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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
County _____
Date _____
Doc. No. _____
Vol. _____
Page _____

Seller: Road Materials Corp.

Buyer: Prairie Material Sales, Inc.

Rec'd By _____

Document No.: _____

I. PROPERTY IDENTIFICATION:

A. Address of property: 1151 Penny Road, between Rte. 68 and Rte. 72,
East Dundee, IL Dundee
Street City or Village Township

Permanent Real Estate Index No.: _____

B. Legal Description:

Section _____ Township _____ Range _____

Enter or attach current legal description in this area: SEE ATTACHMENTS "A" AND "B"

C. Waiver

The parties to the transfer of the real estate described herein waive the time period set forth in 765 ILCS 90/7 (a) and acknowledge, confirm and represent to each other that they are familiar with the Illinois Real Property Responsible Property Transfer Act (765 ILCS 90/1-90/7) and of the purpose and intent of the within disclosure document and further acknowledge, represent and warrant that the document has been delivered by the transferor to the transferee prior to the transfer of the real property.

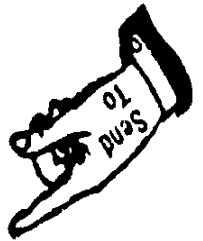
Christian R. Newkirk
Treasurer

Prepared by: Road Material Corp.

602 S. Main Street
Algonquin, IL 60102
address

Return to: Deborah A. Clemens

75 E. Wacker Drive
Chicago, IL 60601
address



1st AMERICAN TITLE order # 67969610

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ATTACHMENT "A" KANE COUNTY

LEGAL DESCRIPTION:

PARCEL ONE:

THAT PART OF THE FOLLOWING DESCRIBED PARCEL LYING NORTHERLY OF THE NORTH RIGHT-OF-WAY LINE OF ILLINOIS STATE ROUTE 72, AND COMMONLY KNOWN AS NEW HIGGINS ROAD; THAT PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 25; SAID POINT BEING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36 IN TOWNSHIP AND RANGE AS AFORESAID; THENCE NORTH 80 DEGREES 23 MINUTES WEST 948.50 FEET; THENCE NORTH 00 DEGREES 14 MINUTES WEST 925.90 FEET; THENCE SOUTH 81 DEGREES 12 MINUTES EAST 1,447.30 FEET; THENCE NORTH 04 DEGREES 22 MINUTES EAST 2,365.00 FEET; THENCE SOUTH 80 DEGREES 19 MINUTES EAST 667.90 FEET TO THE EAST LINE OF SAID SECTION 25; THENCE SOUTH ON SAID SECTION LINE 3,085.30 FEET TO THE SOUTH LINE OF SAID SECTION 25; THENCE WEST ON SAID SECTION LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: THE EAST 40.00 FEET (AS MEASURED NORMAL TO THE EAST LINE) OF LOT 2 IN ROCK ROAD INDUSTRIAL SUBDIVISION UNIT NO. 1, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL THREE:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN ROCK ROAD INDUSTRIAL SUBDIVISION NO. 1; THENCE NORTH 80 DEGREES 44 MINUTES 44 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 66.87 FEET TO A POINT BEING 66 FEET WESTERLY OF (AS MEASURED NORMAL TO) THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST PARALLEL WITH SAID EAST LINE, 400.00 FEET; THENCE NORTH 80 DEGREES 44 MINUTES 44 SECONDS WEST PARALLEL WITH THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 400.00 FEET; THENCE NORTH 75 DEGREES 33 MINUTES 22 SECONDS WEST, 545.37 FEET TO A POINT ON THE EAST LINE OF PREMISES CONVEYED TO JAMES K. SMITH BY DEED DATED FEBRUARY 3, 1881 AND RECORDED FEBRUARY 7, 1881 IN BOOK 200, PAGE 253, AS DOCUMENT NO. 13594;

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THENCE NORTH 00 DEGREES 01 MINUTES 01 SECONDS WEST, ALONG SAID EAST LINE 1,245.28 FEET TO THE NORTH LINE OF NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 48 MINUTES 00 SECONDS EAST, ALONG SAID NORTH LINE, 989.30 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID EAST LINE, 1,859.85 FEET TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE EAST HALF OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH EAST CORNER OF SAID SECTION 24; THENCE SOUTH 89 DEGREES, 30 MINUTES, 0 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION, 1514.7 FEET; THENCE NORTH 2 DEGREES, 06 MINUTES, 0 SECONDS EAST 3006.4 FEET TO A POINT 451.1 FEET SOUTHERLY, MEASURED ALONG THE LAST DESCRIBED LINE EXTENDED FROM THE SOUTHERLY LINE OF STATE ROUTE NO. 63; THENCE SOUTH 87 DEGREES 54 MINUTES 4 SECONDS EAST 234 FEET; THENCE NORTH 2 DEGREES 06 MINUTES 0 SECONDS EAST 478.9 FEET TO THE SOUTHERLY LINE OF SAID STATE ROUTE NO. 63; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE TO THE EAST LINE OF SAID SECTION; THENCE SOUTH ALONG SAID EAST LINE TO THE POINT OF BEGINNING; IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

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ATTACHMENT "B" COOK COUNTY

LEGAL DESCRIPTION:

PARCEL 1:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 30 LYING NORTHERLY OF THE NORTH RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 72 AND COMMONLY KNOWN AS NEW HIGGINS ROAD, AND WESTERLY OF THE EASTERLY RIGHT OF WAY OF HEALY ROAD, (EXCEPT THE WEST 190.0 FEET THEREOF AND EXCEPT THAT PART CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS OF THE STATE OF ILLINOIS BY DOCUMENT NO. 12378247 RECORDED OCTOBER 5, 1969 FOR HIGHWAY PURPOSES DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST QUARTER OF SAID SECTION DESCRIBED AS BEING A STRIP OF LAND 66 FEET IN WIDTH BEGINNING FROM THE NORTHERLY RIGHT OF WAY LINE OF THE PROPOSED DUAL HIGHWAY OF STATE ROAD ISSUE ROUTE 64 TO THE CENTERLINE OF HIGGINS ROAD AS NOW TRAVELED, CENTERLINE OF SAID 66 FOOT STRIP OF LAND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 30, THENCE NORTH ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 1412.3 FEET TO A POINT; THENCE SOUTHEASTERLY ALONG A LINE WHICH MAKES AN ANGLE OF 50 DEGREES 01 MINUTES FROM THE NORTH TO THE SOUTHEAST WITH SAID WEST LINE A DISTANCE OF 1097.3 FEET TO A POINT, SAID LINE BEING SAID NORTHERLY RIGHT OF WAY LINE OF THE PROPOSED DUAL HIGHWAY; THENCE SOUTHEASTERLY ALONG A CURVE HAVING TO THE CENTERLINE HAVING A RADIUS OF 10917.06 FEET AND TANGENT TO THE LAST DESCRIBED COURSE, SAID CURVE BEING SAID NORTHERLY RIGHT OF WAY LINE OF PROPOSED DUAL HIGHWAY, A DISTANCE OF 292.2 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG A LINE, A DISTANCE OF 245.11 FEET TO A POINT IN THE AFORESAID CENTERLINE OF HIGGINS ROAD AS NOW TRAVELED, SAID POINT BEING 894.51 FEET FROM AFORESAID WEST LINE OF SAID SECTION 30 AS MEASURED ALONG SAID CENTERLINE OF HIGGINS ROAD, IN TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE SOUTH HALF OF LOT 1 AND THE NORTH 5 ACRES OF THE NORTH HALF OF SAID LOT A (EXCEPT THAT PART OF SAID LOT 1 AND OF SAID SOUTH 5 ACRES LYING SOUTHEASTERLY OF THE NORTHWESTERLY RIGHT OF WAY LINE OF HEALY ROAD) IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, ALSO THE SOUTH HALF OF LOT 2 AND THE SOUTH 5 ACRES OF THE NORTH HALF OF SAID LOT 2 (EXCEPT THAT PART OF SAID LOT 2 AND OF SAID SOUTH 5 ACRES LYING SOUTHEASTERLY OF THE NORTHWESTERLY RIGHT OF WAY LINE OF HEALY ROAD) IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, EXCEPTING THE WEST 190.0 FEET OF THE SOUTH HALF OF SAID LOT 2 AND ALSO EXCEPTING THE WEST 190.0 FEET OF THE SOUTH 5 ACRES OF THE NORTH HALF OF SAID LOT 2 CONVEYED TO THE COMMONWEALTH EDISON COMPANY BY DOCUMENT NO. 18454331, RECORDED APRIL 10, 1962.

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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	Kane County:	172,885
	Cook County:	80,693
	TOTAL:	253,578

Lot Size _____ Acroage _____

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) Gravel Pit

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 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 type="checkbox"/>	<input checked="" type="checkbox"/>

B. (1) Identify Transferor:

Road Materials Corp., as beneficiary of Cole Taylor Bank Trust No. 79-302
Name and Current Address of Transferor

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

Christian R. Newkirk, Treasurer, 602 S. Main St., Algonquin, IL 60102 (708)658-4541
Name, Position (if any), and address Telephone No.

C. Identify Transferee:

Prairie Material Sales, Inc., 7601 W. 79th St., Bridgeview, Illinois 60455
Name and Current Address of Transferee

III. NOTIFICATION

Under the Illinois Environmental Protection Act,¹ owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act² 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;

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(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 there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substance 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 Act³ states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of the Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identity of the response action and an opportunity for such person to perform the response action."

3. Section 22.2(f) 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 Act⁴ 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 preventative 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 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 and disposal of "hazardous or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

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?

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	Yes	No
Landfill		X
Surface Impoundment		X
Land Treatment		X
Waste Pile		X
Incinerator		X
Storage Tank (Above Ground)	X	
Storage Tank (Underground)	X	
Container Storage Area		X
Injection Wells		X
Wastewater Treatment Units		X
Septic Tanks	X	
Transfer Stations		X
Waste Recycling Operations		X
Waste Treatment Detoxification		X
Other Land Disposal Area (Clean Fill from Offsite)	X	

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 had 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 <u> X </u>
No _____ |
| c. Permits for any waste storage, waste treatment or waste disposal operation. | Yes _____
No <u> X </u> |

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 <u> X </u> |
| b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. ⁵ | Yes _____
No <u> X </u> |
| c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. | Yes _____
No <u> X </u> |

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 <u> X </u> |
| 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 <u> X </u> |

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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 Minimal spillage of petroleum while fueling equipment.
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 EPA 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?

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: _____ NONE

Type of business/
or property usage _____

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

Landfill	Yes	No
Surface Impoundment	_____	_____
Land Treatment	_____	_____

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- 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, and have read, understand and affirm the waiver provision in Section 1 (C) herein.

Christian R. Newkirk
 Signature
 Christian R. Newkirk, Treasurer
 ROAD MATERIALS CORPORATION

Type or print name

TRANSFEROR OR TRANSFERORS
 (or on behalf of the Transferor)

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

July 13, 1991

And we have read, understand and affirm the waiver provision in Section 1 (C) herein.

[Signature]
 Signature By

Prairie Material Sales, Inc.
 Type or print name

TRANSFeree OR TRANSFereEs
 (or on behalf of the Transferee)

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

7/1, 1991

And we have read, understand and affirm the waiver provision in Section 1 (C) herein.

[Signature]
 Signature

David L. Sweeney VP
 Type or print name

Harris Trust and Savings Bank

LENDER

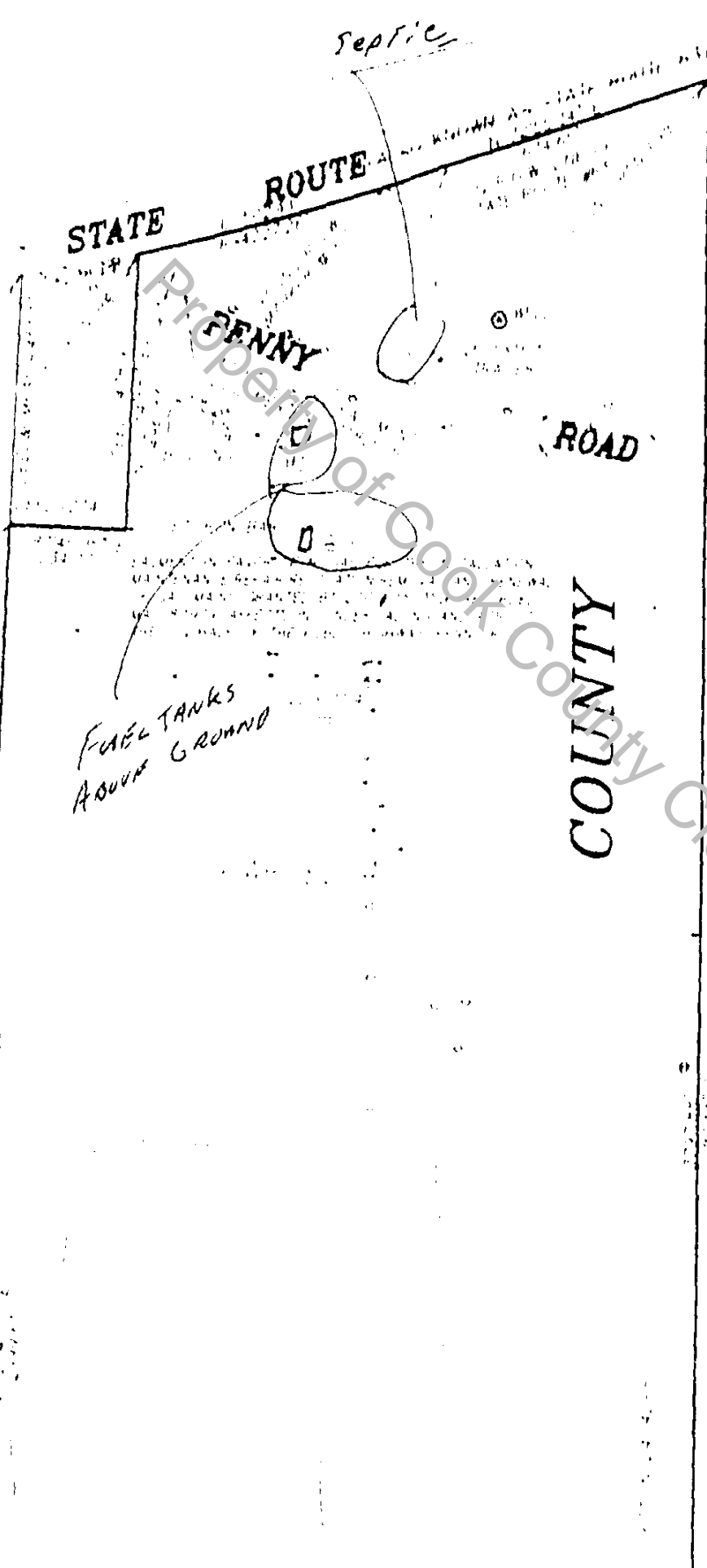
1. Chapter 111 1/2, paragraph 101 of seq.
2. Chapter 111 1/2, paragraph 1022.2
3. Chapter 111 1/2, paragraph 1004

4. Chapter 111 1/2, paragraph 1022.18
5. 42 USCA, Section 11001 of seq.

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EXEMPTED FROM THE PROVISIONS OF THE ACT CONCERNING THE REGISTRATION OF DEEDS AND MORTGAGES IN THE COUNTY OF COOK, ILLINOIS, BY THE PROVISIONS OF THE ACT APPROVED MARCH 27, 1909, CH. 111, SECTION 10, INasmuch as the same are not subject to the provisions of said act.

PARTIAL
 The Illinois right to the 123' Southern front to the as far as mak distal dual 10.0 way north Hugg Sect East

COUNTY

COUNTY

R.O.W.

PARTIAL

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COMPANY