

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

Vol.

Date

Page

Doc. No.

Rec'd. By

203

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

owners Seller: Salvatore and Sylvia Gaddini

Buyer:

Document No.:

Property Identification:

A. Address of property 545 N Wells Street Chicago North Chicago

Permanent Real Estate Index No. 17-09-238-001-0000

B. Legal Description: Section Township Range Enter current legal description in this area:

See Attached legal

1991 OCT 3 AM 10:23

Prepared by: Name Lisa Lendy Company Anichini Brothers Address 545 N Wells City Chicago State IL Zip 60610

Return to: Bank of Commerce & Industry 6100 N Northwest Highway Chicago IL 60631 Attn: J. Conner Alist

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

I. 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 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

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)

Box 333

\$ 16.00

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Recorder Form #125
BFC Forms Service, Inc.
1710 Armitage Court, Addison, IL 60101
(708) 485-3990

TITLE

LENDER REPRESENTATIVE (PLEASE TYPE)

LENDER: TRANS BANK
Bank of Commerce & Industry
SIGNATURE: John J. Frable, President

C. This form was delivered to me with all elements completed on 10-23 19 91

(or on behalf of Transferor)

TRANSFEREE OR TRANSFEREES (PLEASE TYPE)

SIGNATURE(S)

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

(or on behalf of Transferor)

TRANSFEROR OR TRANSFEREES (PLEASE TYPE)

SIGNATURE(S)

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

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 Detention | Yes | No |
| Other Land Disposal Area | Yes | No |

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: apartments and stores
Type of business or property usage: apartments and stores

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?

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?
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

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II. Nature of Transfer **UNOFFICIAL COPY**

- A. (1) Is this a transfer by deed or other instrument of conveyance?
Yes No
- (2) Is this a transfer by 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:

Name and Current Address of Transferor: Salvatore Baddina & Silvio Baddina
6252 W. Harrison St. Chicago, IL 60644

Name and Address of Trustee, if this is a transfer of beneficial interest of a land trust:
Man. Factors Affiliated Trust Company, 708 W. Madison Ave., Chicago, IL 60610

Trust No. 1708

- (2) Identify person who has completed this form on behalf of the transferor and who has knowledge of the information contained in this form:

Maria Lundy, 545 N. Wells, Chicago, IL
Name, Position (if any) and Address Telephone No.

C. Identify transferee:

Bank of Commerce & Industry
Name and Current Address of Transferee:
5122 N. Northwest Highway, Chicago, IL 60631

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;
- (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 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."

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.

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IV. Environmental Information

A. Regulatory Information During Current Ownership

- 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, refishing, servicing, or cleaning operations on the property.
 - Yes
 - No
- 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
- 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
- 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?

Landfill	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Surface Impoundment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Land Treatment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Waste Pile	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Incinerator	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Storage Tank (Above Ground)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Storage Tank (Underground)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Container Storage Area	Yes <input checked="" type="checkbox"/>	No <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.

- Has the transferor ever held any of the following in regard to this real property?
 - a. Permits for discharges of wastewater to water 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
- Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?
 - Yes No
- 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

- 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
- 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 EPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act

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- 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 EPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act

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LEGAL DESCRIPTION

LOTS 6,7 AND 8 IN BLOCK 6 IN NEWBERRY'S ADDITION TO CHICAGO, A
SUBDIVISION OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF
SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL
MERIDIAN, IN COOK COUNTY, ILLINOIS.

Street Address: 545-549 N. Wells Street and 163-165 W. Ohio Street,
Chicago, Illinois

P.I.N. 17-09-238-001-0000

Property of Cook County Clerk's Office

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