

# UNOFFICIAL COPY

Station 169

## 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 Recorder's Office

Seller: Martin Oil Marketing, Ltd.

County

Date

Buyer: EMRO Marketing Company

Doc. No.

Vol.

Document No.: \_\_\_\_\_

Page

Rec'd by:

### I. PROPERTY IDENTIFICATION:

94409509

A. Address of Property: 3301 West Lake Street

Street

Marose Park

City or Village

Township

Permanent Real Estate Index No.: See Exhibit A attached hereto.

### B. Legal Description:

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

RECORDING

137.50

Enter or attach current legal description in this area:

140009 REAL 3626 05/06/94 13:55:00

48900 1 000 00-00-00-009509

COURT COUNTY RECORDER

See Exhibit A attached hereto and made a part hereof.

Prepared by: Wildman, Harrold, Allen & Dixon

Return to: Jeffrey P. Gray

Name

225 W. Wacker Drive

Chicago, IL 60606

Address

Name

Wildman, Harrold, Allen & Dixon

225 W. Wacker, 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 \_\_\_\_\_ 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
- Farm, with buildings
- Other (specify) \_\_\_\_\_

### II. NATURE OF TRANSFER:

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| A. (1) Is this a transfer by deed or other instrument or 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 checked="" type="checkbox"/> |
| (3) A lease exceeding a term of 40 years?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| (4) A mortgage or collateral assignment of beneficial interest?                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
- B. (1) Identify Transferor:
- Martin Oil Marketing, Ltd.  
4501 W. 127th Street  
Alsip, Illinois 60658
- \_\_\_\_\_  
Name and Current Address of Transferor:
- N/A  
\_\_\_\_\_  
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:
- Donald E. Waterlander  
General Manager, Engineering, Construction and Maintenance  
Martin Oil Marketing, Ltd.  
4501 W. 127th Street  
Alsip, Illinois 60658
- \_\_\_\_\_  
Name, Position (if any), and address
- 708/385-6500  
Telephone No.

### C. Identify Transferee:

EMRO Marketing Company  
500 Speedway Drive  
Enon, Ohio 45323-1056

\_\_\_\_\_  
Name and Current Address of Transferee

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## 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:

- (A) The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance;
- (B) 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;
- (C) 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
- (D) 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."

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- (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 does not apply to consumer goods stored or handled by a retailer in the same form and approximate amount, concentration, and manner as they are sold to consumers, unless the retailer has engaged 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

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 used or were used by the transferor to manage waste, hazardous wastes, hazardous substances or petroleum?

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

If there are "YES" answers to any of the above items and the transfer of property 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. See Exhibit B attached hereto and made a part hereof.

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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 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
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.

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(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.
- 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.
- Signs of substances leaching out of the ground along the base of slopes or at other low points on 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?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 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 otherwise contracted with for the management of the site or the property:

Name: ARCO  
\_\_\_\_\_  
\_\_\_\_\_

Type of business/  
or property usage: Service Station  
\_\_\_\_\_

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11/15/2011 10:00 AM

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2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor or, other contracts for management or use of the facilities or property:

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

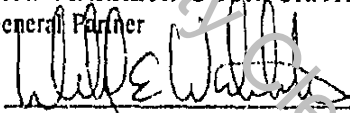
## V. CERTIFICATION

- 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.

TRANSFEROR:

MARTIN OIL MARKETING, LTD., an Illinois limited partnership

By: MARTIN MARKETING CORPORATION, an Illinois Corporation,  
Its General Partner

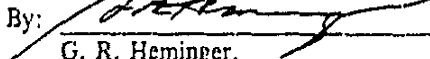
By:   
Donald E. Waterlander,  
Its General Manager, Engineering,  
Construction and Maintenance

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

May 2, 1994

TRANSFeree:

EMRO MARKETING COMPANY, a Delaware corporation

By:   
G. R. Heminger,  
Its Vice President

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

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
signature

\_\_\_\_\_  
type or print name

LENDER

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EXHIBIT A

SITE NO. 169

3301 WEST LAKE STREET  
MELROSE PARK, IL

Lot A and Lot 3 (except the North 75 feet thereof) in Block 5 in Henry Soffel's 2nd Addition to Melrose Park, a subdivision in the West 1/2 of Section 4, Township 39 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

Property Tax No.: 15-04-309-013

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PTSD OIL MARKETING, L.P.  
 61 W. LAKE ST.  
 ROSE PARK, IL 60160

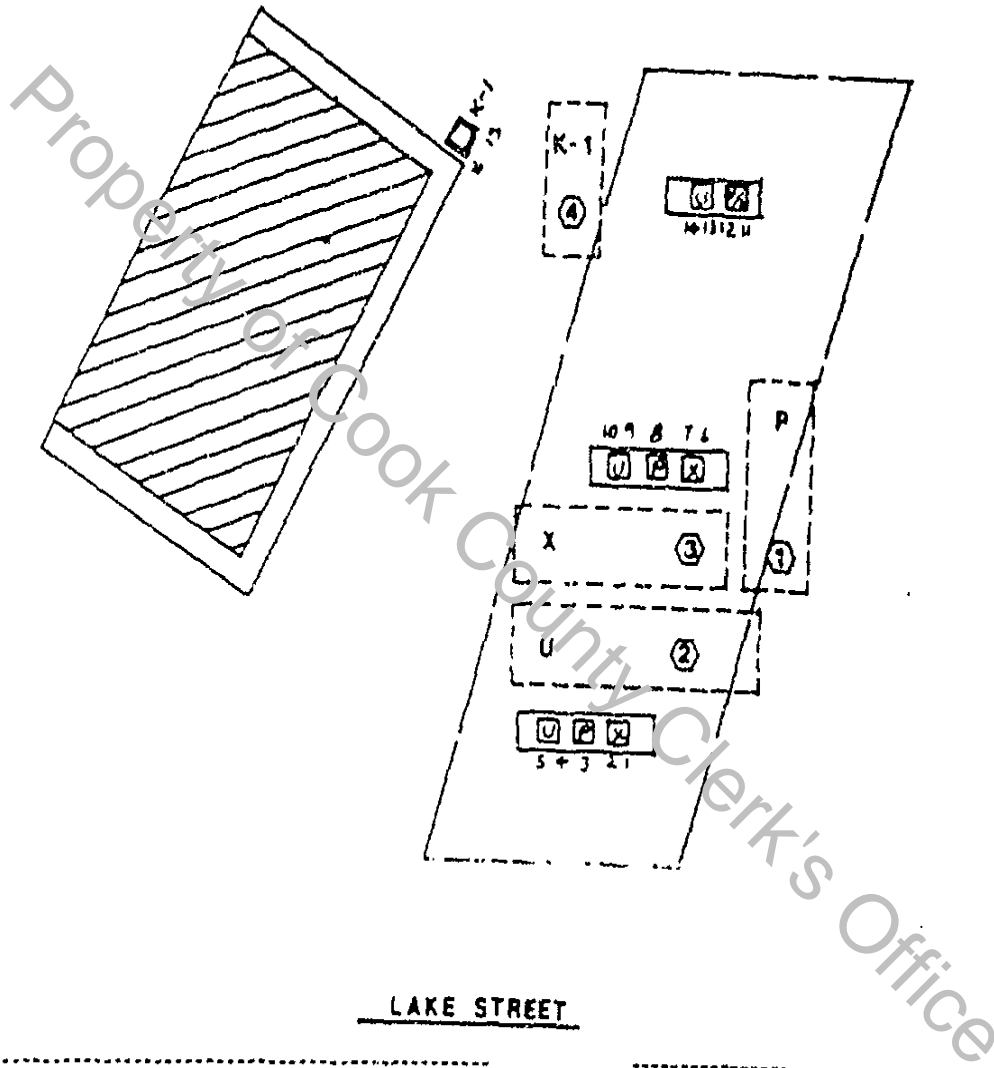
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STATION # 169

DATE: 09/30/93

Exhibit B



LAKE STREET

STORAGE TANKS				
#	PRODUCT	GALLONS	DIMENSIONS	INSTALLED
1	PREMIUM	8,000	96' x 21'-0"	1972
2	UNLEADED	12,000	96' x 32'-0"	1972
3	ITRA	10,000	96' x 27'-0"	1972
4	K-1	8,000	96' x 16'-0"	1986
5				
6				
7				
8				
9				
10				
11				
12				

SELF SERVE EQUIPMENT		
NFR.	CONSOLE	HOSES
6	16	112 - (2)
H-111B	T-12	
1 SUCTION PUMPS		
1 SUBMERSIBLE PUMPS		
1 LEAK DETECTORS		
1 TANK MONITORING		
SAMPLES:		
CAR:	32' x 84'	

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