

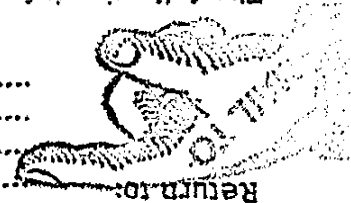
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RUDNICK & WOLFE

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

92021882

Return to: Rudnick & Wolfe  
203 North LaSalle Street, Suite 1800  
Chicago, IL 60601  
Attn: Sue Ann Fishbein



Theodore R. Johnson  
Sudler Hartling, Inc.  
875 North Michigan Avenue  
Chicago, IL 60611

Prepared by: Edmund C. Hoadbury  
Company: c/o Brookfield Development Inc.  
Address: 33 S. Sixth Street  
City: Minneapolis, MN 55402

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

Enter current legal description in this area:

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

Permanent Real Estate Index No. 17-10-105-007

A. Address of property: 100 East Huron Street, Chicago, North Town / Unit 3702  
Street City or Village Township  
Property Identification:

Seller: 700 Michigan Tower Partnership, an Illinois partnership  
Buyer: Donalda Lake and Charles Christpell - Unit 3702  
Document No.:

ENVIRONMENTAL DISCLOSURE DOCUMENT  
FOR TRANSFER OF REAL PROPERTY

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  
Country: Date: Doc. No.: Vol.: Page: Recd. By:

DEPT-01 RECORDINGS \$45.50  
14111 TRAM 3456 01/13/92 12:19:00  
47373 # 2 \* 2-021882  
COOK COUNTY RECORDER

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Vertical handwritten notes on the right margin, including '1/9/15/372', 'MB 2/11/260', and a circled '6'.

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## 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:

\*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
- .... Factory with buildings
- .... Other (specify) -

## II. Nature of Transfer

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

### 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 (612) 372-1500

Name, Position (if any) and Address Telephone No.  
c/o Brookfield Development Inc., 4340 Multifoods Tower  
33 S. Sixth St., Minneapolis, MN 55402

Theodore R. Johnson, Sudler Marling, Inc., 875 North Michigan Avenue,  
Chicago, Illinois 60611 (312) 751-0900

"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(l) 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 duties 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. 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

C. Identify Transferee:

Name and Current Address of Transferee:

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Landfill	Yes.....	No...X
Surface Impoundment	Yes.....	No...X
Land Treatment	Yes.....	No...X
Waste Pile	Yes.....	No...X
Incinerator	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 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. Regularly 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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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. f	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.....

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

(See Exhibit B)

1 2 0 2 1 1 1 9

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..... H/A -

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..... No..... H/A

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? Yes..... No..... H/A

..... 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 IESDA, of the release as "significant" under the Illinois Chemical Safety Act

..... 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.

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

\*This has been removed.

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:

Name..... BRED-ILLINOIS RESOURCES INC.  
 Type of business or property usage... parking garage.....  
 .....

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:

### B. Site Information Under Other Ownership or Operation

.....  
 The petroleum storage tank referenced above is for the sole use of storage of diesel fuel to operate an emergency generator as required by the City of Chicago Building Code.....

11. Is there any explanation needed for clarification of any of the above answers or responses?

10. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?  
 Yes..... No..X.

..... 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

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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.

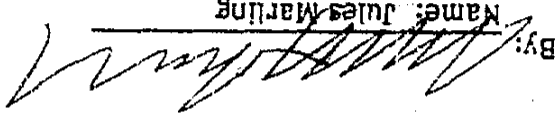
V. Certification

TRANSFEROR:

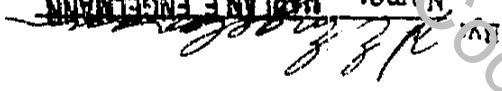
700 MICHIGAN TOWER PARTNERSHIP,  
an Illinois partnership

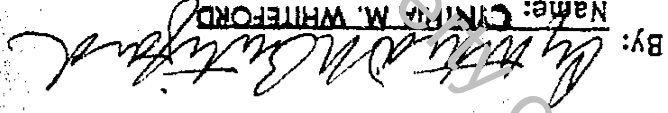
By: CHICAGO PLACE APARTMENTS  
LIMITED PARTNERSHIP,  
an Illinois limited partnership,  
one of its general partners

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

By:   
Name: Jules Marling  
Its: Chairman

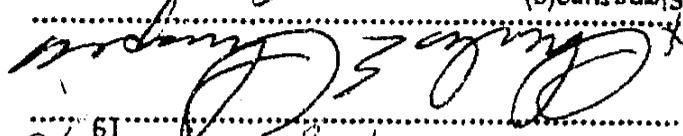

By: BROOKFIELD ILLINOIS II INC.,  
a Minnesota corporation,  
one of its general partners

By:   
Name: KARL E. ENGELMANN  
Its: Vice President

By:   
Name: CYNTHIA M. WHITEFORD  
Its: Assistant Secretary

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

1-8-92

Signature(s)  
  


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

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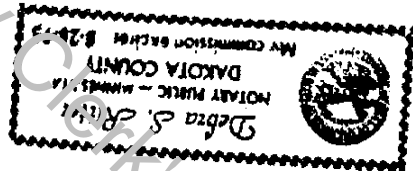
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Property of Cook County

8-28-95

My Commission Expires:



Debra S. Ritter  
Notary Public

GIVEN under my hand and Notarial Seal, this 27th day of November, 1995.

I, Debra S. Ritter, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Waylan E. Engelmann, personally known to me to be the Vice President of AROOKFIELD ILLINOIS II INC., a corporation of the State of Minnesota, and Lynette M. Ulfert, personally known to me to be the Assistant Secretary 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 Assistant Secretary, they signed and delivered the said instrument of writing as Vice President and Assistant Secretary of said Corporation 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.

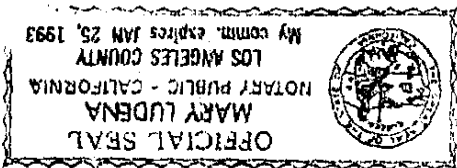
MINNESOTA  
STATE OF ILLINOIS  
Dakota )  
COUNTY OF COOK ) SS.

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Property of Cook County Clerk's Office



JANUARY 25, 1993

My Commission Expires:

*Mary Ludena*  
Notary Public

1990.

GIVEN under my hand and notarial seal this 3<sup>RD</sup> day of JANUARY, 1990.

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 CHARLES and DOLORES LAITE, personally known to me to be the

MARY LUDENA, a notary public, in and

STATE OF CALIFORNIA )  
                                  ) SS.  
COUNTY OF LOS ANGELES )

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Property of Cook County Clerk's Office

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 KIN- ZIE'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 DOCU- MENT 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  
DATE October 16<sup>th</sup>, 1990  
ORDERED BY Rudnick & Wolfe

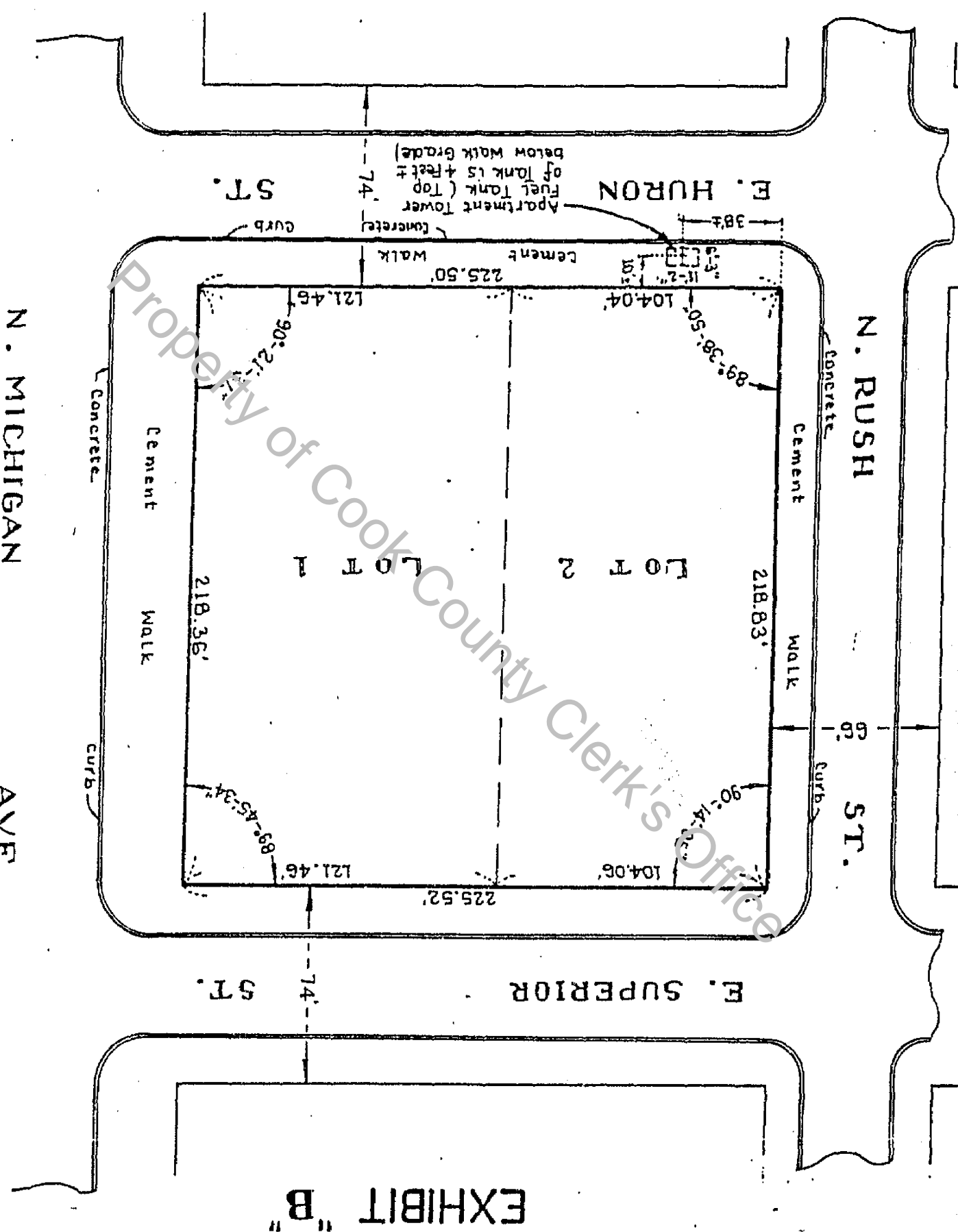


EXHIBIT "B"

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4/5-00  
Mail

Property of Cook County Clerk's Office

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