

Buyer: Walter S. Mulica

Date _____

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Document No. _____

Doc. No. _____

Vol. _____ Page _____

Rec'd by: _____

I. PROPERTY IDENTIFICATION:

A. Address of property: 3264 N. Milwaukee Ave., Chicago, IL 60618 40N
Street City or Village Township

Permanent Real Estate Index No.: 13-23-325-007, 13-23-325-008, 13-23-325-009, 13-23-325-010

B. Legal Description:

Section 23 Township 40N Range 13E

Enter or attach current legal description in this area:

See Attached Legal Description

2700 ✓

DEPT-01 RECORDING \$27.00
 140012 TRAM 7941 12/04/95 20:14:40
 45057 + CG *-95-839867
 COOK COUNTY RECORDER

Prepared by: Joseph J. LaKocca, Jr., as Trustee Receiver Atty: Donald Panerose
of the Milwaukee Ave., name Trust dated March name
31, 1994 3264 N. Milwaukee Ave., Chicago, IL 60618 2001 N. Oakley Avenue
address Chicago, IL address 60647

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 _____ Acreage 12.503 sq. ft.

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

- ☒ Apartment building (6 units or less) Previous Use _____ Industrial building
- ☐ Commercial apartment (over 6 units) _____ Farm, with buildings
- ☒ Store, office, commercial building _____ Other, specify _____

II. NATURE OF TRANSFER:

- | | Yes | No |
|--|----------|----------|
| A. (1) Is this a transfer by deed or other instrument of conveyance? | <u>x</u> | _____ |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? | _____ | <u>x</u> |
| (3) A lease exceeding a term of 40 years? | _____ | <u>x</u> |
| (4) Is this a transfer of beneficial interest? | _____ | <u>x</u> |

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B. (1) Identify Transferor:
Joseph J. LaRocca, Jr., as Trustee of the Milwaukee Avenue Trust dated March 31, 1994
Name and Current Address of Transferor 3264 N. Milwaukee, Chicago, IL 60618

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust
(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

Joseph J. LaRocca, Jr., as Trustee of the Milwaukee Avenue Trust dated March 31, 1994
Name, Position (if any), and address 3264 N. Milwaukee Ave., Chicago, IL 60618 312-685-8853 Telephone No.

C. Identify Transferee: Walter S. Mulica, 3256 N. Milwaukee Ave., Chicago, IL 60618
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 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: a) 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

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 had 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
- _____ Crippling with funnels 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? No

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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: Unknown

Type of business/
or property usage: 2 Flat Apartment Building

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: No Knowledge

	YES	NO		YES	NO
Landfill	☐	☐	Injection Wells	☐	☐
Surface Impoundment	☐	☐	Wastewater Treatment Units	☐	☐
Land Treatment	☐	☐	Septic Tanks	☐	☐
Waste Pile	☐	☐	Transfer Stations	☐	☐
Incinerator	☐	☐	Waste Recycling Operations	☐	☐
Storage Tank (Above Ground)	☐	☐	Waste Treatment/Detoxification	☐	☐
Storage Tank (Underground)	☐	☐	Other Land Disposal Area	☐	☐
Container Storage 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: Joseph J. LaRocca, Jr., as Trustee
of the Milwaukee Avenue Trust dated March 31,
type or print name: 1994
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

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

19

signature: Walter S. Mulica
type or print name: Walter S. Mulica
TRANSFeree OR TRANSFereES (or on behalf of Transferee)

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

19

signature

type or print name
LENDER

(Ch. 30, par. 906)

MAIL TO: Atty Donald Panaresa
2001 N. Oakley
Chicago, IL 60647

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THE SOUTHEASTERLY 1/2 OF LOT 9 AND ALL OF LOTS 10, 11 AND 12 IN LOUIS
KORD'S MILWAUKEE AVENUE ADDITION TO CHICAGO BEING A SUBDIVISION
IN THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 13 EAST
OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF
RECORDED IN THE RECORDER OFFICE OF COOK COUNTY, ILLINOIS, JULY 5,
891 AS DOCUMENT 1695127 IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

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