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COOK COUNTY, ILLINOIS

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ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

72-44-108-001

Property of Cook County Clerk's Office

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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: _____

Buyer: _____

Document No.: _____

I. PROPERTY IDENTIFICATION

A. Address of property: 44 Stephen St. Lemont, Illinois
Street, City or Village Township

Permanent Real Estate Index No.: 22-20-403-006

B. Legal Description:

Section: 20 Township: 37 Range: 11

Enter or attach current legal description in this area: (attached)

Prepared by: Pegasus Environmental Management Services, Inc
955 Hamilton Dr. Suite #2
University address, Il. 60466

Return to: Herbert S. Field
P.O. Box 306
Downers Grove, IL
60515

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.

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C. Property Characteristics:

Lot Size: 105 Foot X 180 Foot Acreage: _____

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:

- | | 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 type="checkbox"/> |
| (3) A lease exceeding a term of 40 years? | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) A mortgage or collateral assignment of beneficial interest? | <input type="checkbox"/> | <input type="checkbox"/> |

B. (1) Identify Transferor:

FIRST SECURITY BANK OF ILLINOIS, TRUSTEE OF TRUST FOR 1921 F/W/11, CHICAGO, IL
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:

Mike Petrich / Operation Team Leader / 955 Hamilton Dr. Suite #2
Name, Position (if any), and address University Park, IL 60466 Telephone No (708) 534-0451

C. Identify Transferee:

THOMAS H. MARTIN and KELLY A. GERRARDY, Chicago, IL
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;

(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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(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

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

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

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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> </u>	<u> X </u>
Surface Impoundment	<u> </u>	<u> X </u>
Land Treatment	<u> </u>	<u> X </u>
Waste Pile	<u> </u>	<u> X </u>
Incinerator	<u> </u>	<u> X </u>
Storage Tank (Above Ground)	<u> X </u>	<u> </u>
Storage Tank (Underground)	<u> X </u>	<u> </u>
Container Storage Area	<u> </u>	<u> X </u>
Injection Wells	<u> </u>	<u> X </u>
Wastewater Treatment Units	<u> </u>	<u> X </u>
Septic Tanks	<u> </u>	<u> X </u>
Transfer Stations	<u> </u>	<u> X </u>
Waste Recycling Operations	<u> </u>	<u> X </u>
Waste Treatment Detoxification	<u> </u>	<u> X </u>
Other Land Disposal Area	<u> </u>	<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 verifies 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?

	Yes	No
a. Permits for discharge of wastewater to waters of the State	<u> </u>	<u> X </u>
b. Permits for emissions to the atmosphere.	<u> </u>	<u> X </u>
c. Permits for any waste storage, waste treatment or waste disposal operation.	<u> </u>	<u> X </u>

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?

	Yes	No
a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act.	<u> </u>	<u> X </u>
b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the Federal Emergency Planning and Community Right-to-Know Act of 1986.	<u> </u>	<u> X </u>
c. Filed a Toxic Chemical Release Form pursuant to the Federal Emergency Planning and Community Right-to-Know Act of 1986.	<u> </u>	<u> X </u>

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?

	Yes	No
a. Written notification regarding known, suspected or alleged contamination on or emanating from the property	<u> </u>	<u> X </u>
b. Filing an environmental enforcement case with a court of the Pollution Control Board for which a final order or consent decree was entered	<u> </u>	<u> X </u>

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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.

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?

Question 4 - Sure Fire Auto Parts have been removed and site has been cleaned up by Illinois Environmental Management Services, Inc. That there was no release of petroleum from the site through cracks.

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: Sure Fire Auto Parts / Carl's Septic Service / All Service Auto Repair

Type of business/
or property usage retail auto parts
store / maintenance and warehouse facility / auto repair service

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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	—	<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>
Wastewater Treatment Units	—	<u>X</u>
Septic Tanks	—	<u>X</u>
Transfer Stations	—	<u>X</u>
Waste Recycling Operations	—	<u>X</u>
Waste Treatment Detoxification	—	<u>X</u>
Other Land Disposal 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.

Parent Venture
(a partnership)

by: James M. Fletcher
Signature

James M. Fletcher, partner
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, 1990

Robert N. Gerashey Thomas G. Frank
Signature

Robert N. Gerashey Thomas G. Frank
type or print name

TRANSFEEE OR TRANSFEEES

(or on behalf of Transferee)

C. This form was delivered to me with all elements completed on April 27, 1990

Robert N. Gerashey
Signature

Robert N. Gerashey
type or print name

LENDER

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VI. WAIVER

The undersigned, as Transferees, (i) hereby indicate that each is aware of the purpose and intent of this Environmental Disclosure Document, (ii) hereby waive the time period specified in subsection (a) of Section 4. of the Responsible Property Transfer Act of 1988 (ch. 30, par. 901); and (iii) hereby acknowledge that this Environmental Disclosure Document was delivered to each of the undersigned Transferees before the transfer of the real property described herein

Thomas G. Frantik Dated April 21, 1990.
THOMAS G. FRANTIK

Bruce N. Geraskey Dated April 21, 1990.
BRUCE N. GERASKEY

The undersigned, as Lender, (i) hereby indicates that it is aware of the purpose and intent of this Environmental Disclosure Document; (ii) hereby waives the time period specified in subsection (a) of Section 4. of the Responsible Property Transfer Act of 1988 (ch. 30, par. 901); and (iii) hereby acknowledges that this Environmental Disclosure Document was delivered to the undersigned Lender before the transfer of the real property described herein.

DOWNERS GROVE NATIONAL BANK

By: Bruce N. Geraskey

Its: President

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LEGAL DESCRIPTION

THAT PART OF BLOCK 5 IN SINGER AND TALCOTT AND STONE AND COMPANY'S SUBDIVISION OF THAT PART OF THE WEST HALF OF THE SOUTH EAST QUARTER OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF ILLINOIS AND MICHIGAN CANAL DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID BLOCK 5 WHICH IS 105 FEET SOUTH EASTERLY OF THE NORTH EAST CORNER OF SAID BLOCK 5 MEASURED ALONG THE SAID EASTERLY LINE; RUNNING THENCE SOUTH WEST PARALLEL TO THE NORTHERLY LINE OF SAID BLOCK 5 A DISTANCE OF 180 FEET; THENCE RUNNING SOUTH EAST PARALLEL TO THE EASTERLY LINE OF SAID BLOCK 5 A DISTANCE OF 105 FEET MORE OR LESS TO THE NORTHERLY LINE OF ILLINOIS AND MICHIGAN CANAL RESERVE STRIP; RUNNING THENCE NORTH EAST ALONG SAID ILLINOIS AND MICHIGAN CANAL STRIP A DISTANCE OF 180 FEET TO THE EASTERLY LINE OF SAID BLOCK 5; RUNNING THENCE NORTH WEST ALONG THE EASTERLY LINE OF SAID BLOCK 5 A DISTANCE OF 105 FEET MORE OR LESS TO THE PLACE OF BEGINNING IN LEMONT, IN COOK COUNTY, ILLINOIS.

of Cook County Clerk's Office

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