

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:
Rec'd. By:

Handwritten: E11298 / 14910287 (B) 3A

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

Seller: 700 Michigan Tower Partnership, an Illinois partnership
Buyer: D.R. ...
Document No.:

DEPT-01 RECORDINGS \$26.29
T#1111 TRAN 8818 07/03/91 14:26:00
#2186 + A *--91--331610
COOK COUNTY RECORDER

Property Identification:

A. Address of property... 100 East Huron Street, Chicago, North Town
Street City or Village Township

unit 4104

Permanent Real Estate Index No... 17-10-10A-009

B. Legal Description:
Section 10 Township 39N Range 14

Enter current legal description in this area:

See Exhibit A attached to and made a part of this Disclosure Document

Prepared by: Name... Edmund C. Woodbury
Company... Brookfield Development Inc.
Address... 321 N. Clark Street, Suite 700
City... Chgo... State... IL... Zip... 60610

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

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

RUDNICK & WOLFE

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RUDNICK & WOLFE

Transferees 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.

I. Liability Disclosure

A. Property Characteristics: *As shown on Exhibit A and Exhibit B attached hereto and made a part hereof

Lot Size.....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)

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.....

B. (1) Identify Transferor:

700 Michigan Tower Partnership

Name and Current Address of Transferor, c/o Sudler 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: 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: Edmund C. Woodbury (312) 245-5000

Name, Position (if any) and Address Telephone No.

Director of Construction, Brookfield Development Inc.

700 Quaker Tower, 321 North Clark Street, Chicago, Illinois 60610

Theodore R. Johnson, Sudler Marling, Inc., 875 North Michigan Avenue,

Chicago, Illinois 60611 (312) 751-0900

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"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

3. Section 22.2(k) 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."

2. Section 4(q) of the Act states:

(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;

(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

(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 of law, and subject only to the penalties set forth in subsection (f) 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(f) of the Act states:

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs related to the release of hazardous substances.

III. Notification

Name and Current Address of Transferee: *1719 North Lincoln Street, Chicago, IL 60614*

Identify Transferee: *Dr. Natalia Ueda*

46307

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Yes.....
 No...X
 Yes.....
 No...X
 Yes.....
 No...X
 Yes.....
 No...X

Landfill
 Surface Impoundment
 Land Treatment
 Waste Pile
 Incinerator

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 hazardous wastes, hazardous substances or petroleum?

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..X. 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..X..

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.

A. Regulatory Information During Current Ownership

Environmental Information

IV.

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.

"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."

4. Section 22.18(a) of the Act states:

such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

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

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. Permits 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 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.....

(See exhibit B)

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- Sampling and analysis of soils
- 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.

- Use of a cleanup contract 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

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 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

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

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

Signatures

1990

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

President

Stephen Bell, Vice

By:

BCED-ILLINOIS RESOURCES
INC., an Illinois corporation,
one of its general partners

By:

Jules Marling, Chairman

By:

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

By:

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

By:

700 MICHIGAN TOWER PARTNERSHIP,
an Illinois partnership

TRANSFEROR:

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.

V. Certification

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My Commission Expires: _____

Mary E. Blumkin
Notary Public

I, Mary E. Blumkin, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Jules Marling, personally known to me to be the Chairman of Sudler 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.

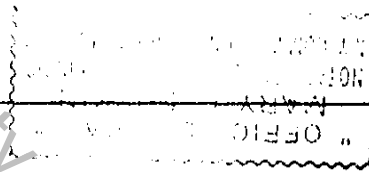
GIVEN under my hand and Notarial Seal, this 15 day of July, 1990.

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.)

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My Commission Expires:

[Signature]
Notary Public

I, *[Signature]*, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Stephen Bell, personally known to me to be the Vice President of BCD-Illinois Resources 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 Vice President, he signed and delivered the said instrument of writing as Vice President 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 under my hand and Notarial Seal, this 15th day of November, 1990.

STATE OF ILLINOIS)
COUNTY OF COOK)
SS.)

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Joanna F. Schneider, Notary Public My commission expires
A resident of LaPorte County, IN December 31, 2010

My Commission Expires

Joanna F. Schneider
Notary Public

GIVEN under my hand and notarial seal this 13 day of November, 1998.
own free and voluntary act, for the use and purposes set forth therein.
being thereunto duly authorized, signed and delivered said instrument as (their/his/hers)
before me this day in person and severally acknowledged to me that (they/he/she),
same person(s) whose name(s) (are/is) subscribed to the foregoing instrument, appeared
for the County and State aforesaid, DO HEREBY CERTIFY that (and Joanna F. Schneider), personally known to me to be the
a notary public, in and

COUNTY OF

STATE OF

)
) SS.
)

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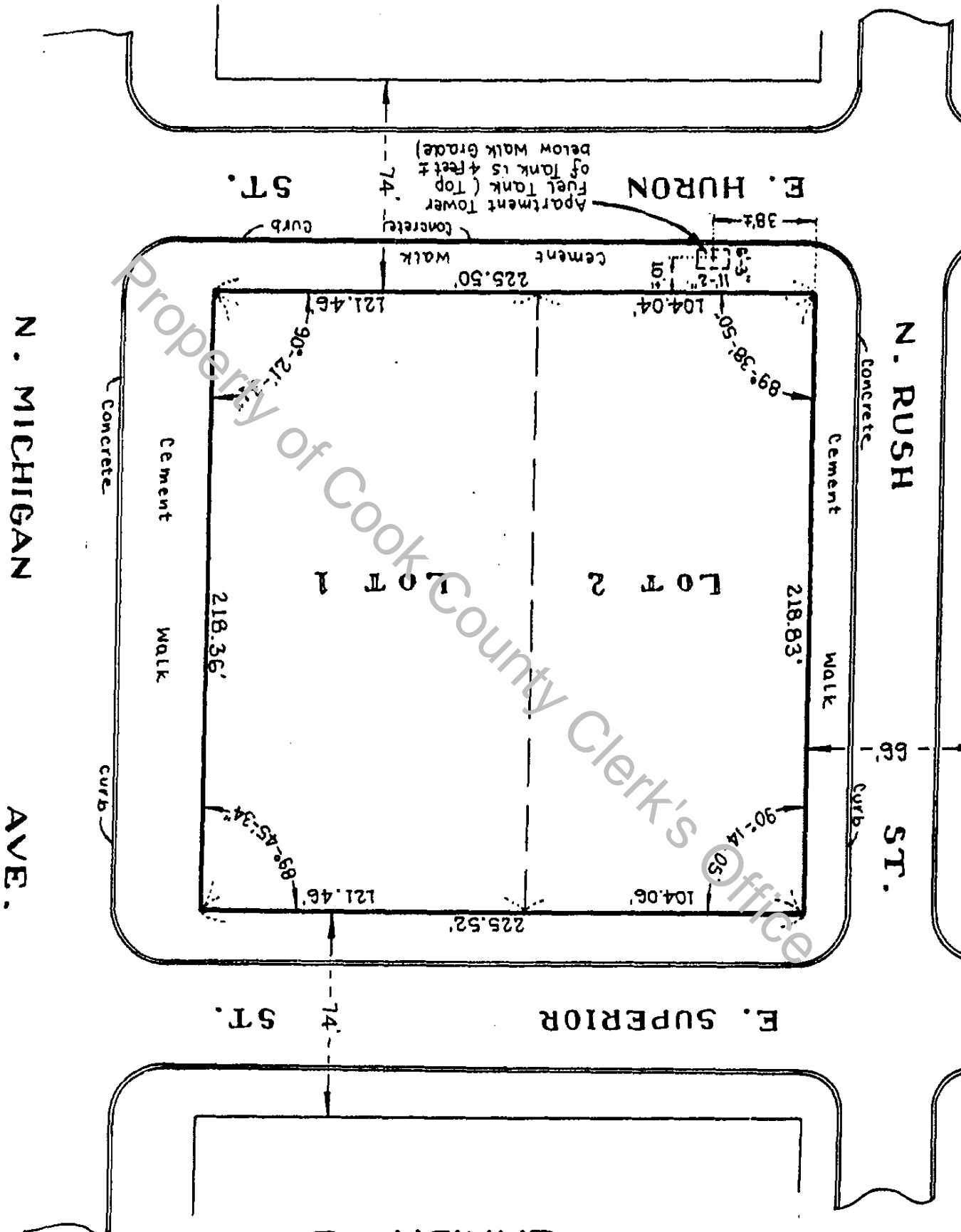
LOTS 2 OF CHICAGO PLACE, BEING A RESUBDIVISION OF THE LAND, PROPERTY AND SPACE WITHIN BLOCK 46 (EXCEPT THE EAST 75.00 FEET THEREOF) IN KINZIE'S ADDITION TO CHICAGO IN THE NORTH HALF OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID CHICAGO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

EXHIBIT A

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CHICAGO GUARANTEE SURVEY COMPANY 123 W. Madison St., Chicago, Illinois 60602 (312) 726-6880
ORDER No. 9006021-E | 9 | 5 | 5 | 6 | DATE October 16th, 1990
ORDERED BY Rudnick & Wolfe



0791E16

N. MICHIGAN AVE.

N. RUSH ST.

E. SUPERIOR ST.

E. HURON ST.

EXHIBIT "B"

9 | 3 | 3 | 6 | 1 | 0

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RUDNICK & WOLFE

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Title

see above

Lender Representative (Please Type)

Gartner Bank N. A.

Lender Vivian M. Luke, Mortgage Loan Officer

Signature(s) J. L. Emerson - Vice President

[Handwritten signature of J. L. Emerson]

19 8 7

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

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My Commission Expires:

Resident of Porter County
Lorrie Anderson
Notary Public

Lorrie Anderson

A.D. 1990

GIVEN under my hand and Notarial Seal, this 21st day of June

I, Lorrie Anderson, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that J. L. Emerson, personally known to me to be the Vice President of Gainer Bank N. A., a corporation of the State of Indiana, and Vivian M. Luke, personally known to me to be the Mortgage Loan Officer 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 Mortgage Loan Officer they signed and delivered the said instrument of writing as Vice President and Mortgage Loan Officer ~~severally~~ to be thereunto affixed, as their free and voluntary act and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth.

STATE OF Indiana)
COUNTY OF Lake)
SS.)