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## 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: RR Industries, Inc.

Recorder's Office

Buyer: \_\_\_\_\_ **95604209**

County

Document No.: \_\_\_\_\_

Date

Doc. No.

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Rec'd by: \_\_\_\_\_

### I. PROPERTY IDENTIFICATION:

A. Address of property: 1200 South 54th Avenue, Cicero  
Street City or Village Township

Permanent Real Estate Index No.: 16-21-103-003; 16-21-103-014

### B. Legal Description:

Section 21 Township 39 N Range 13

Enter or attach current legal description in this area:

see attached legal description

DEPT-01 RECORDING \$29.50  
T60001 TRAM 9367 09/11/95 13:19:00  
\$9461 JM \*-95-604209  
COOK COUNTY RECORDER.

*4182799 mob 11/13*

Prepared by: Lyle S. Genin  
name

Return to: \_\_\_\_\_  
name

69 W. Washington, Suite 600  
Chicago, IL 60602  
address

\_\_\_\_\_  
address

### LIABILITY DISCLOSURE

Transferees 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 approx. 341' x 549' 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 \_\_\_\_\_

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### 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

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B. (1) Identify Transferor: American National Bank & Trust Co. of Chicago, as Trustee under Trust #117487-04 dated 9/22/93

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:

Stuart Wolkoff 1200 S. 54th Avenue, Cicero, IL.

Name, Position (if any), and address

Telephone No.

C. Identify Transferee: American National Bank & Trust Co. of Chicago  
Name and Current Address of Transferee 33 N. LaSalle St., Chicago, IL. 60690

### 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 X

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 X

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DISCLOSURE

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   X  

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	_____	<u>  X  </u>	Injection Wells	_____	<u>  X  </u>
Surface Impoundment	_____	<u>  X  </u>	Wastewater Treatment Units	_____	<u>  X  </u>
Land Treatment	_____	<u>  X  </u>	Septic Tanks	_____	<u>  X  </u>
Waste Pile	_____	<u>  X  </u>	Transfer Stations	_____	<u>  X  </u>
Incinerator	_____	<u>  X  </u>	Waste Recycling Operations	_____	<u>  X  </u>
Storage Tank (Above Ground)	_____	<u>  X  </u>	Waste Treatment Detoxification	_____	<u>  X  </u>
Storage Tank (Underground)	<u>  X  </u>	_____	Other Land Disposal Area	_____	<u>  X  </u>
Container Storage Area	_____	<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   X

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 \_\_\_\_\_ 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 \_\_\_\_\_ No   X
- b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes \_\_\_\_\_ No   X
- 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.

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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? \_\_\_\_\_

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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: L & P Properties, Inc.  
c/o David H. Sachs, Esq.  
One IBM Plaza, Suite 3000, Chicago, IL, 60611  
Type of business/ unknown  
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	_____	<u>X</u>	Injection Wells	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>	Wastewater Treatment Units	_____	<u>X</u>
Land Treatment	_____	<u>X</u>	Septic Tanks	_____	<u>X</u>
Waste Pile	_____	<u>X</u>	Transfer Stations	_____	<u>X</u>
Incinerator	_____	<u>X</u>	Waste Recycling Operations	_____	<u>X</u>
Storage Tank (Above Ground)	_____	<u>X</u>	Waste Treatment Detoxification	_____	<u>X</u>
Storage Tank (Underground)	<u>X</u>	_____	Other Land Disposal Area	_____	<u>X</u>
Container Storage Area	_____	<u>X</u>			

## 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.

KR Industries, Inc.  
By: Stuart Wolkoff  
signature  
Stuart Wolkoff  
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 TRANSFEREE (or on behalf of Transferee)  
American National Bank and Trust Company  
of Chicago

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

July 14 1995

Fredric B. Prohov  
signature YOUNG, HAUSLINGER & ROSEN, LTD.  
by: Fredric B. Prohov, attorney for ANBT  
type or print name  
LENDER

95604209

(Ch. 30, par. 906)

Mail to:

R. Prohov  
33 N. La Salle # 2000  
Chap. IL 60602

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PARCEL 1

TRACT 1

THAT PART OF LOT 2 IN GRANT LAND ASSOCIATION RESUBDIVISION IN SECTION 21, TOWNSHIP 29 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AS PER PLAT RECORDED MARCH 4, 1912 AS DOCUMENT 31885 DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTH LINE OF LOT 2 BEING THE SOUTH LINE OF 15TH STREET, 200 FEET EAST OF THE THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH ALONG A LINE PARALLEL TO AND 200 FEET EAST OF THE WEST LINE OF SAID LOT 2, A DISTANCE OF 318.3 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG A CURVE TANGENT TO LAST DESCRIBED LINE, CONVEY TO THE SOUTHEAST WITH A RADIUS OF 220 FEET A DISTANCE OF 219.4 FEET TO A POINT OF TANGENCY; THENCE EAST ON A LINE PARALLEL TO AND 244.7 FEET SOUTH OF THE SOUTH LINE OF WEST 15TH STREET A DISTANCE OF 204.4 FEET, MORE OR LESS, TO A POINT 124 FEET WEST OF THE WEST LINE OF SOUTH MTH AVENUE; THENCE NORTHEASTERLY IN A STRAIGHT LINE TO A POINT ON THE WEST LINE OF SOUTH MTH AVENUE 139.7 FEET SOUTH OF THE SOUTH LINE OF WEST 15TH STREET; THENCE NORTH ALONG THE WEST LINE OF SOUTH MTH AVENUE 139.7 FEET TO THE SOUTH LINE OF WEST 15TH STREET; THENCE WEST ALONG THE SOUTH LINE OF 15TH STREET A DISTANCE OF 120.7 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

TRACT 2

ALL THAT PART OF LOT 2 IN GRANT LAND ASSOCIATION RESUBDIVISION IN SECTION 21, TOWNSHIP 29 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 4, 1912 AS DOCUMENT 31885 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF LOT 2 BEING THE SOUTH LINE OF WEST 15TH STREET 120 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH ALONG A LINE PARALLEL TO AND 120 FEET EAST OF THE WEST LINE OF SAID LOT 2, A DISTANCE OF 204.4 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG A CURVE CONVEY TO THE SOUTHEAST WITH A RADIUS OF 220 FEET, A DISTANCE OF 219.4 FEET TO A POINT OF TANGENCY; THENCE SOUTHWESTERLY ALONG A LINE TANGENT TO LAST DESCRIBED LINE A DISTANCE OF 62.1 FEET TO A POINT; THENCE NORTHEASTERLY ALONG A CURVE CONVEY TO THE NORTHWEST WITH A RADIUS OF 211.9 FEET A DISTANCE OF 244.7 FEET TO A POINT OF TANGENCY; THENCE NORTHEASTERLY ALONG A TANGENT TO THE LAST DESCRIBED LINE A DISTANCE OF 242.1 FEET TO A POINT OF CURVE; THENCE ON A CURVE TANGENT TO THE LAST DESCRIBED LINE, CONVEY TO THE SOUTHEAST WITH A RADIUS OF 220 FEET A DISTANCE OF 219.4 FEET TO A POINT OF TANGENCY WITH LINE 200 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOT 2; THENCE NORTH ALONG SAID PARALLEL LINE 139.7 FEET TO THE SOUTH LINE OF 15TH STREET; THENCE WEST ALONG THE SOUTH LINE OF 15TH STREET, 120 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

TRACT 3

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF TRACTS 1 AND 2 AS CREATED BY DEED FROM HUBBARD AND COMPANY, A DELAWARE CORPORATION, TO ALLIED PRODUCTS CORPORATION, A CORPORATION OF MICHIGAN, DATED NOVEMBER 21, 1984 AND RECORDED DECEMBER 22, 1984 AS DOCUMENT 370982 FOR INGRESS AND EGRESS OVER AND ACROSS A STRIP 12 FEET WIDE AND EXTENDING SOUTH SAID DISTANCE FROM THE FOLLOWING DESCRIBED LINE AND PARALLEL THERETO AND EXTENDING WESTERLY A DISTANCE OF 200 FEET FROM THE WEST LINE OF SOUTH MTH AVENUE:

BEGINNING AT A POINT ON THE WEST LINE OF SOUTH MTH AVENUE, WHICH IS 200.7 FEET SOUTH OF THE SOUTH LINE OF 15TH STREET; THENCE NORTHWESTERLY IN A STRAIGHT LINE A DISTANCE OF 111.4 FEET, MORE OR LESS, TO A POINT ON A LINE PARALLEL TO AND 244.7 FEET SOUTH OF THE SOUTH LINE OF 15TH STREET; THENCE WEST ON SAID PARALLEL LINE A DISTANCE OF 121.7 FEET TO A POINT OF TANGENCY; THENCE WESTERLY ON A CURVED LINE TANGENT TO THE LAST DESCRIBED LINE CONVEY TO THE NORTHWEST HAVING A RADIUS OF 220 FEET A DISTANCE OF 7.8 FEET, MORE OR LESS, TO A POINT WHICH IS 200 FEET WESTERLY OF THE SAID WEST LINE OF SOUTH MTH AVENUE, THE SAID 12 FOOT STRIP OF LAND BEING A PART OF BLOCK 3 IN THE GRANT LAND ASSOCIATION'S RESUBDIVISION IN THE WEST 1/2 OF SECTION 21, TOWNSHIP 29 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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