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1993 ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

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For Use By County

Recorder's Office

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

County

Date

Doc. No.

Vol.

Seller: Beneficiaries of

Page

Beverly Bank Trust 8-7211

Buyer: SOFT SHEEN PRODUCTS, INC. Rec'd by:

Document No.: _____

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I. PROPERTY IDENTIFICATION:

A. Address of property: 8830 S. Dodson Avenue, Chicago
Street City or Village

Township

Permanent Real Estate Index No.: 25-02-102-028, 029, 037, 038

B. Legal Description:

Section 2 Township 37 N Range 14 E

Enter or attach current legal description in this area: See attached

Prepared by: Terence J. Venezia
Name
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606
Address

Return to: Terence J. Venezia
Name
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606
Address

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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 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 62,000 sq. ft. Bldg. Acreage 3.649

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 building
- Other (specify)

II. NATURE OF TRANSFER:

- | | <u>Yes</u> | <u>No</u> |
|--|------------|-----------|
| A. (1) Is this a transfer by deed or other instrument of conveyance? | <u>x</u> | |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? | | <u>x</u> |

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- (3) A lease exceeding a term of 40 years? _____ X
- (4) A mortgage or collateral assignment
of beneficial interest? _____ X

B. (1) Identify Transferor:

Edward and Betty Gardner, 9512 Michigan Avenue, Chicago, IL
Name and Current Address of Transferor

Beverly Bank Trust Company, 10312 Cicero, Oak Lawn, IL 8-7211
Name and Address of Trustee if Trust No.
this is a transfer of a beneficial
interest of a land trust.

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

Gary Gardner - 1000 E. 87th St., Chicago, IL (312) 978-0700
Name, Position (if any), and Address Telephone No.

C. Identify Transferee:

Beverly Bank Trust 8-9407, 10312 Cicero, Oak Lawn, IL
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 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

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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 [owned or operated by another party or entity from which facility]^{1/} 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

^{1/} The bracketed text is included in Section 22.2(f)(3) of the Illinois Environmental Protection Act, Ill. Rev. Stat. ch. 111 1/2 § 1022.2(f)(3)(1988), but was omitted from the statement of the law in Public Act No. 85-1228 creating the environmental disclosure document.

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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 [a] result of such failure to take such removal or remedial action. The punitive damages 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 or law, except as provided otherwise in subsection (b), the owner or operator,

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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.

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 _____

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No x

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

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

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?

	<u>Yes</u>	<u>No</u>
Landfill	<u> </u>	<u> x </u>
Surface Impoundment	<u> </u>	<u> x </u>
Land Treatment	<u> </u>	<u> x </u>
Waste Pile	<u> </u>	<u> x </u>
Incinerator	<u> </u>	<u> x </u>
Storage Tank (Above Ground)	<u> </u>	<u> x </u>

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Storage Tank (Underground)	_____	<u>X</u>
Container Storage Area	_____	<u>X</u>
Injection Wells	_____	<u>X</u>
Wastewater Treatment Units	_____	<u>X</u>
Septic Tanks	_____	<u>X</u>
Transfer Stations	_____	<u>X</u>
Waste Recycling Operations	_____	<u>X</u>
Waste Treatment Detoxification	_____	<u>X</u>
Other Land Disposal 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	<u>X</u>
b. Permits for emissions to the atmosphere.	Yes	_____
	No	<u>X</u>
c. Permits for any waste storage, waste treatment or waste disposal operation.	Yes	_____
	No	<u>X</u>

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6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes x

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 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 x

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 x

b. Filing an environmental enforcement Yes

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case with a court or the Pollution

Control Board for which a final No

order or consent decree was entered.

c. If item b. was answered by checking Yes

Yes, then indicate whether or not

the final order or decree is still No

in effect for this property.

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

Assignment of in-house maintenance staff to remove or treat materials including soils,

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pavement or other surficial materials

_____ Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act

 x Sampling and analysis of soils

 x 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

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?

Clarification of above matters is contained in the reports listed on the attached List of Environmental Reports previously delivered to Purchaser and Lender; 7(c) Reports filed for this

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and other properties, however, release only related to property
at 8822 Dobson, Chicago

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: Soft Sheen Products, Inc. - Tenant

Miner Company: Abco Steel

Type of business: Hair Care Products

or property usage Steel Company

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:

	<u>Yes</u>	<u>No</u>
Landfill	<u> </u>	<u> X </u>
Surface Impoundment	<u> </u>	<u> X </u>
Land Treatment	<u> </u>	<u> X </u>
Waste Pile	<u> </u>	<u> X </u>
Incinerator	<u> </u>	<u> X </u>
Storage Tank (Above Ground)	<u> </u>	<u> X </u>
Storage Tank (Underground)	<u> X </u>	<u> </u>
Container Storage Area	<u> </u>	<u> X </u>

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Injection Wells	_____	<u>X</u>
Wastewater Treatment Units	_____	<u>X</u>
Septic Tanks	_____	<u>X</u>
Transfer Stations	_____	<u>X</u>
Waste Recycling Operations	_____	<u>X</u>
Waste Treatment Detoxification	_____	<u>X</u>
Other Land Disposal Area	_____	<u>X</u>

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.


signature

GARY GARDNER

type or print name

TRANSFEROR OR TRANSFERORS

(or on behalf of Transferor)

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

11/10 1993

COOK COUNTY CLERK'S OFFICE
1993 NOV 15 PM 2:34

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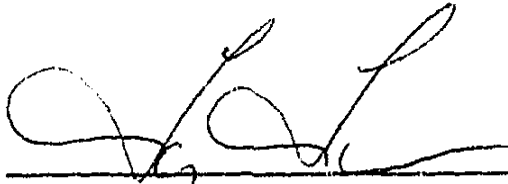
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signature

BENEFICIARIES OF BEVERLY TRUST 8-9407

type or print name

TRANSFeree OR TRANSFEREES

(or on behalf of Transferee)

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

1/10 1993

signature

type or print name

LENDER

FIRST NATIONAL BANK OF CHICAGO,
AS TRUSTEE



signature

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COOK COUNTY CLERK'S OFFICE

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EXHIBIT A

Legal Description

PARCEL 1:

A TRACT OR PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS::

COMMENCING AT A POINT 623 FEET PERPENDICULARLY DISTANT SOUTHERLY FROM THE NORTH LINE OF SAID 1/4 SECTION AND 420 FEET WEST OF THE WEST LINE OF SOUTH GREENWOOD AVENUE, IN THE CITY OF CHICAGO; THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF SOUTH DOBSON AVENUE, A DISTANCE OF 593.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF SOUTH DOBSON AVENUE, A DISTANCE OF 261.82 FEET; THENCE NORTH 43 DEGREES 57 MINUTES 12 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SOUTH DOBSON AVENUE, A DISTANCE OF 43.13 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID SOUTH DOBSON AVENUE, A DISTANCE OF 17.94 FEET TO A POINT OF INTERSECTION WITH A CURVED LINE; THENCE SOUTHWESTERLY ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHEAST, HAVING A RADIUS OF 441.68 FEET, A CHORD BEARING OF SOUTH 39 DEGREES 21 MINUTES 34 SECONDS WEST, A DISTANCE OF 150.82 FEET TO A POINT OF INTERSECTION; THENCE SOUTH 49 DEGREES 08 MINUTES 31 SECONDS WEST ALONG A LINE WHICH IS 15 FEET NORTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF THE ILLINOIS CENTRAL RAILROAD COMPANY'S INDUSTRY LEAD TRACK, A DISTANCE OF 275.31 FEET TO A POINT OF INTERSECTION WITH A CURVED LINE; THENCE NORTHWESTERLY ALONG THE ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 351.83 FEET, A CHORD BEARING OF NORTH 16 DEGREES 44 MINUTES 53 SECONDS WEST 70 FEET NORTHEASTERLY OF AND PARALLEL WITH THE CENTER LINE OF THE ILLINOIS CENTRAL RAILROAD COMPANY'S LOOP TRACK, A DISTANCE OF 341.04 FEET; THENCE NORTH 11 DEGREES 12 MINUTES 40 SECONDS EAST, A DISTANCE OF 276.30 FEET; THENCE SOUTH 60 DEGREES EAST, A DISTANCE OF 80.22 FEET; THENCE SOUTH 90 DEGREES EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID 1/4 SECTION, A DISTANCE OF 244.19 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 25-02-102-028; 029; 037; 038

Common Address: 8830 S. Dobson, Chicago, Illinois

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List of Environmental Reports

1. Letter to Clyde Burks, Soft Sheen Products, Inc., from Edward Garske, Project Manager, Carlson Environmental, Inc., Project No. 8660 (10/07/93).
2. Extent of Contamination, Limited Groundwater, and UST Investigation, Soft Sheen Products, 8822-8754 South Dobson, Chicago, Illinois, Carlson Environmental, Inc., Project No. 8660 (9/13/93).
3. Phase II Environmental Assessment, 1000 East 87th Street, 1001 East 87th Street and Annex A, 8734 South Dobson Avenue, 8822-8754 South Dobson Avenue, Chicago, Illinois, Carlson Environmental Inc., Project No. 8623 (06/24/93).
4. Phase I Environmental Assessment, 8822-8754 South Dobson Avenue, Chicago, Illinois, Carlson Environmental, Inc., Project No. 8545 (02/15/93).
5. Phase I Environmental Assessment, Annex B, 8734 South Dobson Avenue, Chicago, Illinois, Carlson Environmental, Inc., Project No. 8545 (02/03/93).
6. Phase I Environmental Assessment, 1001 East 87th Street and Annex A, Chicago, Illinois, Carlson Environmental, Inc., Project No. 8545 (02/01/93).
7. Phase I Environmental Assessment, 1000 East 87th Street, Chicago, Illinois, Carlson Environmental, Inc., Project No. 8545 (01/25/93).

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