

Duty to Record

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

90365671

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

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OWNER: **FRANK T. WHEBY** Individually and as Trustee of the
Seller: _____
Buyer: **Judith O Wheby Trust dtd April 4, 1989**
Document No.: _____

Property Identification:

A. Address of property: **1830 SHERMAN AVE** **EVANSTON** **60201**
Street City or Village Township

Permanent Real Estate Index No. **11-18-119-021**

B. Legal Description:

Section _____ Township _____ Range _____

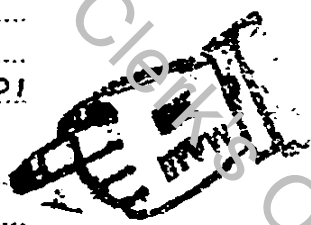
Enter current legal description in this area:

REFER TO THE ATTACHED EXHIBIT

DEPT-01 RECORDING \$17.25
T49000 FRAM 1094 07/30/90 15:01:00
#3188 F *-90-365671
COOK COUNTY RECORDER

Prepared by: Name **FRANK T. Wheby**
Company _____
Address **1830 Sherman Ave**
City **Evansston** State **IL** Zip **60201**

Return to: **FIRST ILLINOIS BANK OF EVANSTON, ILL.**
800 DAVIS STREET
EVANSTON, ILLINOIS 60204-0712
ATTENTION: DOUGLAS DANCER
REAL ESTATE DEPARTMENT



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

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I. Liability Disclosure

Transferors and transferees of real property are advised that their ownership or other control of such property may make 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 0.27 Acres

North Line 155.36

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

East Line 145.63

..... Apartment building (6 units or less)

West Line 8.83

..... Commercial apartment (over 6 units)

Diag Line 207.10

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

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

Yes..... No

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

Yes..... No

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

Yes No.....

B. (1) Identify Transferor: N/A

.....
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.

FRANK T. WHEBY Individually and as Trustee (708) 866-8866

Name, Position (if any) and Address

Telephone No.

C. Identify Transferee: N/A

.....
Name and Current Address of Transferee:

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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 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

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

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

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

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, reworking, repacking or reworking operations on the property.

Yes No

IV. Environmental Information

A. Regulatory Information During Current Ownership

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.

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 of 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. 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 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."

2. 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 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."

(f) Any person who accepts or accepts 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...

1. Any person who is liable for a release or a substantial threat of a release of a hazardous substance shall 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."

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(3)

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None

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

..... Safety Act

..... Designation by the EPA or the IESDA of the release as "significant" under the Illinois Chemical

..... surficial materials

..... Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other

..... materials

..... Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial

..... materials

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

..... Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial

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..... materials

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

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

B. Site Information Under Other Ownership or Operation

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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 Northwestern University (prior owner)

Type of business or property usage Business and professional offices

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.....	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 Units	Yes.....	No.....
Septic Tanks	Yes.....	No.....
Transfer Stations	Yes.....	No.....
Waste Recycling Operations	Yes.....	No.....
Waste Treatment Detoxification	Yes.....	No.....
Other Land Disposal Area	Yes.....	No.....

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

Pat Whely
SIGNATURE(S)

TRANSFEROR OR TRANSFERORS (PLEASE TYPE)
(or on behalf of Transferor)

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

..... 19.....

.....
SIGNATURE(S)

.....
TRANSFeree OR TRANSFEREES (PLEASE TYPE)
(or on behalf of Transferee)

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

7-16 1990

[Signature]
SIGNATURE(S)

FIRST ILLINOIS BANK OF EVANSTON

LENDER

DOUGLAS W DANCER

LENDER REPRESENTATIVE (PLEASE TYPE)

ASST VICE PRESIDENT

TITLE

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EXHIBIT "A"

ALL THAT PART OF LOTS 1 AND 2 IN BLOCK 8 IN THE VILLAGE OF EVANSTON, LYING NORTHEASTERLY OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF LOT 1, 8.83 FEET, SOUTH OF THE NORTH LINE OF SAID LOT 1; THENCE SOUTHEASTERLY TO THE EAST LINE OF LOT 2 AT A POINT 60.58 FEET SOUTH OF THE NORTH LINE OF SAID LOT 2, IN THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN # 11-18-119-021

PROPERTY ADDRESS: 1935 Sherman Avenue
Evanston, Illinois

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