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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.

For Use By County Recorder's Office County: Date: Doc. No.: Vol.: Page: Recid. By:

144444 TEAH 2129 05/24/91 15:16:00 42739 1 D *-71-249713 COOK COUNTY RECORDER

•	\triangle	. \$2739 \$ D ₩ - 71-2 COOK COUNTS RECORDER
	ENVIRONMENTAL DISCLOSURE DO FOR TRANSFER OF REAL PROF	
Seller: .700 Buyer: ##! Document	Michigan Tower Partnership, an Illinois partnership SIGNAL MATIONAL BANK NO.: (Roc	NO. 113869-01 F PILLER)
	dentification:	
A. · Ad	dress of property 100 East Huron Street, Chicago,	North Town
***	Street City o	r Village Township
Pe	rmanent Real Estate Index No17:.10:.105-003	
B. Le _l Sec	gal Description: etion ¹⁰ Township ^{39N}	Rap ₂ e14
En	ter current legal description in this area:	'50
See	Exhibit A attached to and made a part of this Discl	osure Document.
Prepared b	y: Name Edmund C. Woodbury Company c/o Brookfield Development Inc. Address 33 S. Sixth Street City Minneapolis, MN Zip 55402	Theodore R. Johnson Sudler Marling, Inc. 875 North Michigan Avenue Chicago, IL 60611
Return to:	Rudnick & Wolfe 203 North LaSalle Street, Suite 1800 Chicago, IL 60601 Attn: Sue Ann Fishbein	
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Mail

to the Responsible Property Transfer Act of 1988

RUDNICK & WOLFE

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Liability Disclosure l.

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.

	Α.		erty Characteristics: *As shown on Exhibit A and Exhibit B hereto and made a part nereof	attached
		Chec	ck 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	
		*****	ncustrial building	
			Facm, with buildings Other Cipecify) -	
	** - *		<u> </u>	
II.	Natu	re oi T	ransfer Ox	
	Α.	(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	8 8 8
		(3)	A lease exceeding a term of 40 years? Yes NoX	25523
		(4)	A mortgage or collateral assignment of beneficial interest? Yes No	•
	В.	(1)	Identify Transferor: 700 Michigan Tower Partnership	
			Name and Current Address of Transferor; c/o Sucter Marling, Inc. 875 North Michigan Avenue, Chicago, Illinois 60611	
			Name and Address of Trustee if this is a transfer of beneficial interest of a land trust:	
			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:	
			Edmund C. Woodbury (612) 372-1500 Name, Position (if any) and Address Telephone No. c/o Brookfield Development Inc., 4340 Multifoods Tower	
			33 S. Sixth St., Minneapolis, MN 55402	
			Theodore R. Johnson, Sudler Marling, Inc., 875 North Michigan Avenue,	

Chicago, Illinois 60611 (312) 751-0900

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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.

L. Section 22.2(f) of the Act states:

"Notwithstanding any other provision of law, and subject only to the defences 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, transport, transport 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 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 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 θ 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 falls 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

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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 circo but no disclosure statement shall be invalid merely because it sets forth an officiete or superseded version of such text.

IV. Environmental Information

- A. Regulatory information During Current Ownership
- the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage or handling of 'bazardous 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 continercial mixing (other than paint mixing or tinting of consumer sized contained) (inishing, 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 percueum, other than that which was associated directly with the transferor's vehicle usage?

Yes..X. 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. 3..

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?

Landfill	Yes	NoX
Surface Impoundment	Yes	No۲.
Land Treatment	Yes	No∛.
Waste Pile	Yes,	NoX.
Incinerator	Yes	NoX

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Storage Tank (Above Ground)	Yes	Νο ^χ
Storage Tank (Underground)	Yes. ^X	No
Container Storage Area	Yes	No ^X
Injection Wells	Yes	NoX
Wastewater Treatment Units	Yes	No ^X
Septic Tanks	Yes	Νο ^χ
Transfer Stations	Yes	No.X
Waste Recycling Operations	Yes	No
Waste Treatment Detoxification	Yes	No.X
Other Land Disposal Area	Yes	No ^X

(See Exhibit 8)

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......
 - b. Perm'ts for emissions to the atmosphere. Yes.... No.....
 - c. Permits for any waste storage, waste treatment or waste disposal operations.
 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. 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...X

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- 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... &
 - 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. Forironmental Releases During Transferor's Ownership

 - b. Have any nazardous substances or petroleum, which were released, come into direct contact with the ground at this site?

 Yes..... No..... 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 solis
 - Temporary or more long-term monitoring of ground-water 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.

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	the base of sl	opes or at	other li	ow points	on or i	mme-
	diately adjace	ent 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?

The petroleum storage tank referenced above is for the sole use of storage of diesel fuel to operate an emergency generator as required by the City of Chicago Building Code.

- 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:

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	NoX
Land Treatment	Yes	No., X.,
Waste Pile	Yes	No
Incinerator	Y 25	No8
Storage Tank (Above Ground)	1/23 mm	No
Storage Tank (Underground) *	Yas X.	No
Container Storage Area	Yes,	NoX.,
Injection Wells	Yes,	No X
Wastewater Treatment Units	Yes	No
Septic Tanks	Yes	No%
Transfer Stations	Yes	No¥
Waste Recycling Operations.	Yes	No
Waste Treatment Detoxification	Yes	No
Other Land Disposal Area	Yes	NoX
*This has been removed.		

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٧. Certification

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.

TRANSFEROR:

700 MICHIGAN TOWER PARTNERSHIP, an Illinois partnership

CHICAGO PLACE APARTMENTS LIMITED PARTNERSHIP, an Illinois ilmited partnership, one of its general partners

Ву: SUDLER MARLING, INC., an Illinois corporation, its general partner

> Name: Jules Marling Its: Chairman

BROOKFIELD ILLINOIS II INC., a Minnesota corporation, one of its general partners

> Vanie: Karlan E. Engelmann lis: Vice President

Name: Cynthia M. Whireford Its: Assistant Segretary

В.	This form was delivered to m	e with all elements completed on	0
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	Si	gnature(s)	***************************************
	Tr	ransferee or Transferees (Please typer on behalf of Transferee)	

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RUDINICK & WOLFE

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۷, Certification

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.

TRANSFEROR:

700 MICHIGAN TOWER PARTNERSHIP, an Illinois partnership

Droporty or Coop CHICAGO PLACE APARTMENTS By: LIMITED PARTNERSHIP, an Illinois limited partnership, one of its general partners

By: SUDLER MARLING, INC., an Illinois corporation, its general partner

> By: Name: Jules Marling Its: Chairman

BROOKFIELD ILLINOIS II INC., d Minnesota corporation, one of its general partners

By:	
- (Name:
	lts: Vice President
	~/
	16
Ву:	9,
10 3 1	Name:
	its: Assistant Secretary

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

ROLF PILLER By: Steven M. Zuckerman, ATTY Signature(s)

Rolf Piller

Transferee or Transferees (Please type) (or on behalf of Transferee)

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STATE OF ILLINOIS) SS.
COUNTY OF COOK
In the State aforesald, DO HEREBY CERTIFY, that Jules Marling, personally known to me to be the Chairman of Sudier Marling, Inc., a corporation of the State of Illinois, whose name is subscribed to the within Instrument, appeared before me this day in person and acknowledged that as such Chairman, he signed and delivered the said Instrument of writing as Chairman of said Corporation to be thereunto affixed, as his free and voluntary act and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth. GIVEN I pder my hand and Notarial Seal, this 23 day of
man Chland
Notary Public
My Commission Expires: "OFFICIAL SEAL" MARY C. DURKIN NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 5/18/91

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Sold Colling Clarks Office

STATE OF Minnesota) SS. COUNTY OF Hennepin

I, <u>Yvonne M. Christensen</u> a Notary Public in and for said County, in the State aloresaid, DO HEREBY CERTIFY, that personally known to me to be the Vice President of Harlan E. Engelmann BROOKFIELD ILLINOIS II INC., a corporation of the State of Minnesota, and Cynthia M. Whiteford , personally known to me to be the Assistant Secretary of said Corporation, whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such Vice President and Assistant Secretary, they signed and delivered the said instrument of writing as Vice President and Assistant Secretary of said Corporation to be thereunto affixed, as their free and foluntary act and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 9th day of april. na Ox Cook 199_/_

Thomas M. (Mistenson)
Notary Public

My Commission Expires:

1/23/92



Property of Coop Colling Clark's Office

STATE OF ILLINOIS)
COUNTY OF COOK)
Cecile T, Kelley
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same person(s) whose name(s) (are/is) subscribed to the foregoing instrument, appeared
same person(s) whose name(s) (are/is) subscribed to the foregoing instrument, appeared
before me this day in person and severally acknowledged to me that (they/he/she), being thereunto duly authorized, signed and delivered said instrument as (their/his/her)
own free and voluntary act, for the use and purposes set forth therein.
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Coot County Clark's Office

EXHIBIT A

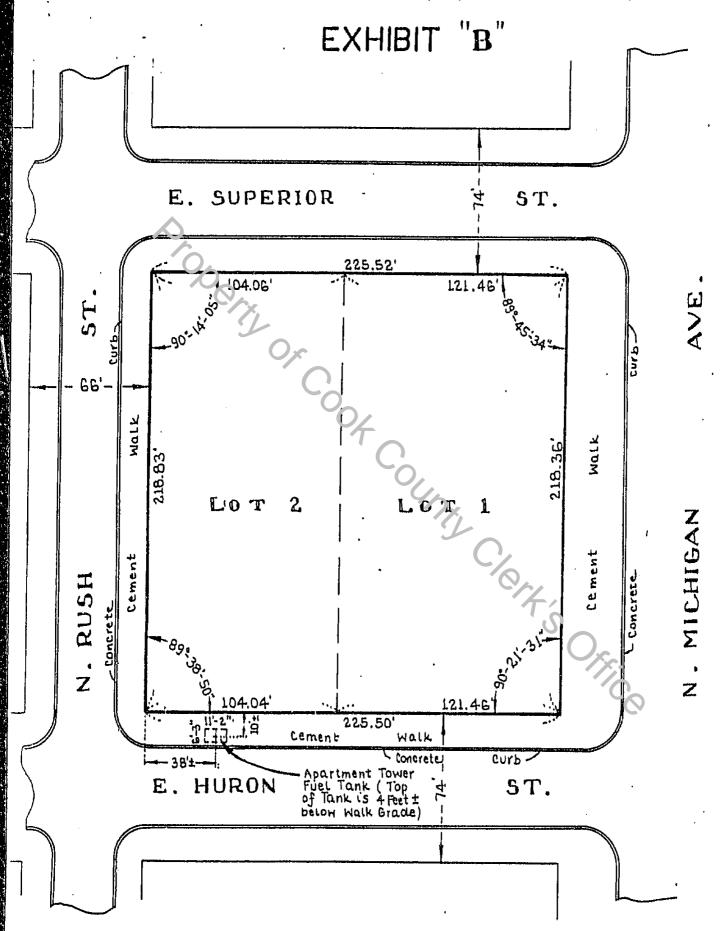
LOTS 2 OF CHICAGO PLACE, BEING A RESUBDIVISION OF THE LAND, PROPERTY AND SPACE WITHIN BLOCK 46 (EXCEPT THE EAST 75.00 FEET THEREOF) IN KINZIE'S ADDITION TO CHICAGO IN THE NORTH HALF OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID CHICAGO PLACE RECORDED SEPTEMBER 7, 1990, AS DOCUMENT NO. 90435974, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clark's Office

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ORDER No. 9006021-E"

ORDERED BY RULINICK & Wolfe

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