indicate, in writing, that they are aware of the purpose and intent of the disclosure document. Pursuant to Section 4(b) of the Act, the parties hereby waive the time requirements of Section 4(a) of the Act for the delivery of the disclosure document by Mueller to Ideal later than thirty (30) days prior to Mueller's transfer of real estate to Ideal on April 27, 1990.

The parties agree that this waiver may be recorded with the Cook County Recorder of Deeds and delivered to the Illinois Environmental Protection Agency along with the disclosure document required by the Act.

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11/11/2011

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IN WITNESS WHEREOF, Mueller and Ideal have caused this Waiver to be executed in their respective corporate names by their duly authorized officers this 27th day of April, 1990.

MUELLER MANUFACTURING CO.,
INC., an Illinois corporation

By: *Dennis T. Hurst*
Its: *Vice President*

Attest:

Carmen Montagnone
Assistant Secretary

IDEAL TOOL & MANUFACTURING
COMPANY, a Delaware
corporation

By: *Eric S. [Signature]*
Its: *Pres*

Attest:

Jerome L. Lund
Secretary

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, *Virginia A. Letter*, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that *Dennis T. Hurst* personally known to me to be the *Vice* President of Mueller Manufacturing Co., Inc., an Illinois corporation, and *Carmen Montagnone* personally known to me to be the *Assistant* Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such *Vice* President and *Assistant* Secretary, they signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and

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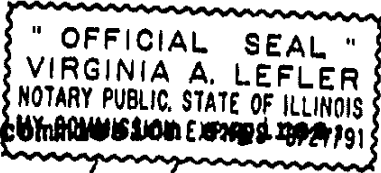
11-11-11

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voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 27th day of April, 1990.



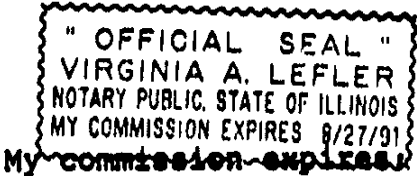
Virginia A. Lefler
Notary Public

My 8/27/91

STATE OF ILLINOIS)
) SS.
COUNTY OF COCK)

I, Virginia A. Lefler, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Eric O. Sund personally known to me to be the Eric O. Sund President of Ideal Tool & Manufacturing Company, a Delaware corporation, and Jerome L. Sund personally known to me to be the Jerome L. Sund Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Eric O. Sund President and Jerome L. Sund Secretary, they signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said corporation, as their 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 27th day of April, 1990.



Virginia A. Lefler
Notary Public

My 8/27/91

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11/11/2011 10:11:11 AM

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EXHIBIT A

Lots 3, 4, 5, 6, 7, 8, 9, 10 and 25 in Block 1 in Buckingham's Second Addition to Lake View in the north east 1/4 of Section 20, Township 40 north, range 14 east of the third principal meridian, in Cook County, Illinois.

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