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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

Seller: Pinnacle Bank/Cicero, as Successor in Interest to  
First National Bank of Cicero Trust #10111

Recorder's Office

Buyer: F & H Investments, L.L.C.

County

Date

Document No.:

Doc. No.

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

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

### I. PROPERTY IDENTIFICATION:

A. Address of property: 2900 North Oakley Chicago  
Street City or Village Township

Permanent Real Estate Index No.: 14-30-113-031 thru 14-30-113-036

### B. Legal Description:

Section 30 Township 40 N Range 14

Enter or attach current legal description in this area:

See Exhibit "A" attached hereto and made a part hereof.

COOK COUNTY, ILLINOIS  
PUBLIC SEALS DIVISION

1994 OCT -7 PM 1:21

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Prepared by: Terrence L. Schaul  
Burke, Warren & MacKay, P.C.

Return to: BRUCE CHANEN  
GOLDBERG KOHN BELL ETAL

225 W. Washington Street, 24th Floor  
Chicago, IL 60606  
name address

55 @ MONROE ST. #3700  
CHICAGO IL 60603  
name address

### 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 236.29 x 329.20 x 368.03 x 42.20  
Acreage \_\_\_\_\_

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

Apartment building (6 units or less)

Industrial building

Commercial apartment (over 6 units)

Farm, with buildings

Store, office, commercial building

Other, specify \_\_\_\_\_

### II. NATURE OF TRANSFER:

A. (1) Is this a transfer by deed or other instrument of conveyance?

Yes No

X \_\_\_\_\_

(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?

\_\_\_\_\_ X

(3) A lease exceeding a term of 40 years?

\_\_\_\_\_ X

(4) A mortgage or collateral assignment of beneficial interest?

\_\_\_\_\_ X

BOX 333-CTI

7523926 D2 LKBT 9 ALL

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B. (1) Identify Transferor: Pinnacle Bank/Cicero, as Successor in Interest to First National Bank of Cicero Trust #10111  
By: Ronald R. Patrizi, sole beneficiary  
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:

Brian Daley, Employee 401 N. WESTERN CHICAGO, IL (312) 880-7402  
Name, Position (if any), and address Telephone No.

C. Identify Transferee: F & H Investments, L.L.C., 875 Hillcrest Lane, Oregon, Wisconsin 53575  
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

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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 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?

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

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 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 \_\_\_\_\_ No X

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 case with a court or the Pollution Control Board for which a final order or consent decree was entered. Yes \_\_\_\_\_ No X
- 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 X

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 X
- b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes \_\_\_\_\_ No X
- c. If the answers to questions (a) and (b) are Yes, have any of the following actions or events been associated with 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 X

11. Is there any explanation needed for clarification of any of the above answers or responses? \_\_\_\_\_

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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: AMERICAN NOTES

Type of business/ or property usage: LIGHT MANUFACTURING

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>✓</u>	Injection Wells	_____	<u>✓</u>
Surface Impoundment	_____	<u>✓</u>	Wastewater Treatment Units	_____	<u>✓</u>
Land Treatment	_____	<u>✓</u>	Septic Tanks	_____	<u>✓</u>
Waste Pile	_____	<u>✓</u>	Transfer Stations	_____	<u>✓</u>
Incinerator	_____	<u>✓</u>	Waste Recycling Operations	_____	<u>✓</u>
Storage Tank (Above Ground)	_____	<u>✓</u>	Waste Treatment Detoxification	_____	<u>✓</u>
Storage Tank (Underground)	_____	<u>✓</u>	Other Land Disposal Area	_____	<u>✓</u>
Container Storage Area	_____	<u>✓</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.

Ronald R. Patrizi  
signature  
Ronald R. Patrizi, sole beneficiary of  
type or print name Pinnacle Bank/Cicero Trust #1011  
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on \_\_\_\_\_ 19 94

F & H Investments, L.L.C.  
By: David E. Frankson  
signature  
DAVID E. FRANKSON  
type or print name Attorney at Law  
TRANSFeree OR TRANSFEREE (or on behalf of Transferor)

C. This form was delivered to me with all elements completed on \_\_\_\_\_ 19 94

Belmont National Bank  
By: James E. Murnane  
signature  
JAMES E. MURNANE  
type or print name  
LENDER

(Ch. 30, par. 906)

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## EXHIBIT A

### LEGAL DESCRIPTION

#### PARCEL 1:

LOTS 37, 38, 39 AND 40 AND THAT PART OF LOT 41 LYING SOUTH OF THE NORTH LINE OF LOT 37 EXTENDED WEST TO THE CORK LINE OF THE NORTH BRANCH OF CHICAGO RIVER ALL IN BLOCK 10 IN CLYBOURN AVENUE ADDITION TO LAKEVIEW AND CHICAGO, BEING A SUBDIVISION OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

ALSO

#### PARCEL 2:

ALL THAT PART OF THE NORTH AND SOUTH 20 FOOT VACATED PUBLIC ALLEY WEST OF AND ADJOINING WEST LINE OF LOTS 37, 38 AND 39 EAST OF AND ADJOINING THE EAST LINE OF LOT 41 LYING SOUTH OF THE NORTH LINE OF SAID LOT 37 EXTENDED WESTERLY TO THE WEST LINE OF SAID NORTH AND SOUTH 20 FOOT VACATED PUBLIC ALLEY ALSO ALL OF THE 20 FOOT PUBLIC ALLEY RUNNING IN NORTHWESTERLY DIRECTION SOUTHWESTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF LOT 39 AND NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF LOT 41

ALSO

#### PARCEL 3:

ALL OF THE EAST AND WEST VACATED 20 FOOT PUBLIC ALLEY SOUTH OF AND ADJOINING THE SOUTH LINE OF LOT 39 AND NORTH OF AND ADJOINING THE NORTH LINE OF LOT 40 IN BLOCK 10 IN CLYBOURN AVENUE ADDITION TO LAKEVIEW AND CHICAGO IN THE NORTH WEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PARTS OF SAID VACATED ALLEYS BEING FURTHER DESCRIBED AS ALL OF THE FIRST EAST AND WEST PUBLIC ALLEY NORTH OF THE NORTHERLY LINE OF THE NORTH BRANCH OF CHICAGO RIVER, ALSO ALL OF THE VACATED ALLEY RUNNING IN A NORTHWESTERLY DIRECTION AND THE SOUTH 75 FEET MORE OR LESS MEASURED ON THE EAST LINE OF FIRST NORTH AND SOUTH VACATED PUBLIC ALLEY WEST OF NORTH OAKLEY AVENUE IN BLOCK BOUNDED BY NELSON STREET, THE NORTHERLY LINE OF THE NORTH BRANCH OF CHICAGO RIVER, NORTH OAKLEY AVENUE NORTH WESTERN AVENUE, IN COOK COUNTY, ILLINOIS

PI # 14-30-113-031;  
14-30-113-032;  
14-30-113-033;  
14-30-113-034;  
14-30-113-035; and  
14-30-113-036

Commonly known as: 2900 North Oakley  
Chicago, Illinois 60618

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