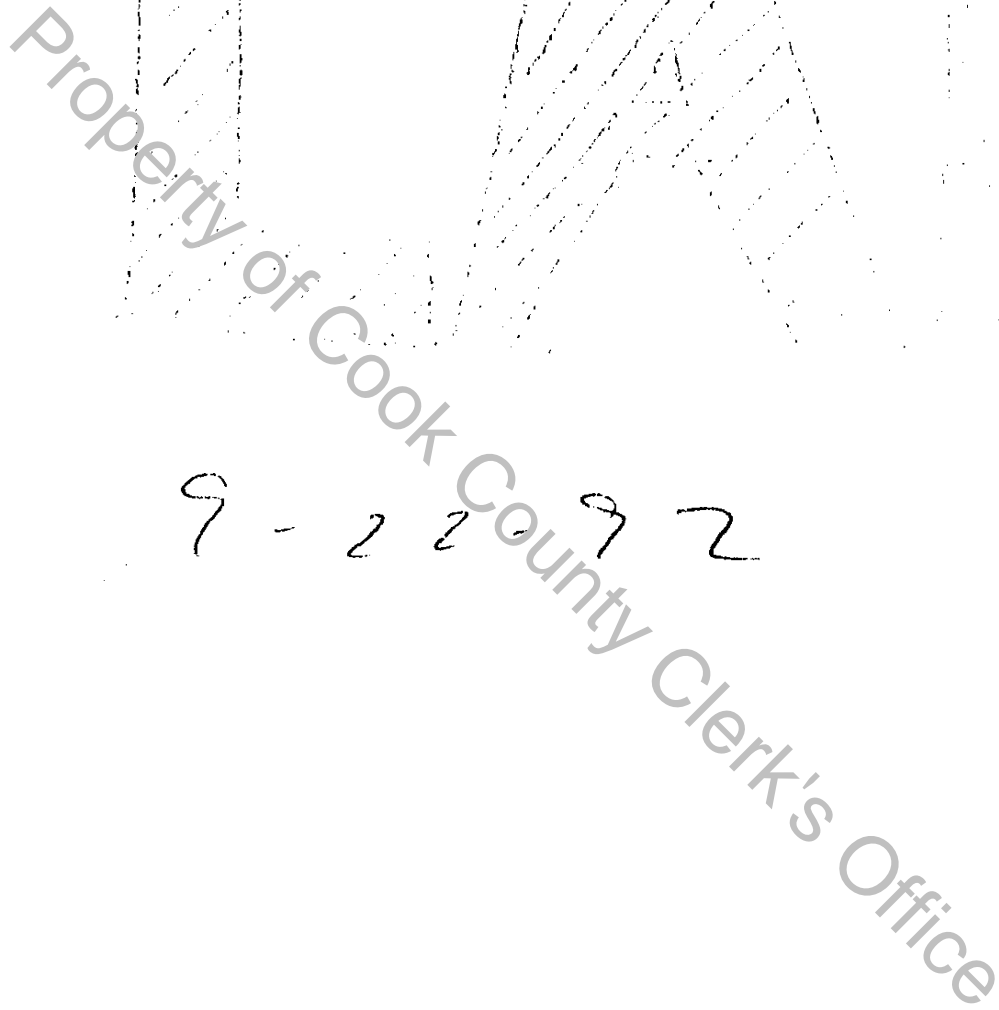


UNOFFICIAL COPY

92702811



Property of Cook County Clerk's Office

9-22-92

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

GAH:028:SS
9/11/92

92702811

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

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: _____

Seller: Mu-Car Carriers, Inc.

Buyer: Ford Motor Company

Rec'd by: _____

Document No.: _____

DEPT-01 RECORDING \$45.00
T45555 TRAN 6188 09/27/92 14:27:00
47420 E * - 92-702811
COOK COUNTY RECORDER

I. PROPERTY IDENTIFICATION:

A. Address of property: 13511 South Torrence Ave., Chicago, IL 60633
Street City or Village Township

Permanent Real Estate Index No.: 26-31-301-013 Vol. 304 and
26-31-425-003 Vol. 304

B. Legal Description:

Section: 31 Township: 37 North Range: 15

Enter or attach current legal description in this area:

(See Exhibit A attached)

92702811

WITH THIS DOCUMENT

Prepared by: Gregory A. Hadley, Esq.
Name

Return to: Gregory A. Hadley, Esq.
Name

3700 Park East Drive

3700 Park East Drive

Beachwood, OH 44122
Address

Beachwood, OH 44122
Address

BOX 334

UNOFFICIAL COPY

Property of Cook County Clerk's Office

1830136
92702811

UNOFFICIAL COPY

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: See Exhibit A attached Acreage: Approximately 21.14 acres

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:

	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 of an Illinois land trust?	_____	<u>X</u>
(3) A lease exceeding a term of 40 years?	_____	<u>X</u>
(4) A mortgage or collateral assignment of beneficial interest?	_____	<u>X</u>

B. (1) Identify Transferor:

Nu-Car Carriers, Inc., 30800 Telegraph Road, Birmingham, NJ 48010
Name and Current Address of Transferor

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

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

9 2 7 0 2 8 1 1

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

Lynn Clark, Director of Environmental Affairs,
3700 Park East Drive, Beachwood, Ohio 44122 216-765-5042
Name, Position (if any), and address Telephone No.

- C. (1) Identify Transferee:

Ford Motor Company, The American Road, Dearborn, Michigan 48121
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 (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, 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 contact, 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."

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

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 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 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."

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

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

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 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

- (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 _____

- (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>

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

(4) (Continued)

	Yes	No
Injection Wells	_____	_____X
Wastewater Treatment Units	_____	_____X
Septic Tanks	_____	_____X
Transfer Stations	_____	_____X
Waste Recycling Operations	_____	_____X
Waste Treatment Detoxification	_____	_____X
Other Land Disposal 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. The location of each storage tank unit is outlined in ink on the attached Exhibit B.

(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

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

(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 entered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property. N/A 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 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.

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.

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

- _____ Coping with fumes from subsurface storm drains or inside basements, etc.
- _____ Sign 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?

The release was found when underground storage tanks at the fuel island were removed. Response to the release is still on-going as of 9/11/92.

A. 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:

(a) Name: Ford Motor Company (previous owner)

Type of business/
or property usage: Manufacturer of motor vehicles

(b) Name: E & L Transport Company (current lessee)

Type of business/
or property usage: Motor carrier terminal

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

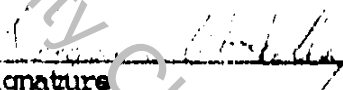
UNOFFICIAL COPY

(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
Landfill	-----	-----X-----
Surface Impoundment	-----	-----X-----
Land Treatment	-----	-----X-----
Waste Pile	-----	-----X-----
Incinerator	-----	-----X-----
Storage Tank (Above Ground)	-----	-----X-----
Storage Tank (Underground)	-----X-----	-----
Container Storage Area	-----	-----X-----
Injection Wells	-----	-----X-----
Wastewater Treatment Units	-----X-----	-----
Sep. Tanks	-----	-----X-----
Transfer Stations	-----	-----X-----
Waste Recycling Operations	-----	-----X-----
Waste Treatment Detoxification	-----	-----X-----
Other Land Disposal Area	-----	-----X-----

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.

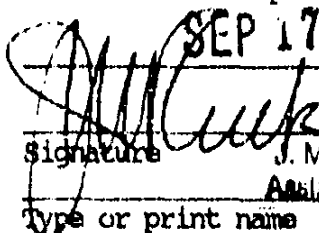


 Signature
 Gregory A. Wiley

 Type or print name

TRANSFEROR OR TRANSFERORS
(or on behalf of Transferor)

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

_____, 19____
 SEP 17 1992


 Signature
 J. M. Bintamakl
 Assistant Secretary

 Type or print name

TRANSFEREE OR TRANSFEREES
(or on behalf of Transferee)

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

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

_____, 19____

Signature

Type or print name

LENDER

Property of Cook County Clerk's Office

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A

PARCEL 1:

That part of the South half of Section 31, Township 37 North, Range 15, East of the Third Principal Meridian, lying West of the Southwesterly line of the right of way of the now or formerly New York, Chicago, and St. Louis Railroad Company, lying East of a line 50 feet East of and parallel with the West line of Section 31, aforesaid, lying North of a line 1710.4 feet North of and parallel with the South line of said Section 31 (except the North 680 feet thereof); together with that part of the South 310 feet of the North 680 feet of the South half of said Section 31, lying West of a line drawn at right angles to the South line of the North 370 feet of the North 680 feet of the South half of said Section 31 through a point 615.04 feet (as measured along said South line of the North 370 feet) East of the East line of the West 50 feet of said Section 31.

Cook County Clerk's Office

92702811

UNOFFICIAL COPY

Property of Cook County Clerk's Office