



UNOFFICIAL COPY

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

29-EN

The following information is provided pursuant to the Responsible Property Transfer Act of 1958

For Use By County

Seller: LEND LEASE TRUCKS INC.

Recorder's Office

Buyer: QUALITY TRANSPORTATION SYSTEMS, INC.

County

Document No.: _____

Date

Doc. No.

Vol. _____ Page _____

Rec'd by: _____

I. PROPERTY IDENTIFICATION:

A. Address of property: 1400 West 171st Street, Harvey
Street City of Village Township

Permanent Real Estate Index No.: 29-29-100-007-0000

B. Legal Description:

Section 29 Township 36 North Range 14

Enter or attach current legal description in this area:

See attached

BOX 333 - TM

1993 NOV 16 AM 10:00

93930022

Prepared by: Nancy A. Czajkowski name Return to: Don Kokot name

Suite 200 West, 9900 Bren Road East
 Minnetonka MN address 55343

1700 West 171st Street
 Harvey address Illinois

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 _____ Acreage _____

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

- | | |
|---|--|
| <input type="checkbox"/> Apartment building (6 units or less) | <input 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 checked="" type="checkbox"/> Other, specify <u>Commercial, Truck Garage</u> |

II. NATURE OF TRANSFER:

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

93930022

B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

UNOFFICIAL COPY

1. Provide the following information about the previous owner (a) entity or person the transferor leased the site to or otherwise contracted with for the management of the site or real property:

Name: National Car Rental Systems, Inc.

Type of business/ Truck Maintenance and Truck Leasing or property usage

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:

Table with columns YES, NO and rows: Landfill, Surface Impoundment, Land Treatment, Waste Pile, Incinerator, Storage Tank (Above Ground), Storage Tank (Underground), Container Storage Area, Injection Wells, Wastewater Treatment Units, Septic Tanks, Transfer Stations, Waste Recycling Operations, Waste Treatment Detoxification, Other Land Disposal Area.

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.

Land Lease Trucks Inc. Signature: Joseph N. Evangelist, President. Type or print name: TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

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

11-9 19 93

Signature: Daniel Kokot. Type or print name: TRANSFEREE OR TRANSFEREES (or on behalf of Transferee)

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

1/9 19 92

Signature: David O'Connell. Type or print name: LENDER

(Ch. 30, par. 90b)

93930022

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 wastes, hazardous substances or petroleum?

	YES	NO		YES	NO
Landfill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Injection Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wastewater Treatment Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Treatment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Septic Tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Pile	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Transfer Stations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Incinerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Waste Recycling Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Waste Treatment Detoxification	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Land Disposal Area	<input type="checkbox"/>	<input type="checkbox"/>
Container Storage Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

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 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 1990. 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
 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

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?
 Item 7. Lend Lease Trucks Inc. is classified as a "small quantity generator".

93930022

UNOFFICIAL COPY

B. (1) Identify Transferor:

Lend Lease Trucks Inc. Suite 200 W, 9900 Bren Road East, Minnetonka, MN 55343
Name and Current Address of Transferor

Name and Address of Trustee if this is a transfer of 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:

George Luostari, Suite 200 West, 9900 Bren Road East, Minnetonka, MN 55343
Name, Position (if any), and address

Telephone No

C. Identify Transferee:

Quality Transportation Systems, Inc., 715 W. 172nd St., S. Holland IL 60473
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 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 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."

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.

IV. ENVIRONMENTAL INFORMATION

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

UNOFFICIAL COPY

Attachment to Environmental Disclosure Document for Transfer of Real Property

A Parcel of Land comprising part of the Northwest 1/4 of Section 29, Township 36 North, Range 14 East of the Third principal Meridian, being described as follows: Beginning at an iron pipe 33 feet North of the South line and 1303.68 feet West of the East line of said Northwest 1/4 of section 29 and running thence north perpendicular to the said South line of said 1/4 section, a distance of 460.71 feet to an intersection with the Westerly line of tract conveyed by deed recorded October 24, 1962 as document number 18627135; thence Southwesterly along said Westerly line, a distance of 596.06 feet to the Southwesterly corner of said tract, said Southwesterly corner being 33 feet north of said South line of the Northwest 1/4 of Section 29; thence East parallel with said South line of said quarter section, a distance of 378.21 feet to the point of beginning, all in Cook County, Illinois.

Permanent Real Estate Index Number: 29-29-100-007-0000

Address of Real Estate: 1400 West 171st Street, Harvey, IL

Cook County Clerk's Office

93930022