

UNOFFICIAL COPY

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

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

Seller:
Buyer:
Document No.:

Property Identification:

A Address of property 7257 West Touhy Avenue Chicago
Permanent Real Estate Index No. 09-36-205-056-0000
B. Legal Description:
Section 36 Township 41 North Range 12
Enter current legal description in this area:

THE WEST 75 FEET OF THE NORTH 172 8/12 FEET OF THE WEST 5 ACRES OF THE EAST 15 ACRES OF THE NORTH 30 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. (EXCEPT THAT PART TAKEN FOR TOUHY AVENUE AND EXCEPT THE ALLEY)

COOK COUNTY CLERK'S OFFICE
1992 JAN 3 PM 3:20 12002362

Prepared by: Name Cathryn M. Boyer
Company PlainsBank of Illinois, N.A.
Address 678 Lee Street
City Des Plaines State Illinois Zip 60016

Return to: Same as above

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

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

A. Property Characteristics:
Lot Size 75' x 125' 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)

BOX 333

Handwritten signature/initials

73-35-311 D1 3422

92002362

# UNOFFICIAL COPY

Reorder Form #125  
BFC Forms Service, Inc.  
1710 Armitage Court, Addison, IL 60101  
(708) 485-3990

SIGNATURE(S)  
PlainsBank of Illinois, N.A.  
LENDER  
Margaret A. Higgins  
LENDER REPRESENTATIVE (PLEASE TYPE)  
Assistant Vice President

C. This form was delivered to me with all elements completed on December 1, 1991

SIGNATURE(S)  
Margaret A. Higgins, Assistant Vice President  
TRANSFEROR OR TRANSFEREE (PLEASE TYPE)  
(or on behalf of Transferor)

B. This form was delivered to me with all elements completed on December 1, 1991

SIGNATURE(S)  
Paul D. Trafficant, President of Bar Foods, Inc.  
TRANSFEROR OR TRANSFEREE (PLEASE TYPE)  
(or on behalf of 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

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

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:

Type of business or property usage: *Commercial Office Building*

1. Provide the following information about the previous owner or any entity or person the transferor leased the site to or otherwise contacted with for the management of the site or real property:  
Name: *N/A*

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?
12. 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.  
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

92202362

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:

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.

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

Margaret A. Higgins, Associate Broker, Plain Bank of Illinois

Name, Position (if any) and Address

Telephone No

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.

1. Section 22.2(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;
- (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 substance; 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 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.

3-20-2002

# UNOFFICIAL COPY

## 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 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
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 waste, hazardous substances or petroleum?
 

Landfill ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Surface Impoundment ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Land Treatment ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Waste Pile ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Incinerator ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Storage Tank (Above Ground) ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Storage Tank (Underground) ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Container Storage Area ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>	Injection Wells ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Wastewater Treatment Units ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Septic Tanks ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Transfer Stations ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Waste Recycling Operations ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Waste Treatment/Detoxification ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Other Land Disposal Area ..... Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
---	---
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 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 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  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 ..... Yes  No
      - Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials ..... Yes  No
      - Designation, by the EPA or the RCRA or the CERCLA, of the release as "significant" under the Illinois Chemical Safety Act ..... Yes  No

92002362