



UNOFFICIAL COPY

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

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

Seller: AMERICAN NATIONAL BANK TRUST # 24929

Buyer: COLUMBIA NATIONAL BANK TRUST # 3608

Document No.: _____

For Use By County **01116122**

Recorder's Office

County

Date

Doc. No.

Vol. _____ Page _____

Rec'd by: _____

I. PROPERTY IDENTIFICATION:

A. Address of property: 4120 W. BELMONT CHICAGO
Street City or Village Township

Permanent Real Estate Index No.: 13-22-436-030 & 13-22-436-029

B. Legal Description:

Section 22 Township _____ Range 13

Enter or attach current legal description in this area:

LOTS 46, 47 AND 48 IN BENJAMIN'S R. DEYOUNG'S SUBDIVISION OF THE SOUTH 953.75 FEET OF LOT 3 OF COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF MILWAUKEE AVENUE, IN COOK COUNTY, ILLINOIS

DEPT-01 RECORDING \$15.29
791111 TRAN 0012 03/14/91 14142100
01165 # A # - 91 - 116122
COOK COUNTY RECORDER

Prepared by: R. S. Sabin

Return to: **MANUFACTURERS BANK**
1200 NORTH ASHLAND AVENUE
CHICAGO, ILLINOIS 60622

652 Geneva Rd. Northbrook, IL
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 _____ Acreage _____

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

Apartment building (6 units or less)

Industrial building

Commercial apartment (over 6 units)

Farm, with buildings

Store, office, commercial building

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 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

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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: Earl Schall

Type of business/ or property usage: Auto repair

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	---	<input checked="" type="checkbox"/>	Injection Wells	---	<input checked="" type="checkbox"/>
Surface Impoundment	---	<input checked="" type="checkbox"/>	Wastewater Treatment Units	---	<input checked="" type="checkbox"/>
Land Treatment	---	<input checked="" type="checkbox"/>	Septic Tanks	---	<input checked="" type="checkbox"/>
Waste Pile	---	<input checked="" type="checkbox"/>	Transfer Stations	---	<input checked="" type="checkbox"/>
Incinerator	---	<input checked="" type="checkbox"/>	Waste Recycling Operations	---	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	---	<input checked="" type="checkbox"/>	Waste Treatment Detoxification	---	<input checked="" type="checkbox"/>
Storage Tank (Underground)	---	<input checked="" type="checkbox"/>	Other Land Disposal Acts	---	<input checked="" type="checkbox"/>
Container Storage Area	---	<input checked="" type="checkbox"/>			

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.

[Signature]
signature

Robert Schall
type or print name
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

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

JANUARY 15 1991

[Signature]
signature

Edward Wendling
type or print name
TRANSFEREE OR TRANSFEREES (or on behalf of Transferee)

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

January 15 1991

MANUFACTURERS BANK

[Signature]
signature

Irene Ford - Vice President
type or print name
LENDER

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(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

Landfill	<input checked="" type="checkbox"/>
Surface Impoundment	<input checked="" type="checkbox"/>
Land Treatment	<input checked="" type="checkbox"/>
Waste Pile	<input checked="" type="checkbox"/>
Incinerator	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input checked="" type="checkbox"/>
Container Storage Area	<input checked="" type="checkbox"/>

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 water, hazardous substances or petroleum?

YES NO

Injection Wells	<input checked="" type="checkbox"/>
Wastewater Treatment Units	<input checked="" type="checkbox"/>
Septic Tanks	<input checked="" type="checkbox"/>
Transfer Stations	<input checked="" type="checkbox"/>
Waste Recycling Operations	<input checked="" type="checkbox"/>
Waste Treatment Detoxification	<input checked="" type="checkbox"/>
Other Land Disposal Area	<input checked="" type="checkbox"/>

If there are "YES" answers to any of the above items and the transferor is other than a mortgagee 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 made 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 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. Filled an Emergency and Hazardous Chemical Emergency Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1976. YES NO

c. Filled 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 Release 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. YES NO

Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials. YES NO

Designation, by the EPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act. YES NO

Sampling and analysis of soils. YES NO

Temporary or more long-term monitoring of groundwater at or near the site. YES NO

Impaired usage of an on-site or nearby water well because of offensive characteristics of the water. YES NO

Coating with fumes from subsurface storm drains or inside basements, etc. YES NO

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. YES NO

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? YES NO

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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 filling of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property. Yes No

IV. ENVIRONMENTAL INFORMATION

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, 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. 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 a local 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 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(i) 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."

(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facility or site from, which there is a release or a substantial threat of a release of a 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

(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;

(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;

"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. Section 22.2(i) of the Act states:

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.

B. (1) Identify Transferor:

Atlanta National Bank Trust # 24969
Name and Current Address of Transferor

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

J. Smith
Name, Position (if any), and address
708-205-5000
Telephone No.

C. Identify Transferor: Atlanta National Bank Trust # 24969
Name and Current Address of Transferor