

# UNOFFICIAL COPY

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

1444069

91069036

For Use by County Recorder's Office

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

County  
Date  
Doc. No.  
Vol.  
Page  
Rec'd by:

## I. PROPERTY IDENTIFICATION:

A. Address of property: Street: 4120 W. North Ave.  
Chicago, Illinois  
City or Village: Chicago  
Township: 40 North  
Permanent Real Estate Index No. 13-34-428-031

DEFERRED RECORDING \$19.25  
TAXES PAID 02/13/91 15445:00  
#91-069036  
COOK COUNTY RECORDER

## B. Legal Description:

Section 34 Township 40 North Range 13  
Enter or attach complete legal description in this area:

LOT 19 IN BLOCK 27 IN GARFIELD, A SUBDIVISION OF THE SOUTH EAST 1/4 OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE WEST 307 FEET OF THE NORTH 631.75 FEET AND THE WEST 333 FEET OF THE SOUTH 1,295 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

### 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 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 25 X 125 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: \_\_\_\_\_)

*Handwritten signature/initials*

## II. NATURE OF TRANSFER:

	Yes	No
A. (1) Is this a transfer by deed or other instrument of conveyance?	<u>X</u>	_____
(2) Is this a transfer by assignment of over 25% of beneficial interest an Illinois land trust?	_____	<u>X</u>

91069036

# UNOFFICIAL COPY

(3) A lease exceeding a term of 90 9 0 3 6 years? \_\_\_\_\_ X

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

B. (1) Identify Transferor:  
Neftalie Gonzalez 4120 W. North Ave., Chicago, Illinois  
Name and Current Address of Transferor

N/A

Name and Address of Trustee and Trust No. if this is a transfer of beneficial interest of a land trust.

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:  
Miquel Remon, attorney, 2337 N. Milwaukee Ave., Chicago, Ill. 60647  
Name, Position (if any), and address Telephone No.

C. Identify Transferee:  
Segundo Pavon  
Name and Current Address of Transferee

### III. NOTIFICATION

Under the Illinois Environmental Protection Act (Ill. Rev. Stat. Ch. 11156, ¶ 1001, et seq.), 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 (Ill. Rev. Stat. Ch. 11156 ¶ 1022.2) 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 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

919539036

# UNOFFICIAL COPY

or possessed by such person at a facility from which 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 (Ill. Rev. Stat. Ch. 11156 ¶ 1004) 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 (Ill. Rev. Stat. Ch. 11156 ¶ 1022.2) 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 (Ill. Rev. Stat. Ch. 11156 ¶ 1022.18) states:

"Notwithstanding any other provision of 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.

## IV. ENVIRONMENTAL INFORMATION

### A. Regulatory Information During Current Ownership

31053036

UNOFFICIAL COPY

Property of Cook County Clerk's Office

07600090

# UNOFFICIAL COPY

9 1 0 6 9 0 3 6

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   X  

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   X  

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
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>

# UNOFFICIAL COPY

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 or 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 9 Yes 6  
Yes, then indicate whether or not the No X  
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 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

91053036







# UNOFFICIAL COPY

9 1 0 6 9 0 3 6

## 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.

*Nestor Gonzales*  
TRANSFEROR  
(or on behalf of Transferor)

B. This form was delivered to me with all elements completed on 1225, 1991

*Seaside Sprain Poson*  
TRANSFEEE  
(or on behalf of Transferee)

C. This form was delivered to me with all elements completed on \_\_\_\_\_, 19\_\_\_\_

LENDER



Instrument prepared by:

Mail to:

Hurley & Kallick, Ltd.  
500 Lake Cook Road  
Suite 250  
Deerfield, Illinois 60015  
(708) 945-0554

Hurley & Kallick, Ltd.  
500 Lake Cook Road  
Suite 250  
Deerfield, Illinois 60015

UNOFFICIAL COPY

STATE OF ILLINOIS  
COUNTY OF COOK

IN SENATE

Property of Cook County Clerk's Office

FILED

00000000

STATE OF ILLINOIS  
COUNTY OF COOK