

Within 30 days after the date, any real property subject to the provisions of the Responsible Property Transfer Act of 1988 is transferred, this compliance document must be filed in the office of the recorder of the county in which such property is located and filed with the Illinois Environmental Protection Agency.

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R-90-007-88
07/11/88
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County
Date
Doc. No.
Vol.
Page
Rec'd. By

94382904

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

Seller: Rod and Susan Bartha
Buyer: Illinois Department of Transportation
Document No.:

Property Identification:

A. Address of property: 310 N. Milwaukee Avenue
Street: Milwaukee Avenue City or Village: Wheeling Township: Wheeling
Permanent Real Estate Index No.: 03-02-404-029

B. Legal Description:
Section: 2 Township: 42 N Range: 11 E

Enter current legal description in this area:
SEE ATTACHMENT A

Prepared by: Name: Mary S. Mathewson
Company: Mathewson & Mathewson
Address: 18430 S. Halsted St., Suite 209
City: Glenwood, State: IL Zip: 60425

Return to: Illinois Department of Transportation
201 Center Court
Schaumburg, Ill. 60195



94382904



The following information is provided pursuant to the Responsible Property Transfer Act of 1988

Provided courtesy of
The Illinois Chamber
20 North Wacker Drive
Chicago, Illinois 60606-3083
312-372-7373

IDOT JOB NO.: R-90-007-88

PARCEL NO.: 0138

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10/10/2013

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THE ILLINOIS
CHAMBER.

I. 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 cleanup costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

A. Property Characteristics

Lot Size: 77.00 x 150.00 Acreage: 0.309.....

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
- Other (specify) VACANT LAND

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 10 years?

Yes..... No

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

Yes..... No

B. (1) Identify Transferor:

ROD & SUSAN BARTHA 720 THORNMEADOW RD RIVERWOODS IL 60015

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:

ROD & SUSAN BARTHA / OWNERS

708-948-0997 H.

Name, Position (if any) and Address

Telephone No.

36290

C. Identify Transferee:

ILLINOIS DEPT OF TRANS

Name and Current Address of Transferee:

211 LENTER CT SCHMIDTBERG IL 60194-1096

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 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;

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(4) Any person who receives or accepts any hazardous substances for removal, disposal, storage or treatment facilities or sites which there is a release or a substantial threat of a release of a hazardous substance."

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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 22.1B(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 superseded version of such text.

IV. Environmental Information

A. 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 palm mixing or tinting of consumer sized containers), finishing, refilling, 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.....
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?

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

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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.

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- 6. Has the transferor ever held any of the following permits in regard to this and other property?
 - a. Permits for discharges of wastewater to surface 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 operations. Yes..... No.....
- 6. Has the transferor had any wastewater discharges (other than sewage) 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 1980. Yes..... No.....
 - c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1980. 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 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.....

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

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1. Provide the following information about the person or persons who own or possess the transferor leased the site to or otherwise contracted with for the management of the site or real property:

Name First National Bank of Lincolnshire / Dan Success Bank
Mr. Saul Binder - President
Type of business or property usage None

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:

Landfill	Yes.....	No..... <input checked="" type="checkbox"/>
Surface Impoundment	Yes.....	No..... <input checked="" type="checkbox"/>
Land Treatment	Yes.....	No..... <input checked="" type="checkbox"/>
Waste Pile	Yes.....	No..... <input checked="" type="checkbox"/>
Incinerator	Yes.....	No..... <input checked="" type="checkbox"/>
Storage Tank (Above Ground)	Yes.....	No..... <input checked="" type="checkbox"/>
Storage Tank (Underground)	Yes..... <input checked="" type="checkbox"/>	No..... <input checked="" type="checkbox"/>
Container Storage Area	Yes.....	No..... <input checked="" type="checkbox"/>
Injection Wells	Yes.....	No..... <input checked="" type="checkbox"/>
Wastewater Treatment Units	Yes.....	No..... <input checked="" type="checkbox"/>
Septic Tanks	Yes.....	No..... <input checked="" type="checkbox"/>
Transfer Stations	Yes.....	No..... <input checked="" type="checkbox"/>
Waste Recycling Operations	Yes.....	No..... <input checked="" type="checkbox"/>
Waste Treatment Detoxification	Yes.....	No..... <input checked="" type="checkbox"/>
Other Land Disposal Area	Yes.....	No..... <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]
SIGNATURE(S)
RED BERTHA & SUSAN BERTHA
TRANSFEROR OR TRANSFERORS (PLEASE TYPE)
(or on behalf of Transferor)

B. This form was delivered to me with all elements completed on 3-21-94 94382901

[Signature]
SIGNATURE(S)
J. D. O. T.
TRANSFEEE OR TRANSFEEES (PLEASE TYPE)
(or on behalf of Transferee)

C. This form was delivered to me with all elements completed on 10.....

.....
SIGNATURE(S)
.....
LENDER
.....
LENDER REPRESENTATIVE (PLEASE TYPE)
.....
TITLE

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WARRANT DEED
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THE GRANTOR _____, _____
_____ of the _____
of _____, County of _____ and State of _____
_____, for and in consideration of _____
_____ Dollars (\$ _____), in hand paid, CONVEY and
WARRANT to the People of the STATE OF ILLINOIS, Department of Transportation,
the following-described Real Estate, to-wit:

That part of the Northeasterly 130.00 feet of Lot 14 and the Northeasterly 130.00 feet of Lot 13 (except the Northwesterly 21.00 feet thereof) in William Zelosky's Milwaukee Avenue Addition to Wheeling, being a subdivision in the South half of Section 2, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded February 13, 1925 as Document 8773829, in Cook County, Illinois, described as follows:

Beginning at the Southeast corner of Lot 14 aforesaid; thence on an assumed bearing of North 21 degrees 38 minutes 56 seconds West along the Easterly line of said Lots 14 and 13, a distance of 129.82 feet to the Southerly line of the Northerly 21.00 feet of Lot 13 aforesaid; thence South 68 degrees 21 minutes 04 seconds West along said Southerly line, 11.00 feet; thence South 21 degrees 38 minutes 56 seconds East along a line parallel with the Easterly line of said Lots 95.38 feet; thence South 34 degrees 20 minutes 42 seconds West, 33.56 feet to the South line of Lot 14; thence South 89 degrees 39 minutes 39 seconds East along said South line, 41.85 feet to the point of beginning, containing 0.042 acres.

ATTACHMENT A

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situated in the County of Cook _____ and State of Illinois, hereby releasing and waiving all right under and by virtue of the Homestead Exemption Laws of the State.

(over)

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