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COOK COUNTY, ILLINOIS
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DIV 1 94-8-411

Property of Cook County Clerk's Office

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

The following information is provided pursuant to the Responsible Party Transfer Act of 1988
Seller:
Buyer:
Document No:

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

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I. PROPERTY IDENTIFICATION:

A. Address of property: 222 S. Racine Ave. Chicago
Street City or Village Township
Permanent Real Estate Index No: 17-17-113-027-0000 17-17-113-030-0000
B. Legal Description: 17-17-113-028-0000 17-17-113-029-0000
Section ...17.. Township ...39N, Range 14

Enter or attach current legal description in this area:
Prepared by: Return to:
name name
.....
address address

BOX 333-CTI

43.00

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:
Approximately 70,000 sq. ft. Lot Size Acreage .. Approximately 1.61 acres
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) Garage

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?
(3) A lease exceeding a term of 40 years?
(4) A mortgage or collateral assignment of beneficial interest? ..X..

B. (1) Identify Transferor:
... Chicago Sup-Tips, Inc. ... 401 N. Wabash Chicago, IL 60611
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:
Name, Position (if any), and address Telephone No.

C. Identify Transferee:
... The First National Bank of Chicago One First National Plaza
Name and Current Address of Transferee Chicago, IL 60670
The Toronto-Dominion Bank, U.S.A. Division

III. NOTIFICATION 31 W. 52nd Street, New York, New York 10019-6101

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:

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

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(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 Act¹ 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 falls 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 Act⁴ 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

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

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- 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?

- YesX.....
- 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.⁶ 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 1986.⁷ 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 See Attachment
- No

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

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REAL PROPERTY

Yes ...X.....
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 IEMA, 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?

.....
.....
.....
.....

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: .. News Group Chicago Inc.....
.....
Type of business/ or property usage .. Same as present.....
.....
.....

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
LandfillX...
Surface ImpoundmentX...
Land TreatmentX...

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	YES	NO
Waste PileX..
IncineratorX..
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.

A. G. Conroy
 signature

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

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

.....
 signature

 type or print name
TRANSFeree OR TRANSFereES
 (or on behalf of Transferor)

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

.....
 signature

 type or print name
LENDER

P.A. 85-1228, § 5, eff. Nov. 1, 1969. Amended by P.A. 86-679, § 1, eff. Sept. 1, 1989; P.A. 87-168, § 3, eff. Jan. 1, 1992.

Formerly Ill.Rev.Stat.1991, ch. 30, § 905.

- 1415 ILCS 5/1 et seq.
- 2415 ILCS 5/21.2.
- 8415 ILCS 5/4.
- 4415 ILCS 5/22.1B.
- 642 U.S.C.A. § 6001 et seq.

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	YES	NO
Waste PileX..
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 DetarificationX..
Other Land Disposal AreaX..

V. CERTIFICATION

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.....
signature

.....
type or print name

TRANSFEROR OR TRANSFERORS
(or on behalf of Transferor)

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

..... 19...

.....
signature

.....
type or print name

TRANSFEEE OR TRANSFEEES
(or on behalf of Transferee)

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

March 31, 1994

.....
signature

.....
type or print name

LENDER

THE FIRST FEDERAL BANK OF CHICAGO

Steven P. Caputo

STEVEN P. CAPUTO

P.A. 85-1228, § 3, eff. Nov. 1, 1989. Amended by P.A. 86-679, § 1, eff. Sept. 1, 1989;

P.A. 87-168, § 3, eff. Jan. 1, 1992.

Formerly IL Rev. Stat. 1991, ch. 30, § 905.

- 6415 ECR 2/1 et seq.
- 6415 ECR 1/22.2.
- 6415 ECR 1/4.
- 6415 ECR 1/22.12.
- 6415 ECR 1/22.12.
- 6415 ECR 1/22.12.

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	YES	NO
Waste PileX..
Incinerator	..X..
Storage Tank (Above Ground)	..X..
Storage Tank (Underground)	..X..
Container Storage Area	.....	.....
Injection Wells	.....	..X..
Wastewater Treatment Units	.....	..X..
Septic Tanks	.....	..X..
Transfer Stations	.....	.....
Waste Recycling Operations	..X..	.....
Waste Treatment Detoxification	.....	..X..
Other Land Disposal Area	.....	.....

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

.....
type or print name

TRANSFEROR OR TRANSFERORS
(or on behalf of Transferor)

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

..... 19...

.....
signature

.....
type or print name

TRANSFEEE OR TRANSFEEES
(or on behalf of Transferee)

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

..March...31.... 19..94

.....
signature

.....
type or print name
LENDER

TORONTO HOME FUNCTIONS, INC.

.....
signature

.....
type or print name

SOPHIA D. SGARBI.....
type or print name

LENDER

P.A. 85-1228, § 5, eff. Nov. 1, 1989. Amended by P.A. 86-679, § 2, eff. Sept. 1, 1989;

P.A. 87-168, § 3, eff. Jan. 1, 1992.

Formerly Ill.Rev.Stat.1991, ch. 26, § 905.

- 6415 ILCS 5/1 et seq.
- 6415 ILCS 5/22.1.
- 6415 ILCS 5/4.
- 6415 ILCS 5/22.1B.
- 642 U.S.C.A. § 6901 et seq.

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	YES	NO
Waste PileX..
Incinerator	..X..
Storage Tank (Above Ground)	..X..
Storage Tank (Underground)	..X..
Container Storage Area	.....	.....
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.

.....
signature
.....
type or print name
TRANSFEROR OR TRANSFERORS
(or on behalf of Transferor)

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

.....
signature
.....
type or print name
TRANSFEEE OR TRANSFEEES
(or on behalf of transferee)

C. This form was delivered to me with all elements completed on ..March..31..... 1994

.....
signature SOPHIA D. SGARBI
.....
type or print name
LENDER

P.A. 85-1228, § 3, eff. Nov. 1, 1989. Amended by P.A. 86-679, § 1, eff. Sept. 1, 1989; P.A. 87-168, § 3, eff. Jan. 1, 1992. Formerly IL Rev. Stat. 1991, ch. 30, § 905.

- 1415 ILCS 5/1 et seq.
- 8415 ILCS 1/22.2
- 8413 ILCS 1/4
- 4413 ILCS 1/22.13
- 843 U.S.C.A. § 6901 et seq.

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222 S. RACINE

EXHIBIT A

Legal Description

PARCEL 1:

LOTS 25, 26, 27, 28, AND 29 IN REES AND RUCKER'S SUBDIVISION OF BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 AND THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 IN JUNGE'S SUBDIVISION OF LOT 60 IN REES AND RUCKER'S SUBDIVISION OF BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 AND THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 54, 55, 56, 57, 58 AND 59 IN REES AND RUCKER'S SUBDIVISION OF BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 AND THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

A STRIP OF LAND, FORMERLY A PRIVATE ALLEY WEST OF AND ADJOINING LOTS 1 AND 2, AND EAST OF AND ADJOINING LOTS 3, 4, 5, 6, 7 AND 8 ALL IN JUNGE'S SUBDIVISION OF LOT 60 IN REES AND RUCKER'S SUBDIVISION OF BLOCK 16 IN CANAL TRUSTEES' SUBDIVISION OF THE WEST 1/2 AND THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

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RESPONSES TO QUESTIONS 9.a. AND 9.b. FOR RACINE SITE

9.a. - Transferor is aware that there have been releases of petroleum at this site. However, transferor is not aware of whether those releases were reportable under State or Federal laws.

9.b. - Transferor believes that petroleum that was released has come into direct contact with the ground at this site. However, transferor is not aware of the amount of the release or the extent of the contact.

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