94945575

ENVIRONMENTAL DISCLOSURE DOCUMENT
FOR TRANSFER OF REAL PROPERTY

KHS-9460

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

rec'd by:

DEPT-01 RECORDING $41.50
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COOK COUNTY RECORDER

I. PROPERTY IDENTIFICATION:

A. Address of property 317 West Lake Street
Northlake, IL 60606
Cook County, IL
Street City or Village Township

Permanent Real Estate Index No. 15-06-300-005
15-06-100-021, Vol. 156

B. Legal Description:
Section_____ Township_____ Range_____
Enter or attach complete legal description in this area:

See Attached Exhibit "A"

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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
__X__ Other (specify) *Railroad Operating Property*

II. NATURE OF TRANSFER:

			Yes	No
A.	(1)	Is this a transfer by deed or other instrument of conveyance?	X	
	(2)	Is this 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

B. (1) Identify Transferor:
Chicago Title and Trust Company as Trustee under Trust Agreement dated April 26, 1972 and known as Trust No. 59992.

Name and Current Address of ~~Transferor~~ Beneficiary of Trust
* National Electrical Benefit Fund ("NEBF")
1125 15th Street, N.W.
Washington, D.C. 20005

Name and Address of Trustee if this is a Trust No. transfer of beneficial interest of a land trust

* The NEBF is the Transferor for the purposes of this Disclosure Document.

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

National Electrical Benefit Fund
1125 15th Street, N.W.
Washington, D.C. 20005
Ms. Debbie Nisson (202) 728-6285

Name, Position (if any), and address Telephone

C. Identify Transferee:

Susan Sandelman as Trustee of the Alisan Trust and Susan Sandelman as Successor Trustee of the Diajeff Trust c/o Kin Properties, Inc., 77 Tarrytown Rd., Ste. 100, White Plains, NY 10607-1620

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 of 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 contact, 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 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 or 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 suspended version of such text.

IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership

To the best of Transferor's knowledge,

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 now sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sizes containers), finishing, refinishing, servicing, or cleaning operations on the property.

Yes_____
No__X__

To the best of Transferor's knowledge,

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__

To the best of Transferor's knowledge,

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__

To the best of Transferor's knowledge,

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
Landfill		X
Surface Impoundment		X
Land Treatment		X
Waste Pile		X
Incinerator		X
Storage Tank (Above Ground)		X
Storage Tank (Underground)		X

	Yes	No
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	____	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.

To the best of Transferor's knowledge,

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

To the best of Transferor's knowledge,

6. ^ Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes____
No X

To the best of Transferor's knowledge,

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 — Yes____ No X

Planning and Community Right-to-Know
Act of 1986

To the best of Transferor's knowledge,
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 of 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____ N/A

9. Environmental Releases During Transferor's Ownership

To the best of Transferor's knowledge,
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

To the best of Transferor's knowledge,
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 a release on the property?

N/A ____ Use of a clean-up 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 ISEDA, 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 adjacent to the site

10. To the best of Transferor's knowledge, 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?

No

B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

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

Name: Unknown

Type of Business/
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
Landfill	____	X
Surface Impoundment	____	X
Land Treatment	____	X
Waste File	____	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	____	X

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.

Jack F. Moore

TRANSFEROR Jack F. Moore, Trustee of NEBF
(or on behalf of Transferor)

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

OCTOBER 31 1994

SUSAN SANDELMAN AS TRUSTEE OF THE ALISAN TRUST
SUSAN SANDELMAN AS SUCCESSOR TRUSTEE OF THE DINJEFF TRUST

By Howard E. Heller

TRANSFEREE HOWARD E. HELLER, Attorney
(or on behalf of Transferee)

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

_____ 19____

_____
LENDER

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EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

That part of the Fractional West half (1/2) of Section 6, Township 39 North, Range 12, East of the Third Principal Meridian, described as follows:

Commencing at the point of intersection of the Southwesterly line of parcel of land conveyed to the Illinois State Toll Highway Commission per Document Number 17415288 and known as Trust 7-4.7 with a line drawn 45.00 feet (measured perpendicularly) Northwesterly of and parallel with the center line of Chicago and North Western Transportation Company's Tract I.C.C. Number 860; thence South 21° 47' 42" West along said parallel line, 1,938.02 feet; thence North 87° 57' 42" East 110.677 feet to the Place of Beginning of the herein described parcel of land; thence South 17° 38' 33" West 20.515 feet; thence Southwesterly 95.328 feet, along the arc of a circle of 895.894 feet radius convex to the Northwest and tangent to the last described line, to the point of compound curve; thence Southerly 826.755 feet, along said compound curve, being the arc of a circle of 1,311.45 feet radius, convex Westerly, and whose chord bears South 6° 34' 41" East; thence South 24° 38' 17" East, along a line tangent to said compound curve, 35.052 feet; thence Southeasterly 170.587 feet, along the arc of a circle of 472.614 feet radius, convex to the Southwest and tangent to the last described line; thence South 45° 19' 07" East along a line tangent to the last described arc, 28.754 feet; thence Southeasterly 155.748 feet along the arc of a circle of 731.966 feet radius, convex to the Southwest and tangent to the last described line; thence North 66° 15' 12" East 816.397 feet; thence North 13° 05' 27" East 72.728 feet; thence Northerly 59.15 feet, along the arc of a circle of 92.00 feet radius, convex Easterly and tangent to the last described line; thence North 23° 44' 48" West along a line tangent to the last described arc, 474.248 feet; thence Northwesterly 170.475 feet, along the arc of a circle of 936.93 feet radius convex to the Southwest and tangent to the last described line; thence North 13° 19' 18" West along a line tangent to the last described arc, 102.272 feet; thence North 2° 02' 18" West 84.703 feet to the point of intersection with a line drawn North 87° 57' 42" East through the hereinabove designated Point of Beginning; thence South 87° 57' 42" West, along the last described line, 803.748 feet to said Point of Beginning, all in Cook County, Illinois.

PARCEL 2:

Access easement for the benefit of Parcel 1, as created by instrument dated July 5, 1972 and recorded July 28, 1972 as Document Number 21994225, from Chicago and North Western Transportation Company, to Chicago Title and Trust Company as Trustee under Trust Agreement dated April 26, 1972 and known as Trust Number 59992, for a driveway to be used in common with the employees, patrons, lessees, licensees and invitees of the Grantor, upon, over and across:

That part of the fractional Northwest quarter (1/4) of Section 6, Township 39 North, Range 12 East of the Third Principal Meridian, described as follows:

Commencing at a point of intersection of a line drawn 45.00 feet (measured perpendicularly) Northwesterly of and parallel with the center line of the Chicago and North Western Transportation Company's Tract I.C.C. Number 860 with the Southwesterly line of Lake Street per Township Dedication (being a line 33.00 feet Southwesterly of and parallel with the center line thereof as now constructed and occupied); thence South 70° 58' 01" East along said Southwesterly line 233.14 feet to the Place of Beginning of the herein described tract of land; thence South 4° 04' 12" West 567.084 feet, being a line "A"; thence South 2° 02' 18" East 814.717 feet, being a line "B"; thence South 87° 57' 42" West 53.00 feet; thence South 2° 02' 18" East 371.715 feet to the point of intersection with a line drawn perpendicularly to the last described line through a point on the aforesaid line drawn 45.00 feet

Northwesterly of and parallel with the center line of the Chicago and North Western Transportation Company's Track I.C.C. Number 860, said point being 1938.02 feet (as measured along said parallel line) Southwesterly of the Southwesterly line of parcel of land conveyed to the Illinois State Toll Highway Commission per Document Number 17415288 and known as Tract 7-4.7; thence South 87° 57' 42" West, along the last described perpendicular line 35.00 feet; thence North 2° 02' 18" West 371.715 feet; thence North 12° 57' 42" East 85.003 feet to the point of intersection with a line drawn 66 feet West of and parallel with the aforesaid line "B"; thence North 2° 02' 18" West 681.191 feet, along the last described parallel line, to the point of intersection with the Southerly line of a tract of land described in Document Number 21654936, recorded October 5, 1971; thence North 89° 28' 57" East, along said Southerly line, 6.244 feet, to the point of intersection with the Easterly line of the aforesaid tract of land as described in the aforesaid Document Number 21654936; thence Northerly 126.755 feet, along said Easterly line, being the arc of a circle of 1351.59 feet radius, convex Westerly and whose chord bears North 1° 23' 00" West to a point on a line drawn 59.87 feet (measured perpendicularly) West of and parallel with the aforesaid line "A"; thence North 4° 04' 12" East 212.68 feet, along said parallel line, tangent to said arc, being the Easterly line of the aforesaid tract; thence continuing along said Easterly line North 2° 58' 07" West 203.946 feet; thence continuing along said Easterly line North 3° 59' 18" West 19.034 feet; thence continuing along said Easterly line Northwesterly 85.116 feet, being the arc of a circle of 250.00 feet radius, convex to the Northeast, tangent to the last described course, and whose chord bears North 5° 45' 55" West, to the point of intersection with the aforesaid Southwesterly line of Lake Street, said point of intersection being 81.013 feet (as measured along said Southwesterly line) Northwesterly of the hereinabove designated Place of Beginning; thence South 70° 58' 01" East 81.013 feet, along said Southwesterly line to said Place of Beginning, all in Cook County, Illinois.

PARCEL 3:

Easement for the benefit of Parcel 1, for a retention pond, as created by instrument dated July 5, 1972 and recorded July 28, 1972 as Document Number 21994226, from Chicago and North Western Transportation Company to Chicago Title and Trust Company, Trustee under Trust Agreement dated April 26, 1972 and known as Trust Number 59992, through and upon the following described land:

That part of the Southwest Fractional quarter (1/4) of Section 6, Township 39 North, Range 12 East of the Third Principal Meridian, described as follows:

Commencing at the point of intersection of the Southwesterly line of a parcel of land conveyed to the Illinois State Toll Highway Commission per Document Number 17415288 and known as Tract 7-4.7 with a line drawn 45.00 feet (measured perpendicularly) Northwesterly of and parallel with the center line of Chicago and North Western Transportation Company's Tract I.C.C. Number 860; thence South 21° 47' 42" West, along said parallel line a distance of 1,938.02 feet; thence North 87° 57' 42" East a distance of 110.677 feet; thence South 17° 38' 33" West a distance of 20.515 feet; thence Southwesterly along the arc of a circle of 895.894 feet radius, convex to the Northwest and tangent to the last described line, a distance of 96.328 feet to the point of compound curve; thence Southerly along said compound curve, being the arc of a circle of 1,311.45 feet radius, convex Westerly and whose chord bears South 6° 34' 41" East, an arc distance of 826.755 feet; thence South 24° 38' 17" East along a line tangent to said compound curve a distance of 35.052 feet; thence Southeasterly along the arc of a circle of 472.614 feet radius, convex to the Southwest and tangent to the last described line a distance of 170.587 feet; thence South 45° 19' 07" East along a line tangent to the last described arc a distance of 28.754 feet; thence Southeasterly along the arc of a circle of 731.966 feet radius, convex to the Southwest and tangent to the last described line, a distance of 155.748 feet to the Point of Beginning of the parcel of land herein described; thence North 66° 15' 12" East a distance of 893.867 feet; thence South 13° 05' 27" West a distance of 535.00 feet; thence Northwesterly along a straight line a distance of 715 feet, more or less, to the Point of Beginning, all in Cook County, Illinois.