



# UNOFFICIAL COPY

## 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

Seller: Hunt-Weason, Inc.

Recorder's Office

Buyer: First Bank and Trust Company of Illinois

County

Date 94861742

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

Doc. No.

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Rec'd by: \_\_\_\_\_

**I. PROPERTY IDENTIFICATION:**

A. Address of property: 4546 West 47th Street, Chicago, Illinois

Street

City or Village

Township

Permanent Real Estate Index No: 19-03-316-003

B. Legal Description:

Section 3 Township 38 N Range 13 E

Enter or attach current legal description in this area:

See Exhibit "A" attached hereto.

COOK COUNTY, ILLINOIS  
PUBLIC RECORDS

1994 OCT - 6 AM 11:56

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2960  
D.P.

Prepared by: Ken Anderson  
d/a DeBorice name Company  
Two North LaSalle Street  
Chicago, IL 60602

Return to: Cynthia Jared  
Rechnoff & Wagner, Ltd.  
30 S. Wacker  
Suite 2900  
Chicago, Illinois 60606

**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 933' x 270' Acreage 5.78

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:**

- |  |   |                                     |
|--|---|-------------------------------------|
| A. (1) Is this a transfer by deed or other instrument of conveyance?                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>         |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois fund 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"/> |

**BOX 333-CTI**

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B. (1) Identify Transferor:

Hunt-Wesson, Inc., Two North LaSalle Street, Chicago, IL 60602

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.

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:

Ken Anderson, Assistant Controller, Two North LaSalle Street

(312) 558-4004

Name, Position (if any), and address

Chicago, IL 60602

Telephone No.

C. Identify Transferee: First Bank and Trust Company of Illinois, 300 E. Northwest Highway,

Name and Current Address of Transferee

Palatine, IL

### 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

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 type="checkbox"/>	<input checked="" type="checkbox"/>	Waste Recycling Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input type="checkbox"/>	<input checked="" 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 checked="" 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 had 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 project 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  N/A

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? Specialty Equipment, Inc. took assignment of the lease of the site from the transferor in 1984 and occupied and operated the property until 1993. Specialty's operation included using an underground storage tank for hazardous waste. Specialty reported this tank to the IEPA. See IV.B., below.

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## 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: Specialty Equipment, Inc. in Rockford, Illinois

Type of business/ Manufacture and assembly of food utensils and certain cookware  
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:

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

Kenneth Anderson  
signature

Ken Andersen  
type or print name  
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

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

September 20 1994

Carina Properties, L.L.C.  
Carina  
signature

FRANK FURRIE, Manager  
type or print name  
TRANSFeree OR TRANSFEREE (or on behalf of Transferee)

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

\_\_\_\_\_ 19\_\_\_\_

Michael E. Winter  
signature

Michael E. Winter, President  
type or print name  
LENDER

(Ch. 30, par. 906)

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## PARCEL 1:

A RECTANGULAR PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND BEING A PART OF LOT "B" IN CIRCUIT COURT PARTITION OF THE SOUTH 1/2 AND PART OF THE NORTHWEST 1/4 OF SAID SECTION, WHICH PARCEL IS BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST 1/4, 1,035.9 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION, AND RUNNING THENCE NORTHWARDLY TO A POINT ON A LINE 933 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST 1/4, THAT IS 1,032.22 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE, THENCE WESTWARDLY 270 FEET ON SAID LINE WHICH IS 933 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE; THENCE SOUTHWARDLY 933 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, THENCE EASTWARDLY 270 FEET TO THE PLACE OF BEGINNING (EXCEPTING THEREFROM THE SOUTH 33 FEET WHICH IS THE NORTH 1/2 OF THE WEST 47TH STREET AS NOW OPENED, ALSO EXCEPT THEREFROM AREA OCCUPIED BY THE NORTH ABUTMENT AND WINGWALL OF THE WEST 47TH STREET UNDERPASS), ALL IN COOK COUNTY, ILLINOIS.

## PARCEL 2:

EASEMENT FOR THE BENEFIT OF THE EAST 200 FEET OF PARCEL 1 CREATED BY INSTRUMENT RECORDED FEBRUARY 28, 1950 AS DOCUMENT NUMBER 14743288 FOR THE ESTABLISHMENT OF A PERMANENT ROADWAY FOR THE USE OF VEHICLES AND PEDESTRIANS OVER AND UPON AND ALONG THE FOLLOWING DESCRIBED PROPERTY: A RECTANGULAR PIECE OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF SAID SOUTHWEST 1/4 1,000.9 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE NORTHEASTERLY 933 FEET ON A STRAIGHT LINE TO A POINT 997.22 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE WESTERLY 35 FEET ON A LINE WHICH IS 933 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE; THENCE SOUTHERLY 933 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE EASTERLY 35 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE SOUTH 33 FEET WHICH IS THE NORTH 1/2 OF WEST 47TH STREET AS NOW OPENED) IN COOK COUNTY, ILLINOIS.

## PARCEL 3:

EASEMENT FOR THE BENEFIT OF THE WEST 70 FEET OF PARCEL 1 CREATED BY INSTRUMENT RECORDED JUNE 30, 1965 AS DOCUMENT NUMBER 19512243 TO CONSTRUCT, INSTALL AND MAINTAIN SUPPORTS AND FOOTINGS FOR ANY BUILDING OR STRUCTURE WHICH MAY BE ERECTED ON PARCEL 1 OVER, ACROSS, UNDER AND THROUGH THE FOLLOWING DESCRIBED PROPERTY; A RECTANGULAR PIECE OF LAND IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST 1/4 1,305.90 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION, AND RUNNING THENCE NORTHERLY TO A POINT ON A LINE 933 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST 1/4, THAT IS 1,302.22 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE WESTERLY 3 FEET ON SAID LINE WHICH IS 933 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE; THENCE SOUTHERLY 933 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE EASTERLY 3 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE SOUTH 33 FEET WHICH IS THE NORTH 1/2 OF WEST 47TH STREET AS NOW OPENED) IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 4546 West 47th Street, Chicago, Illinois

PERMANENT INDEX NUMBERS: 19-03-316-003, 19-03-316-008, 19-03-316-012-6002,  
19-03-316-012-6001

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