

UNOFFICIAL COPY

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.

IL4101

Recorder's Office

County Cook
Date
Doc. No.
Vol.
Page
Rec'd. By

92934494

100P 36

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

Seller: Chrysler Realty Corporation
Buyer: Wilmington Trust Company and William J. Wade, as Trustees, Mortgagee
Document No.:

Property Identification:

A. Address of property: 1410 E. Northwest Highway, Arlington Heights, Illinois
Street City or Village Township

Permanent Real Estate Index No.: 03-33-109-005-0000

B. Legal Description:
Section: 33 & 32 **Township:** 42 North **Range:** 11 EAST

Enter current legal description in this area:

See Exhibit A

DEPT-01 RECORDING \$31.00
T#1111 TRAN 2175 12/11/92 11:17:00
#5267 \$ *-92-934494
COOK COUNTY RECORDER

Prepared by: Name Stephen E. Dawson, Esq.
Company Dickinson, Wright, Moon, Van Dusen & Freeman
Address 525 North Woodward Avenue
City Bloomfield Hills, MI 48304

Return to: Stephen E. Dawson, Esq.
Dickinson, Wright, Moon, Van Dusen & Freeman
525 North Woodward Avenue
Bloomfield Hills, MI 48304



Box 196

92934494



Provided courtesy of
The Illinois Chamber
20 North Wacker Drive
Chicago, Illinois 60606-3083
312-373-7378

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

310/7

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY



I. 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 cleanup costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

A. Property Characteristics:

Lot Area..... Acres 0.829

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

- Apartment building (8 units or less)
- Commercial apartment (over 8 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 will or instrument of over 50% 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:

Name and Current Address of Transferor:

CHRYSLER REALTY CORP 1450 W. LONG LAKE RD SUITE 200 TROY MI 48093

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:

JAMES A. JIM 1450 W. LONG LAKE RD SUITE 200 TROY MI 48093

Name, Position (if any) and Address

Telephone No. (313) 952-1702

C. Identify Transferee:

Wilmington Trust Company and William J. Wade, as trustees

Name and Current Address of Transferee:

Rodney Square North 1 East 11th Street Wilmington Delaware 19890

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 29.2(f) of the Act states:

"Notwithstanding any other provision 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;

5230149

- (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 managed 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(e) 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 5 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 22.12(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 emergency 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 unamended version of such text.

IV. Environmental Information

A. 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 used 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.....
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
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.....	No <input checked="" type="checkbox"/>
Surface Impoundment	Yes.....	No <input checked="" type="checkbox"/>
Land Treatment	Yes.....	No <input checked="" type="checkbox"/>
Waste Pile	Yes.....	No <input checked="" type="checkbox"/>
Incinerator	Yes.....	No <input checked="" type="checkbox"/>
Storage Tank (Above Ground)	Yes.....	No <input checked="" type="checkbox"/>
Storage Tank (Underground)	Yes <input checked="" type="checkbox"/> ..	No.....
Container Storage Area	Yes.....	No <input checked="" type="checkbox"/>
Injection Wells	Yes.....	No <input checked="" type="checkbox"/>
Wastewater Treatment Units	Yes.....	No <input checked="" type="checkbox"/>
Septic Tanks	Yes.....	No <input checked="" type="checkbox"/>
Transfer Stations	Yes.....	No <input checked="" type="checkbox"/>
Waste Recycling Operations	Yes.....	No <input checked="" type="checkbox"/>
Waste Treatment Detention	Yes.....	No <input checked="" type="checkbox"/>
Other Land Disposal Area	Yes.....	No <input checked="" type="checkbox"/>

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.

UNOFFICIAL COPY

- 6. Has the transferor ever taken any of the following actions relative to this 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. 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.
- 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 check (a) 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 law? 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
 - Coping with fungus from subsurface storm drains or inside basements, etc.
 - 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
- 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?

.....

.....

.....

.....

92933494

UNOFFICIAL COPY

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 BILL WAEGER J/E

Type of business or property usage AUTO DEALERSHIP

2. If the transferor has knowledge, indicate whether the following existed under prior ownership, leaseholds granted by the transferor, other contracts for management or use of the facilities or real property:

Landfill	Yes....	No....
Surface Impoundment	Yes....	No....
Land Treatment	Yes....	No....
Water Pile	Yes....	No....
Incinerator	Yes....	No....
Storage Tank (Above Ground)	Yes....	No....
Storage Tank (Underground)	Yes....	No....
Center or Storage Area	Yes....	No....
Injection Well	Yes....	No....
Wastewater Treatment Units	Yes....	No....
Septic Tanks	Yes....	No....
Transfer Stations	Yes....	No....
Waste Recycling Operations	Yes....	No....
Waste Treatment Detention	Yes....	No....
Other Land Disposal Area	Yes....	No....

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.

James A. Adams
 SIGNATURE(S)
CHRYSLER REALTY CORP.
 TRANSFEROR OR TRANSFERORS (PLEASE TYPE)
 (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on
October 21, 1992
WILMINGTON TRUST COMPANY, as Trustee, Mortgagee

By Bruce L. Bisson
 SIGNATURE(S)
Bruce L. Bisson, Assistant Vice President
 TRANSFEREE OR TRANSFEREES (PLEASE TYPE)
 (or on behalf of Transferee)

C. This form was delivered to me with all elements completed on
Oct 21, 1992
William J. Wade, as Trustee, Mortgagee

WJ Wade
 SIGNATURE(S)
 NUMBER ADDITIONAL TRANSFEREE

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXXXXXXXXXXXXXXX

52931494

EXHIBIT A

Lots 333 to 345, both inclusive, in "Stonegate", being a resubdivision of H. Roy Barry Company's East Moreland, being a subdivision of that part of the West 1/2 of the Northwest 1/4 of Section 33, and that part of the East 1/2 of the Northeast 1/4 of Section 32, lying Northeasterly of the Chicago and Northwestern Railway Company, all in Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois. Excluding, however, those eight single family apartment units located above the front showroom building.

1410 E. Northwest HWY.
Arlington Heights, IL

3-33-107-005

006

007

008

009

010

011

012

013

014

015

016

Cook County Clerk's Office

92931494