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STATE OF ILLINOIS )

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COUNTY OF C O O K )

SS.

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT - CHANCERY DIVISION

PEOPLE OF THE STATE OF ILLINOIS, )

Plaintiff, )

v. )

No. 88 CH 11133

STANLEY JOHNSON, Individually, )  
and d/b/a COLUMBIA PUSTPROOF, )  
INC., a dissolved Illinois )  
corporation, SIDNEY and ALICE )  
PACIN, Individually, RONALD )  
BUIKEMA, Individually and d/b/a )  
NATIONAL SCAVENGER SERVICE, INC., )  
and LASALLE NATIONAL BANK, as )  
Trustee, )

Defendants. )

*278*

### CONSENT DECREE

Whereas, the PEOPLE OF THE STATE OF ILLINOIS, by their attorney, JACK O'MALLEY, State's Attorney of Cook County, Illinois, on his own authority and at the request of the Illinois Environmental Protection Agency, (hereinafter the "Agency") have filed a complaint pursuant to Sections 22.2 (f) and (k), and Sections 42 (d) and (e) of the Illinois Environmental Protection Act, Ill. Rev. Stat., ch. 111 1/2, pars. 1022.2 (f) and (k), and pars. 1042 (d) and (e), against SIDNEY and ALICE PACIN and other defendants; and

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Whereas, said complaint seeks the recovery of monies expended by the State of Illinois for the cleanup and removal of hazardous waste left abandoned on property located at 1750 West Carroll Street, Chicago, Illinois (hereinafter the "site") also described as:

Lots 31 and 32 in Hulls Subdivision of Block 34 in the Canal Trustees Subdivision of Section 7, Township 39 North, Range 14, lying East of the Third Principal Meridian, in Cook County, Illinois;

and

Whereas, said complaint alleges that Sidney and Alice Pacin and other defendants are liable to the State of Illinois for all cost expended by the State for the clean up and removal of hazardous waste from said site; and

Whereas, on March 20, 1990, the Agency also filed an Environmental Reclamation Lien against said site, in the amount of \$99,980.53, in accordance with Section 21.2 of the Illinois Environmental Protection Act, Ill. Rev. Stat., ch. 111 1/2, par. 1021.2; and

Whereas, Sidney and Alice Pacin have filed pleadings in the aforementioned lawsuit denying that they are legally responsible for and had nothing to do with the placing of and/or maintaining hazardous material at said site; and

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Whereas, Sidney and Alice Pacin and the parties for the State of Illinois have agreed that it is in the public interest and interest of said parties that matters which relate to the cleanup and removal of hazardous waste as referred to in the complaint be resolved; and

Whereas, said parties have agreed to the terms hereof conditioned on approval and entry of this Decree by the court.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. The Court has jurisdiction over the parties and subject matter of this action pursuant to Illinois Rev. Stat., ch. 111 1/2, pars. 1022.2 and 1042.

2. This Decree constitutes an agreed settlement of disputed claims alleged in said complaint and shall apply to and be binding only upon Sidney and Alice Pacin, the Illinois Environmental Protection Agency and the Cook County State's Attorney's Office.

3. This Decree also serves as a release of the March 20, 1990, Environmental Reclamation Lien on said site.

4. Sidney and Alice Pacin shall pay a total sum of \$30,000.00 to the Illinois Environmental Protection Agency, as full settlement of this dispute.

5. Said \$30,000 payment, made by cashier's check, payable to the, Treasurer-State of Illinois, and designated

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Illinois Hazardous Waste Fund has been received by the attorney for the State.

6. This Consent Decree shall take effect upon entry by this court.

7. This court shall retain jurisdiction over said parties to secure the enforcement of this consent decree.

AGREED:

By: Kalman Lieberman  
Kalman Lieberman  
Attorney for Sidney Pacin  
SSN: 358-12-7062 and Alice Pacin  
SSN: 339-10-8550  
55 West Monroe Street  
33rd Floor  
Chicago, Illinois 60603  
(312) 346-0432

Mailed  
&  
Prepared by

JOSEPH E. SVOBODA  
General Counsel  
Illinois Environmental Protection Agency

JACK O'MALLEY  
State's Attorney of Cook County

By: Jennifer A. Whitfield  
JENNIFER A. WHITFIELD  
Assistant State's Attorney  
500 Richard Daley Center  
Chicago, Illinois 60602  
(312) 443-4370  
Of Counsel

BOX 333

LOT 31 AND 32 IN HULLS SUBDIVISION OF BLOCK 34 IN CANAL TRUSTEE SUBDIVISION IN SECTION 7 TOWNSHIP 39 RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN # 17-07-402-004-0000  
1750 W. CARROLL AVENUE CHICAGO, IL.

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