



UNOFFICIAL COPY 93600259

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

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

For Use By County

Borrower: Ace Anodizing & Impregnating, Inc.
Seller: _____
Lender: Cook County, Illinois
Buyer: _____

Recorder's Office

County

Date

Doc. No.

Vol. _____ Page _____

Rec'd by: _____

Document No.: _____

I. PROPERTY IDENTIFICATION:

A. Address of property: 4161-63 Butterfield Road Hillside Proviso
Street City or Village Township
15-08-419-010; -011; -012; -013
Permanent Real Estate Index No.: 15-08-420-010; -011; -012; -013; -028

B. Legal Description:

Section 8 Township _____ Range 12E
Range _____

Enter or attach current legal description in this area:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN

DEPT-01 RECORDING \$29.00

TRAN 7610 08/02/93 12:26:00
\$8555 # 93-600259
COOK COUNTY REC'DR

Prepared by: J.E. McNitt, Esq.
Pope, Ballard, Shepard & Fowle, Ltd.
69 W. Washington St., Suite 3200
Chicago, IL address 60602

Return to: J.E. McNitt, Esq.
Pope, Ballard, Shepard & Fowle, Ltd.
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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 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 268 x 320 x 136 x 230 Acreage _____

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

- | | |
|---|---|
| <input type="checkbox"/> Apartment building (6 units or less) | <input checked="" type="checkbox"/> Industrial building |
| <input type="checkbox"/> Commercial apartment (over 6 units) | <input type="checkbox"/> Farm, with buildings |
| <input type="checkbox"/> Store, office, commercial building | <input type="checkbox"/> Other, specify _____ |

II. NATURE OF TRANSFER:

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

29.00
JW

- 2. Has the tank 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, retreating, servicing, or cleaning operations on the property.
Yes _____ No X

IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership
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.

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.

4. Section 22.18(f) 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."
If any person who is liable for a release or substantial threat of release of a hazardous substance falls 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 Board or any court 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."

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 falls 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 Board or any court 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."
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 hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

2. Section 4(g) of the Act states:
"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."
(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites release of such hazardous substances; and
(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 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, storage or treatment 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;
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, storage or treatment 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 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."

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, storage or treatment 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 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."

C. Identify Transferor:
Name, Position (if any), and address _____
Cook County _____
118 North Clark St., Room 824, Chicago, IL 60602 _____
Name and Current Address of Transferor _____
Telephone No. _____

B. (1) Identify Transferor:
Name and Current Address of Transferor _____
Ace Analyzing & Impregnating, Inc. _____
4161-4163 Butterfield Road _____
Name and Address of Trustee (if it is a transfer of beneficial interest in 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: _____
Name, Position (if any), and address _____
1111stje, Illinois 60162 _____
Telephone No. _____

63200336

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EXHIBIT "A"

Lots 8, 9 and 10 (except that part taken for widening Washington Boulevard) and all that part of Lots 11 and 12 and adjoining vacated alleys lying westerly of a straight line, said line being the extension to the Southeast of the westerly line of Lot 7 to its intersection with the South line of Lot 12, extended East, also all of Lots 13, 14, 15 and half of the adjoining vacated alley, all in Block 4, also Lots 1, 2, 35 and 36, in Block 5, together with all of vacated Geneva Avenue lying between Blocks 4 and 5 in Thomas Rowan's Subdivision, described as lying North of the Northerly line of the Chicago and Great Western Railway and Southerly of the Northerly line of Lot 36 in Block 5 extended to the West line of aforesaid Block 4 all in Thomas Rowan's Subdivision of Lots 1 to 4, 15 to 23, 32 to 37, and 42, 43, 48, 49, 50, 55, 57, together with vacated street between said Lots 2, 3 and 4, all in J. H. Whiteside and Company's Madison Street Addition, in Section 8, Township 39 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

/641/DJR/exhibita

93600259

BOX NUMBER 84
COOK COUNTY RECORDER'S OFFICE
COUNTY BUILDING
CHICAGO, ILLINOIS

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Property of Cook County Clerk's Office

939900559

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?

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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 waste, hazardous wastes, hazardous substances or petroleum?

	YES	NO		YES	NO
Landfill	_____	<u>X</u>	Injection Wells	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>	Wastewater Treatment Units	_____	<u>X</u>
Land Treatment	_____	<u>X</u>	Septic Tanks	_____	<u>X</u>
Waste Pile	_____	<u>X</u>	Transfer Stations	_____	<u>X</u>
Incinerator	_____	<u>X</u>	Waste Recycling Operations	_____	<u>X</u>
Storage Tank (Above Ground)	_____	<u>X</u>	Waste Treatment Detoxification	_____	<u>X</u>
Storage Tank (Underground)	_____	<u>X</u>	Other Land Disposal Area	_____	<u>X</u>
Container Storage Area	_____	<u>X</u>			

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 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

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 X

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 X
- b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes _____ No X
- 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 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

93600259

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? _____

BOX NUMBER 84
COOK COUNTY RECORDERS OFFICE
COUNTY BUILDING
CHICAGO, ILLINOIS

COMPLAINETS OF CHICAGO TITLE INSURANCE COMPANY
E 1090 11.89



(C 4 30, 807 900)

LENDER
Type or print name

Signature

Robert J. Mitchell

C. This form was delivered to me with all elements completed on
July 19 93

TRANSFEREE OR TRANSFEREES (or on behalf of Transferor)
Type or print name

Signature

B. This form was delivered to me with all elements completed on
_____ 19

TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)
Type or print name

David B. Vaughn, Vice President

Signature

David B. Vaughn

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
Surface Impoundment	_____	YES	NO
Land Treatment	_____	YES	NO
Waste Pile	_____	YES	NO
Incinerator	_____	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

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:

Type of business/ Light Industrial
purchase of the property

Name: Ace Amoldizing & Impregnating, Inc. was a tenant of the property prior to

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

65200026