

UNOFFICIAL COPY
ENVIRONMENTAL DISCLOSURE DOCUMENT # 8
FOR TRANSFER OF REAL PROPERTY

152

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

For Use By County

Sender: Aetna Bank Trust #10-3051
 Buyer: _____
 Document No.: _____

Recorder's Office
 County _____
 Date _____
 Doc. No. _____
 Vol. _____ Page _____
 Rec'd by: _____

C 50447 3/83

I. PROPERTY IDENTIFICATION:

A. Address of property: 1145-47 Wilmette Avenue, Wilmette 42 North
Street City or Village Township
 Permanent Real Estate Index No.: 05-34-106-004

B. Legal Description:
 Section 34 Township 42 North Range 13

Enter or attach current legal description in this area:

SUBLOTS 1 AND 2 IN BRETHOLD'S RESUBDIVISION OF LOTS 5 AND 6 IN DINGEE'S RESUBDIVISION OF BLOCK 25 IN VILLAGE OF WILMETTE (EXCEPT THAT PART OF SAID LOT 2 FALLING IN LOT C IN OWNER'S RESUBDIVISION OF LOTS 1, 2, AND 3 (EXCEPT THE SOUTH 10 FEET) OF BRETHOLD'S RESUBDIVISION AFORESAID) SECTION 34, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COOK COUNTY

1991 DEC 10 AM 11:46

91646428

Prepared by: William DeNicolo
name
1215 E. Washington, Wilmette
address

Return to: Royal American Bank
name
1604 Colonial Pkwy, Inverness, IL 60067
address

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.

C. Property Characteristics:

Lot Size 5,398+ square feet Acreage _____

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

- | | |
|------------------------------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Apartment building (6 units or less) | <input type="checkbox"/> Industrial building |
| <input type="checkbox"/> Commercial apartment (over 6 units) | <input type="checkbox"/> Farm, with buildings |
| <input checked="" 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? | | x |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? | | x |
| (3) A lease exceeding a term of 40 years? | | x |
| (4) A mortgage or collateral assignment of beneficial interest? | x | |

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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: _____

Type of business/
or property usage _____

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		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.

William DeNicolo
Signature

William DeNicolo

type or print name

TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on
November 22 _____ 19 91

signature

type or print name

TRANSFeree OR TRANSFEREES (or on behalf of Transferee)

C. This form was delivered to me with all elements completed on
November 22 _____ 19 91

Royal American Bank

Kelly J. O'Keefe
signature

Kelly J. O'Keefe, Senior Vice President

type or print name

LENDER

(Ch. 30, par. 906)

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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 x

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		<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>			

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 held any of the following in regard to this real property?

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

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?

- a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. Yes _____ No x
- 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 x
- c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes _____ No x

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 x
- 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 x
- 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 x

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

11. Is there any explanation needed for clarification of any of the above answers or responses?

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B. (1) Identify Transferor:

Aetna Bank as Trustee under Trust Agreement dated 11/15/84 and known as Trust
Name and Current Address of Transferor #10-3051

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:

William DeNicolo, 1215 Washington, Wilmette, IL
Name, Position (if any), and address Telephone No

C. Identify Transferee:

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;

(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