

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

**Seller:** Frederick Transport, Inc.  
**Buyer:** Superior Carriers, Inc.  
**Document No.:**

DEPT. OF RECORDING  
TRAN 3447 12/16/91 16:24:00  
\*2528 \* D \*-91-660573  
COOK COUNTY RECORDER

**Property Identification:**

**A. Address of property:** 2105 West 162nd Street Markham, IL

Street City or Village Township

**Permanent Real Estate Index No.:** 29-19-130-002-0000 & 29-19-130-003-0000

**B. Legal Description:**

**Section:** 19 **Township:** 36 North **Range:** 14 East of Third Principal

**Enter current legal description in this area:** Meridian

Lot 3 and the South fifty (50) feet of Lot 2 in Block 7 in ANDERSON'S DIXIE HIGHWAY SUBDIVISION of the South 60.65 acres lying West of Old Vincennes Road of the West Half of the North Half of Section 19, Township 36 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

**Prepared by:** Name: Ken Mulholland  
Company: ECCO, INC.  
Address: P.O. BOX 11320  
City: Merrillville IN Zip: 46410

**Return to:** Mr. Leo Maciolek  
Frederick Transport, Inc.  
4000 49th Avenue  
Moline, IL 61265

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

Handwritten notes: "16", "50", "TO", "MAIL", "11/22/91"

Wm. L. Smith, Jr.  
11 E. Adams, Ste 1400  
Chicago, IL 60603



**THE ILLINOIS  
CHAMBER**

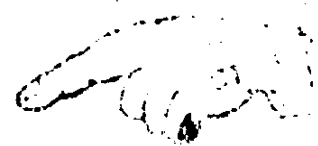
Provided courtesy of  
The Illinois Chamber  
20 North Wacker Drive  
Chicago, Illinois 60606-3063  
312-372-7373

Cook County Clerk's Office 91660573

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11/11/2011



## I. Liability Disclosure

Transferors 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 250x296 Acreage 1.7

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

- ..... Apartment building (6 units or less)
- ..... Commercial apartment (over 6 units)
- ...X... 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 X... 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:

Frederick Transport, Inc.

Name and Current Address of Transferor:

4000 49th Avenue Moline, IL 61265

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust

N/A

Trust No.

N/A

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

Ken Mulholland Technical Consultant (219) 736-6055

Name, Position (if any) and Address

Telephone No.

91660573

### C. Identify Transferee:

Superior Carriers, Inc.

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 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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1 (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 or sites from which there is a release or a substantial threat of a release of a hazardous substance...

(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(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..."

3. Section 22 2(h) 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 1(b) 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..."

3. The text of the Act 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:

A. 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.....

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 waste, hazardous substances or petroleum?

Landfill

Surface Impoundment

Land Treatment

Basic Pike

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

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

Yes..... No.....

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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.

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1. Has the transferee ever held any of the following in regard to this real property?
- a Permits for discharge 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 transferee had any wastewater discharge (other than sewage) to a publicly owned treatment works?
- a Permits for discharge of wastewater to waters of the State: Yes  No
7. Has the transferee 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 transferee or any facility on the property or the property of the subject of any of the following State or federal government 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 Transferee'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 law? 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?

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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 N/A

Type of business or property usage N/A

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...X  |
| Surface Impoundment            | Yes..... | No...X  |
| Land Treatment                 | Yes..... | No...X  |
| Waste Pile                     | Yes..... | No...X  |
| Incinerator                    | Yes..... | No...X  |
| Storage Tank (Above Ground)    | Yes..... | No...X  |
| Storage Tank (Underground)     | Yes X    | No..... |
| Container Storage Area         | Yes..... | No...X  |
| Injection Wells                | Yes..... | No...X  |
| Wastewater Treatment Units     | Yes..... | No...X  |
| Septic Tanks                   | Yes..... | No...X  |
| Transfer Stations              | Yes..... | No...X  |
| Waste Recycling Operations     | Yes..... | No...X  |
| Waste Treatment Detoxification | Yes..... | No...X  |
| Other Land Disposal Area       | Yes..... | No...X  |

## 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

FREDERICK FERREPOST, INC., Seller

By: [Signature]  
SIGNATURE(S) LEO MACIOLEK, Vice President

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

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

10  
SUPERIOR CARRIERS, INC., Buyer

By: [Signature]  
SIGNATURE(S) Richard T. Lewis, Chief Executive Officer

TRANSFEEE OR TRANSFEEES (PLEASE TYPE)  
(or on behalf of Transferee)

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

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SIGNATURE(S)

LENDER

LENDER REPRESENTATIVE (PLEASE TYPE)

TITLE

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