94298696

COOK COUNTY, ILLINOIS FILED FOR RECORD

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94298696

# ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

	Lot the by Conf.	Q ·	
	Recorder's Office		
The following information is	County	04.	
provided pursuant to the	Date	72.	
Responsible Property	Doc. No.	74	
Fransfer Act of 1988	Vol.	. 60	
Seller:		( ).	
Buyer.	Rec'd by:		
Document No.:			
I. PROPERTY IDENTIFIC	ATION:		
A. Address of property			)
. 2241-2315, N E.	leton Ava Chic	800	
		· · · · · · · · · · · · · · · · · · ·	
Street	City or Village	Town	m
Permanent Real Esta	no mous non issue	1-100-047-0000	
B. Legal Description:		1-501-010-0000	
Section Town	oship . 400 Range	H	
Enter or attach curre	mt legal description	in this area:	
		ura to:	
	ma		* * * *
<b></b>	<del>11.14</del>	Dame .	
*******	******	**********	
860	resi	address	

525

BOX 333-CTI

4700

765 ILCS 90/5

REAL PROPERTY

#### LIABILITY DISCLOSURE

Transferors and transferoes 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.

231,400 aq	Lot Size  Acreage Approximately 5.3  Check all types of improvement and uses that pertain to Apartment building (6 units or less)  Commercial apartment (over 6 units)  Store, office, commercial building  Industrial building  Farm, with buildings  Other (apacity)	l acre	s operty:
11.	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 limin is land trust?	• • • • •	
	(3) A lease exceeding a term of 40 years?	****	
	(4) A mortgage or collateral assignment of beneficial		
	interest?	X.	
	B. (1) Identify Transferor. Chicago Sun-Times, Inc. 401 N. Wabash Ave.		
			o, IL
	Name and Current Address of Transferor	60611	
	Name and Address of Trustee if this is a transfer of beavi- cial interest of a land trust.  (2) Identify person who has completed this form on behalf of or and who has knowledge of the information contained	the Tr	insfer-
		••••	
	Name, Position (if any), and address	Tek	No.
_	C. Identify Transferee: The First National Bank of Chicago One First Name and Current Address of Transferee Chicago, The Toronto-Dominion Bank, U.S.A. Division	IL 6	0670
Ш.	NOTIFICATION 31 W. 52nd Street, New York, New	York	10019~610
U	nder the Illinois Environmental Protection Act, owners of	real pr	operty 1

may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act 2 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:

> Toronto Dominion (Texas), Inc. 909 Fannin, Suite 1700 Houston, Texas 77010

### RESPONSIBLE PROPERTY TRANSFER ACT

765 ILCS 90/5

- (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 Poard 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 socia 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 ir addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act 4 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 superseded version of such text.
- IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership

## 765 ILCS 90/5

#### REAL PROPERTY

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.

Yer.	.X.		
No .	) <sub>A</sub> ,	• • •	•••

2. Has the registeror 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			١	•			L	1
1 62	•	•	f		 ٠	٠	٠	•
No								

3. Has the transferor ever conducted operations on the property which involved the generation, transponation, 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	Х	
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?

1 JAN	YES	ЙO
Landfill	***	. ∆
Surface Impoundment	0	ъХ
Land Treatment	*****	A
Waste Pile	******	
Incinerator	*****	. ტ
Storage Tank (Above Ground)	*****	.X(
Storage Tank (Underground)	****	.X
Container Storage Area	X	
Injection Wells	*****	`X
Wastewater Treatment Units	X	• 😲 • • •
	*****	. ()
Septic Tanks	*****	. <u>X</u>
Transfer Stations	*****	. X
Waste Recycling Operations		X
Waste Treatment Detoxification	*****	¥
	*****	· ()· · · ·
Other Land Disposal Area	*****	. A

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?

) Files

RESPONSIBLE PROPERTY TRANSFER ACT	765 ILCS 90/5
<ul> <li>a. Permits for discharges of wastewater to waters of the State.</li> <li>b. Permits for emissions to the atmosphere.</li> <li>c. Permits for any waste storage, waste treatment or waste disposal operation.</li> </ul>	Yes Yes NoX Yes You
4. Has the transferor had any wastewater discharg to a publicly owned treatment works?  Y	es (other than sewage)
7. Has the transferor taken any of the following a property?	actions relative to this
a. Prepared Chemical Safety Contingency Vian nursuant to the Illinois Chemical Salety Act.	Yea No
b. Filed an Emergency and Hazardous Chemical Inventory Fram pursuant to the federal Emergency Flanning and Community Right-to-Lnow Act of 1986.	Yes NoX
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 proper the subject of any of the following State or federal	y or the property been governmental actions?
<ul> <li>a. Written notification regarding known, suspected or alleged contamination on or emanating from the property.</li> <li>b. Filing an environmental enforcement</li> </ul>	Ya No X Yes
case with a court or the Poliution Control Board for which a final order or consent decree was entered.	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.	No
9. Environmental Releases During Transferor's Ov a. Has any situation occurred at this site which a "release" of any hazardous substances or petroleum a or federal laws? Yes	esulted in a reportable

b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site?

529

See Attachment

765 ILCS 90/5	REAL PROPERTY
Yes See	e Attachment
c. If the answers to quest following actions or events be	tions (a) and (b) are Yes, have any of the sen associated with a release on the property?
Just of a cleanup cor soils, pavement or consignment of in-hour als including soils, produced the illinois Cleanup and analysis.  Just of a cleanup cor analysis of substances alopes or at other known as the cut.	other surficial materials se maintenance staff to remove or treat materi- pavement or other surficial materials EPA or the IEMA, of the release as "significant" hemical Safety Act s of soils ong-term monitoring of groundwater at or near on-site or nearby water well because of offen- of the water om subsurface storm drains or inside basements, leaching out of the ground along the base of our coints on or immediately adjacent to the site
Illinois Pollution Control Board Yes	operating under a variance granted by the d?
answers or responses?	n needed for clarification of any of the above
************************	NDER OTHER OWNERSHIP OR OPERATION
1. Provide the following in entity or person the transferor for the management of the site	iformation about the previous owner or any leased the site to or otherwise contracted with or real property:
Type of business/ Same or property usage	ago Inc.
Note: A list of cur  2. If the transferor has known	rrent tenants is attached wledge, indicate whether the following existed olds granted by the transferor, other contracts
Landfili Surface Impoundment Land Treatment	YES NO

RESPONSIBLE PROPERTY TRANS	FER ACT	765 J	1/2 70/8
		YES	NO
Waste Pile		•••••	×
Incinerator		*****	X
Storage Tank (Above Ground) Storage Tank (Underground)		X	*****
Container Storage Area		X	******
Injection Walls		4.557.14	. X
Wastewater Treatment Units		******	x
Septic Tanks		*****	X
Fransfer Stations		*****	<u>X</u>
Value Recycling Operations			4.4
Water Treatment Deterification		*****	v
Other Land Disposal Area		• • • • • •	¥
A CEDAINO A ION			
v. certification			_
A. Based on my inquiry of those pe the information, I carriery that the info knowledge and belief, true and accura	rmation submitted	ls, to the	
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P.A. 85-1228, § 5, eff. Nov. 1, 1989. Amer P.A. 87-148, § 3, eff. Jan. 1, 1992.	20045 OT P.A. 46-679,	) 1, ett. 1	sept. 1, 1989;
Formerly III.Rev.Stat.1991, els. 30, \$ 905.			

94298696

1413 E.CS S/1 et esq. 2413 E.CS 1/20.2 1415 E.CS 1/4. 4415 E.CS 1/22.16. 842 U.S.C.A. § 6801 et esq.

RESPONSIBLE PROPERTY TRAN	SFER ACT	763 ILCS 90/	8
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		YES NO	
V. CERTIFICATION  A. 62 ed on my inquiry of those p the information. I certify that the inf knowledge and belief, true and accura-	ormation submit	seponsible for gatheri ted is, to the best of n	ng ny
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RESPONSIBLE PROPERTY TRANS	FER ACT 765 ILCS 90/5
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	YES NO
the information. I certify that the infor knowledge and belief, true and accura-	16.600W
	type or print name FRANSFEROR OR TRANSFERORS (or on behalf of Transferor)
	Signature  Sype or print Name  TRANSFEREE OF TRANSFEREES  (or on behalf of Transferse)
	TOROWTO Do MINICA (TEXAS), INC.  TOROWTO DO MINICA (TEXAS), INC.  SOPHIAD SGARBI  VICE PRESIDENT.  TOROWTO DO MINICA (TEXAS), INC.
P.A. 85-1228, § S, eff. Nov. 1, 1989. Amon P.A. 87-168, § S, eff. Jun. 1, 1992. Permerly Bilkov@na.1991, eb. 30, § 905. 1415 E.CS 5/1 et en. 8413 E.CS 5/2. 8415 E.CS 5/4.	ded by P.A. 84-679, § 1, eff. Sept. 1, 1989; 4- 10. 10. 10. 10.

RESPONSIBLE PROPERTY TRANS	NER ACT 765 ILCS 90/5
	YRS NO
Waste Pile	<u>X</u>
Indiscretor	X
Storage Tank (Above Ground)	<u>X</u>
Storage Tank (Underground)	
Container Storage Area	
Injection Wells	
Wastewater Treatment Units	<del>.</del>
Septic Tanks	··
Transfer Stations	•••••
Waste Recycling Operations Weste Treatment Detection	
As its Treatment Determinence	*****
Grant Land Disposal Area	
v. certification	
A. Based on tay inquiry of those p	ersons directly responsible for gathering
the information. I settify that the info	ormation submitted is, to the best of my
knowledge and belief, true and accur	ate A. C. C
TIDAMONE STO CONST. N. STO COOK	Mika mas
	. (35) XXIV. Q
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B. This form was delivered to me	with a sements completed on
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P.A. 85-1228, § 5, eff. Nov. I, 1989. Am P.A. 87-148, S. J. eff. Inn., 1, 1992.	ended by P.A. 86-679, § 1, eff. Sept. 1, 1989;

Permerly (E.Rev.Sun.1991, ch. 36, ¶ 906.

1415 E.CS 5/7 et ess.

1415 E.CS 5/22.2.

1415 E.CS 5/22.1.

1415 E.CS 5/22.1.

1415 E.CS 5/22.18

142 U.S.C.A. § 6001 et ess.

N. ELSTON AVENUE

## **EXHIBIT A**

#### Legal Description

#### PARCEL 1:

LOT 29 (EXCEPT THE MORTHWESTERLY 16 PERT THEREOF) LOTS 30 TO 33, BOTH INCLUSIVE, AND LOTS 35 TO 41, BOTH INCLUSIVE, ALL IN BLOCK 11 IN FULLERTON'S ADDITION TO CHICAGO, A SUBDIVISION IN SECTION 31, TONNERS 48 MORTH, RANGE 14 BAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THE VACATED ALLEY RUMING IN A MORTHEASTERLY DIRECTION SOUTHEASTERLY OF AND ADJOINING THE SOUTHEASTERLY LINE OF LOT 33 AND ADJOINING THE SOUTHEASTERLY LINE OF LOT 33 PRODUCED MORTHEASTERLY 16 FEET ALSO THE VACATED PUBLIC ALLEY RUNNING IN A MORTHWESTERLY DIRECTION PURTHEASTERLY OF AND ADJOINING THE MORTHEASTERLY LINE OF LOT 29 (EXCEPT THE MORTHWESTERLY 16 FEET THEREOF) AND LOTS 30 TO 33, BOTH INCLUSIVE, ALL IN BLOCK 11 IN FULLERION'S ADDITION TO CHICAGO, A SUBDIVISION IN SECTION 31, TOWNSHIP 40 MORTH, NAME 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 3:

THAT PART OF LOT 34 LYING SOUTHEASTERLY OF A LIME DESCRIBED AS FOLLOWS:

COMMINCING AT THE SOUTHWEST CORNER OF LOT 1 IN BLOTA 11, SAID CORNER BEING 164
FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 1; THEFCE SOUTHEASTERLY ALONG THE
NORTHEASTERLY LINE OF A 16 FOOT ALLEY 193.06 FEET FC# A POINT OF BEGINNING;
THENCE NORTHEASTERLY AT A RIGHT ANGLE TO SAID ALLEY LINE 139.83 FEET TO THE
SOUTHEAST CORNER OF SAID LOT 1 AND THE HORTHEAST CORNER OF SAID LOT 34, ALL IN
BLOCK 11 IN FULLERTON'S ADDITION TO CHICAGO IN THE HORTHEAST 1/4 OF SECTION 31,
TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,
ILLINOIS.

EXCEPTING FROM PARCELS 1 AND 2 AFORESAID, THAT IS FROM THE ABOVE PAIT OF LOTS 29 AND 30 IN BLOCK 11 IN FULLERTON'S ADDITION TO CHICAGO A SUBDIVISION IN SECTION 31, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF A VACATED ALLEY VACATED AS PER DOCUMENT NUMBER 4624286, RUNNING IN A NORTHWESTERLY DIRECTION LYING NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF SAID LOTS 29 AND 30 BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT 29, 16.00 PRET SOUTHEASTERLY OF THE MORTHWESTERLY CORNER OF SAID LOT 29; THENCE MORTHEASTERLY ALONG A LINE 16.60 PRET SOUTHEASTERLY OF AND PARALLEL WITH THE MORTHWESTERLY LINE OF RAID LOT 29 AND ITS MORTHEASTERLY EXTENSION A DISTANCE OF 141.00 PRET TO THE SOUTHWESTERLY LINE OF LOT 34 IN SAID BLOCK 11; THENCE SOUTHEASTERLY ALONG THE

Exhibit A cont.

SOUTHWESTERLY LINE OF SAID LOT 34 A DISTANCE OF 12.20 FERT; THENCE SOUTHWESTERLY ALONG A LINE 28.20 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 29 AND ITS NORTHEASTERLY EXTENSION A DISTANCE OF 40.79 FEST: THENCE SOUTHWESTERLY ALONG A LINE A DISTANCE OF 53.27 FEET TO A POINT 21.00 FEET SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT 29; THENCE SOUTHWESTERLY ALONG A LINE 21.00 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE MORTHWESTERLY LINE OF SAID LOT 29 A DISTANCE OF 47.43 FRET TO A POINT IN THE SOUTHWISTERLY LINE OF SAID TO Servivor Cook Country Clerk's Office lot 29: Thence Horthresterly along the Southwesterly line of Said Lot 29 a distance OF \$.00 P(E) TO THE POINT OF BEGINNING, IN COCK COUNTY, ILLINOIS.

## RESPONSES TO QUESTIONS 9.2. AND 9.5. FOR ELSTON SITE

- 9.a. Transferor believes that there may have been releases of petroleum at this site. However, transferor is not aware of whether such releases would have been reportable under State or Federal laws.
- 9.b. -Transferor believes that released petroleum may have come into direct contact with the ground at this site. However, or any control of County Clark's Office transferor is not aware of the amount of any such release or the extent of any such contact.

## TENANT LISTING

TENANT NAME	SUITE	TEL NO
HIGHLAND COMMUNITY BANK 401 N. Wabash Chicago, IL 80611 (First Chicago Lessor)	605	527-6516
INSTITUTE OF INTERNATIONAL EDUCATION 401 N. Vyabashi Robert Hourton	722	644-1400
M. MYERS PROPERTIES, INC. 401 N. Wabash Paul Levy	700	644-1055
MULTI-GRAPHICS (AM INTERNATIONAL) 401 N. Wabash	521	467-1011
NORTH AMERICAN BEAR GO. 401 N. Wabash Ray Miller/Janet Meyer	500	329-0020
401 N. Wabash Ray Miller/Janet Meyer  RAY COLLEGE  401 N. Wabash Wade Ray	610	280-3500
SYNECTICS GROUP, INC. 401 N. Wabash Ed Hecht, Jr.	213	321-9550
SYSTEMS COMPATIBILITY 401 N. Wabash (First Chicago Lessor) Stuart Weirner	600	925,0700
LANDS END YACHT STORE 2315 N. Elston Chicago, IL 60614 John Maher/ Mgr. Jill Branstrator		384-4170 800-332-0117 x4984
STEARNS SAILMAKERS 2243 N. Elston Chicago, IL 60614		384-2828
ILLINOIS TOOL MFG. INC. 2315 N. Elston Chicago, IL 60614 John Gajzler		235-5700

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