



UNOFFICIAL COPY 92563823

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

Cmt 19102146 aed

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

For Use By County

Seller: KRAFT CORPORATION

Recorder's Office

Buyer: Burbank Joint Venture

County

Document No.:

Date

Doc. No.

Vol. _____ Page _____

Rec'd by: _____

I. PROPERTY IDENTIFICATION

A. Address of property: 7700 S. Cicero Ave. Burbank
Street City or Village Township

Permanent Real Estate Index No.: See Exhibit A (attached)

B. Legal Description

Section _____ Township _____ Range _____

Enter or attach current legal description in this area:
See Exhibit A (attached)

92563823

DEPT-01 RECORDING 133.50
 T#6666 TRAN 5385 07/31/92 12:10:00
 #7427 # *-92-563823
 COOK COUNTY RECORDER



Prepared by: Kraft Corporation Return to: Richard R. McGill, Jr.
(or Date Firm name name)
1100 Big Beaver Rd Dickinson, Wright
Troy, MI 48064-3163 Chicago, IL 60606-3418

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 _____ Acreage APPROX. 10 acres

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

- | | |
|--|---|
| <input type="checkbox"/> Apartment building (6 units or less) | <input type="checkbox"/> Industrial building |
| <input type="checkbox"/> Commercial apartment (over 6 units) | <input type="checkbox"/> Farm, with buildings |
| <input checked="" type="checkbox"/> Store, office, commercial building | <input type="checkbox"/> Other, specify _____ |

3350

II. NATURE OF TRANSFER

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| A. (1) Is this a transfer by deed or other instrument of conveyance? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) A lease exceeding a term of 40 years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (4) A mortgage or collateral assignment of beneficial interest? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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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: Previous Owner: Cole Taylor Bank as Trustee

Premises leased to Cordin Trucking

Type of business operation of commercial trucking business
or property usage

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 Area		<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.

KMAR CORPORATION

By: Dale J. Inman
signature

Dale J. Inman
type of print name

TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

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

7-7 19 92

BURBANK JOINT VENTURE

By: Jupiter Burbank Partnership

By: Agent Authorized Signatory
signature

Burbank Joint Venture
type of print name
TRANSFEREE OR TRANSFEREES (or on behalf of transferee)

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

19

N/A

signature

type of print name

LENDER

(Ch. 30, par. 905)

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

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 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 X 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 X
- c. If remedy 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 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 X No
- b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes X 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 EPA or the USDA, of the release as "significant" under the Illinois Chemical Safety Act
- X 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.
- Steps 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

11. Is there any explanation needed for clarification of any of the above answers or responses? A LUST corrective action plan has been filed with IEPA and the USTs have been permitted for removal by the State Fire Marshal's Office.

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B. (1) Identify Transferor:

Kmart Corporation, 3100 W. Big Beaver Rd., Troy, MI 48066-3163

Name and Current Address of Transferor

N/A

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

Trust No.

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

(see page 1 for address)

Mr. Dale Inman, Construction Manager, (313) 643-2904

Name, Position (if any), and address

Telephone No.

3100 W. Big Beaver Rd.,

C. Identify Transferee: Burbank Joint Venture, Troy, MI 48084-3163

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 or rule of law, and subject only to the defenses set forth in subsection (g) 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;

(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

(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(t) 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(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 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 states:

"Notwithstanding any other provision or rule of 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

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 _____

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EXHIBIT "A"

PARCEL 1:

The South Quarter of the North 4/12ths of the South 60 acres of the East half of the South East Quarter of Section 28, Township 38 North, Range 13, East of the Third Principal Meridian. (Excepting that part thereof lying East of a line described as follows:

Beginning at a point in the North line of said South Quarter of the North 4/12ths of the South 60 acres, said point being 361.94 feet West of the East line of said Section 28; thence South to a point in the South line of said South Quarter of the North 4/12ths of the South 60 acres, said point being 364.09 feet West of the East line of said Section 28);

and (excepting that part thereof falling in a tract of land described as follows:

The West 265 feet (except the West 33 feet thereof) of the South Quarter of the North 4/12ths of the South 60 acres of the East half of the South East Quarter of Section 28, Township 38 North, Range 13 East of the Third Principal Meridian, and also the West 265 feet of the South 1/3 of the North 3/12ths of the South 60 acres of the East half of the South East Quarter (except from said land the North 120 feet thereof and the West 33 feet thereof) in Cook County, Illinois.

PARCEL 2:

The South 1/3 of the North 3/12ths of the South 60 acres of the East half of the South East Quarter of Section 28, Township 38 North, Range 13, East of the Third Principal Meridian (except from said premises the North 120 feet and also except from the said premises that part described as follows:

Beginning at a point in the North line of said South 1/3 of the North 3/12ths of the South 60 acres said point being 50 feet West of the East line of said Section 28; thence South along a line 50 feet West of and parallel to said East line to a point which is 17.85 feet North of the South line of said South 1/3 of the North 3/12ths of the South 60 acres measured along said East line) thence West along a line 17.85 feet North of and parallel to said South line of said South 1/3 of the North 3/12ths of the South 60 acres 313.92 feet; thence South 17.85 feet to the aforesaid South line of the said South 1/3 of the North 3/12ths of the South 60 acres; thence East along said South line 363.94 feet to the aforesaid East line of said Section 28; thence North 164.34 feet along said East

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line to the North line of the North 3/12ths of the North 3/12ths of the South 60 acres; thence West 50 feet to the point of beginning.

And also except from said premises that part falling in a tract of land described as follows:

The West 265 feet (except the West 33 feet thereof) of the South Quarter of the North 4/12ths of the South 60 acres of the East half of the South East Quarter of Section 28, Township 18 North, Range 11 East of the Third Principal Meridian, and also the West 265 feet of the South 1/3 of the North 3/12ths of the South 60 acres of the East half of the South East Quarter (except from said land the North 120 feet thereof and the West 33 feet thereof) in Cook County, Illinois.

Permanent Index Numbers:

19-28-401-030
19-28-401-059
19-28-413-010
19-28-413-001
19-28-414-010
19-28-414-001

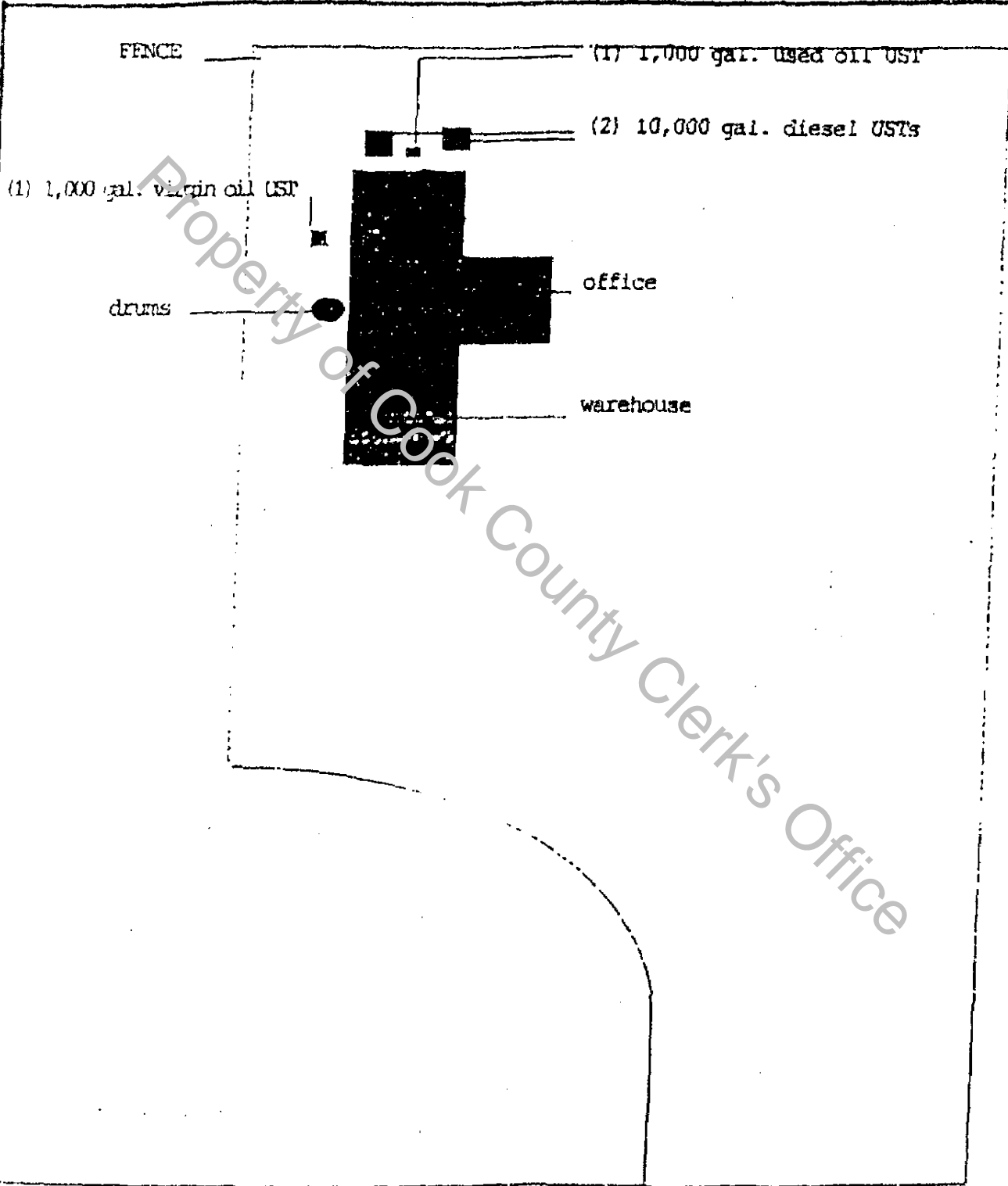
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CORDIN TRUCKING 7700 S. CICERO AVE, BURBANK, IL



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CICERO AVE.

NORTH →

NOT DRAWN TO SCALE

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