

# UNOFFICIAL COPY

## ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

The following information is provided pursuant to the Responsible Property Transfer Act of 1988. **Grantee:** Cole Taylor Bank, successor trustee to Harris Trust & Savings Bank, D/T/A dated 5/12/67 and known as Trust No. 32716. **Buyer:** First National Bank of Evergreen Park, L/T/A dated 11/24/93 and known as Trust No. 13461. **Document No.:**

For Use By County  
Recorder's Office  
County **94066142**  
Date  
Doc. No.  
Vol. Page  
Rec'd by:

### I. PROPERTY IDENTIFICATION

A. Address of property: **3455 South 77th Avenue, Bridgeview, Illinois 60455** Township  
Permanent Real Estate Index No.: **18-36-306-005**

B. Legal Description:  
Section **36** Township **38N** Range **12**

*3/Block*

SEE LEGAL DESCRIPTION ATTACHED HERETO

Prepared by: **Richard S. Homet, Esq.,  
Rudnick & Wolfe  
201 North LaSalle Street  
Chicago, Illinois 60601**  
address

Return to: **Thomas P. Russian, Esq.,  
Goldstine, Skrodzki, Russian, Nemec,  
and Hoff, L.L.P.  
760 West 62nd Place  
Summit, Illinois 60501**  
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 **400 X 600** 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
- (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?  Yes  No
- (3) A lease exceeding a term of 40 years?  Yes  No
- (4) A mortgage or collateral assignment of beneficial interest?  Yes  No

**BOX 333**

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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: n/a

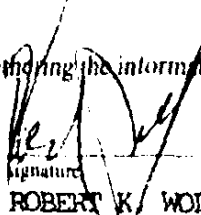
Type of business/  
or property usage: \_\_\_\_\_

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

  
signature

ROBERT K. WOLF

type or print name

TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

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

January 19 19 94

POKOWSKI FAMILY INVEST  
MENT PARTNERSHIP, BENEFICIARY  
OF FIRST NATIONAL BANK OF  
EVERGREEN PARK, TIN 13461  
By: Thomas P. Russian, atty  
signature

THOMAS P. RUSSIAN, ATTY  
type or print name

TRANSFeree OR TRANSFEREE (or on behalf of Transferee)

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

January 19 94

signature

type or print name

LENDER

(Ch. 30, par. 906)

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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

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 checked="" type="checkbox"/>	Injection Wells		<input checked="" type="checkbox"/>
Surface Impoundment		<input checked="" type="checkbox"/>	Wastewater Treatment Units		<input checked="" type="checkbox"/>
Lead Treatment		<input checked="" type="checkbox"/>	Septic Tanks		<input checked="" type="checkbox"/>
Waste Pile		<input checked="" type="checkbox"/>	Transfer Stations		<input checked="" type="checkbox"/>
Incinerator		<input checked="" type="checkbox"/>	Waste Recycling Operations		<input checked="" type="checkbox"/>
Storage Tank (Above Ground)		<input checked="" type="checkbox"/>	Waste Treatment Detoxification		<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input checked="" type="checkbox"/>		Other Land Disposal Area		<input checked="" type="checkbox"/>
Container Storage Area		<input checked="" 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 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 sewer) 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

- 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 H-PV or the ILEDA, 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?

The underground storage tank has been removed, remediation has been performed and the Illinois Environmental Protection Agency has approved the remediation in accordance with their letter dated July 16 1993, a copy of which is attached.

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B. (1) Identify Transferor: **Cole Taylor Bank, successor trustee to Harris Trust & Savings Bank, as Trustee under Trust Agreement dated 5/12/67 and known as Trust No. 32716**  
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:

**Robert K. Wolf, 12849 Linden Avenue, Highland Park, Illinois 60035**

Name, Position (if any), and address

**(708) 433-0574**

Telephone No

C. Identify Transferee: **First National Bank of Evergreen Park, as Trustee under Trust Agreement dated 11/24/93 and known as Trust No. 13461**  
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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## EXHIBIT A

### Parcel 1:

That part of the East 1/2 of the East 1/2 of the South West 1/4 of Section 36, Township 38 North, Range 12 East of the Third Principal Meridian, described as follows:

Commencing at a point on the West line of said East 1/2 of the East 1/2 of the South West 1/4 1391.0 feet North of the South line of Section 36; thence East along a line perpendicular to last described course 33 feet to the point of beginning, said point being also the North West corner of property conveyed to Elizabeth J. Olson by Deed recorded December 10, 1965 as Document 19680315; thence North along a line 33.0 feet East of and parallel with the West line of the East 1/2 of the East 1/2 of the South West 1/4 of Section 36, 400.0 feet; thence East along a line perpendicular to last described course to the West right of way of the Baltimore and Ohio Terminal Railroad; thence Southerly along said West right of way 400.0 feet to the North East corner of said lands conveyed to Elizabeth J. Olson; thence West along the North line of said lands to the point of beginning, in Cook County, Illinois.

ALSO

### Parcel 2:

Easement for the benefit of Parcel 1 as created by Deed from Indiana Harbor Belt Railroad Company, a corporation of Indiana, to Robert K. Wolf dated May 12, 1967 and recorded July 20, 1967 as Document 20203651 for ingress and egress over that part of the West 33 feet of the East 1/2 of the East 1/2 of the South West 1/4 of Section 36, Township 38 North, Range 12, East of the Third Principal Meridian, lying South of the South line of 83rd Street and North of the North line of 87th Street, in Cook County, Illinois.

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State of Illinois ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 C. Mitchell Road, Springfield, IL 62794-9276

217/782-6761

July 15, 1993

Pulaski Bridgeview Building Partners
Attn: Mr. Robert W. Wolf
1284 Linden
Highland Park, Illinois 60035

Re: LPC #0310275211 -- Cook County
Bridgeview/Pulaski Bridgeview Building Partners
8456 South 77th Avenue
LUST Incident #930577
LUST FILE

Handwritten notes: Carl Richmond Howard, Phone 312-368-2100, Fax 312-984-2299

Dear Mr. Wolf:

The Illinois Environmental Protection Agency has received the 45 Day Report with Professional Engineer Certification Form for the above referenced LUST incident. This information was dated April 22, 1993 and was received by the Agency on May 5, 1993.

Based upon (a) the certification by Douglas G. Benschoter, P.E., a registered Professional Engineer of Illinois; (b) the certification by Pulaski Bridgeview Building Partners, the owner of the underground storage tank(s); (c) the certification by Pulaski Bridgeview Building Partners, the operator of the underground storage tank(s); and based upon other information in the Agency's possession, it appears that no further remediation is necessary with regard to the above referenced LUST incident.

This letter does not constitute Agency approval of any costs incurred during remediation, nor does this letter constitute Agency approval of any corrective action activities performed during remediation.

If you have any questions regarding this letter, then please contact Russell Irwin of my staff at 217/782-6760.

Sincerely,

Handwritten signature of Bur Filson

Bur Filson, Manager
Northern Sub-Unit
State Sites Unit
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

bcc: Division File
Maywood Region
Angela Aya Tin
Cliff Wheeler
Russ Irwin

BF:RI:rlc/1312v.18

Handwritten initials

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