

UNOFFICIAL COPY 95593460

ENVIRONMENTAL DISCLOSURE DOCUMENT

FOR TRANSFER OF REAL PROPERTY

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

For Use By County

Seller: LaSalle National Bank Trust NA

Recorder's Office

as Trustee under Trust Agreement dated August 21, 1995 and known as

County

Buyer: Lasalle Bend Lake View

Trust No. 119746 and not personally

Date

Document No.:

Doc. No.

Vol. Page

Rec'd by:

I. PROPERTY IDENTIFICATION:

A. Address of property: 26 Main Street Bartlett, Illinois

Street City or Village Township

Permanent Real Estate Index No.: 06-34-410-001

06-34-410-002

B. Legal Description:

06-35-315-001

06-35-315-002

Section Township Range

Enter or attach current legal description in this area:

See Exhibit A attached

DEPT-01 RECORDING \$37.00
T#0012 TRAN 6264 09/06/95 08:55:00
#2152 + CG *-95-593460
COOK COUNTY RECORDER

Prepared by: T. Lembaris

120 E. Riverside Plaza, Ste 1200
Chicago, IL 60606-3413

Return to: Michael L. Weissmann

Ms. Bride Baker + Color
500 W. Madison Street
Chicago, IL 60661

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.

C. Property Characteristics:

Lot Size 1.36 Acres

Check all types of improvement and uses that pertain to the property:

- | | |
|---|---|
| <input type="checkbox"/> Apartment building (6 units or less) | <input checked="" type="checkbox"/> Industrial building |
| <input type="checkbox"/> Commercial apartment (over 6 units) | <input type="checkbox"/> Farm, with buildings |
| <input type="checkbox"/> Store, office, commercial building | <input type="checkbox"/> Other (specify) |

3700

BOX 333-CTT

7560972 DF 03

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II. NATURE OF TRANSFER:

- A. (1) Is this a transfer by deed or other instrument of conveyance? Yes ___ No X
(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? Yes ___ No X
(3) A lease exceeding a term of 40 years? Yes ___ No X
(4) A mortgage or collateral assignment of beneficial interest? Yes X No ___

B. (1) Identify Transferor:

LaSalle National Bank Trust N.A.

Name and Current Address of Transferor:

135 S. LaSalle St., Chicago

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust:

N/A

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:

Theodore T. Oberman (312) 876-7124
Name, Position (if any), and Address Telephone No.

C. Identify Transferee:

LaSalle Bank
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 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.

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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 of substantial threat 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 a 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 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 "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

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 substances or petroleum?

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11/15/2017 10:10:10 AM

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Landfill	Yes ___ No <u>X</u>	Wastewater	
Surface Impoundment	Yes ___ No <u>X</u>	Treatment Units	Yes ___ No <u>X</u>
Land Treatment	Yes ___ No <u>X</u>	Septic Tanks	Yes ___ No <u>X</u>
Waste Pile	Yes ___ No <u>X</u>	Transfer Stations	Yes ___ No <u>X</u>
Incinerator	Yes ___ No <u>X</u>	Waste Recycling	Yes <u>X</u> No ___ (TL)
Storage Tank		Operations	Yes <u>X</u> No ___ (TL)
(Above Ground)	Yes <u>Y</u> No ___	Waste Treatment	Yes ___ No <u>X</u>
Storage Tank (Under		Detoxification	Yes ___ No ___
Ground)	Yes <u>Y</u> No ___	Other Land Disposal	
Container Storage		Area	Yes ___ No <u>X</u>
Area	Yes <u>X</u> No ___		
Injection Wells	Yes ___ No <u>X</u>		

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 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 Y
6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works? Yes ___ No X
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 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 X No ~~___~~ (TL)
 - 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 ___ N/A

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9. Environmental Release During Transferor's Ownership

- a. Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substance 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?

Pursuant to the underground Storage Tank Investigation which is currently underway. A corrective action is being developed and will be submitted to EPA for their approval.

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 _____

Type of business/or property usage _____

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

(FOR THE EXCULPATORY PROVISION OF LA SALLE NATIONAL TRUST, N.A., SEE ATTACHED RIDER) TRANSFEROR

LASALLE NATIONAL TRUST N.A., as
Trustee under a Trust Agreement dated
Aug 21, 1995 and known as Trust No.
119746 and not personally

By: 

[signature]

(or on behalf of Transferor)

Corinne Bek, Vice President

[type or print name]

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

TRANSFEEE

[signature]

(or on behalf of Transferee)

[type or print name]

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It is further agreed by the parties hereto that whenever and wherever the provisions of this Agreement contains any reference to the right of the party to be indemnified, saved harmless, or reimbursed by Land Trustee for any acosts, claims, loss, fines, penalties, damage or expenses of any nature, including without limitation, Attorney's Fees, arising in any way out of the execution of this instrument or the relationship of the parties under this instrument, then such obligation, if any, shall be construed to be only a right of reimbursement in favor of a party out of the trust estate held under Trust No. 119746, from time to time, so far as the same may reach; and in no case shall any claim of liability or right of reimbursement be asserted against LaSalle National Trust, N.A., successor trustee to LaSalle National Bank individually, all such personal liability, if any, being hereby expressly waived; and this agreement shall extend to and inure for the benefit of the parties hereto, their respective successors and assigns and all parties claiming by, through and under them. In event of conflict between the terms of this rider and of the Agreement to which it is attached, or any question of apparent or claimed liability or obligation resting upon the said Trustee, the Exculpatory Provisions of the rider shall be controlling.

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings, warranties, and agreements herein made on the part of the Trustee while in form purporting to be the representation, covenants, undertakings, warranties, and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties, and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the LaSalle National Trust, N.A., successor trustee to LaSalle National Bank, on account of this instrument or on account of any representation, covenant, undertaking, warranty, or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. The Trustee make no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any..

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C. This form was delivered to me with all elements completed on Sept 1, 1995

LENDER

LASALLE BANK LAKE VIEW

By: Mark A Magnoni
[signature]
MARK MAGNONI
[type or print name]

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STREET ADDRESS: 26 MAIN STREET

CITY: BARTLETT

COUNTY: COOK

TAX NUMBER: 06-34-410-001 +

002

06-35-315-001 + 002

LEGAL DESCRIPTION:

PARCEL 1:

LOTS 1, 2, 3 AND 4 IN BLOCK 7 IN BARTLETT'S SUBDIVISION, BEING A SUBDIVISION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON AGUST 22, 1873 AS DOCUMENT NO. 121940, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST 1/4 WITH THE SOUTH LINE OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD: THENCE SOUTH ALONG SAID WEST LINE OF THE SOUTHWEST 1/4 192.5 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 7 OF BARTLETT'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON AGUST 22, 1873 AS DOCUMENT NO. 121940, THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 4, EXTENDED EASTERLY, A DISTANCE OF 158.58 FEET (AS MEASURED ALONG SAID SOUTH LINE, EXTENDED EASTERLY) THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 OF SECTION 35, A DISTANCE OF APPROXIMATELY 164.72 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID RAILROAD; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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