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

Seller: 3636 Building Partnership, an Illinois general partnership
Buyer: World's Finest Chocolate, Inc., a Delaware corporation

DEPT-01 RECORDING 637.00
T45555 TRAN 0180 05/18/95 16:02:00
45499 JJ *-95-328409
COOK COUNTY RECORDER

Document No.: _____

I. PROPERTY IDENTIFICATION:

A. Address of property: 5107 South Lawndale
Street

Chicago
City or Village

Township

Permanent Real Estate Index Nos.:

19-11-120-013, 19-11-120-014, 19-11-120-016, 19-11-120-018, 19-11-120-019

B. Legal Description:

Section: 11 Township: 38 North Range: 13 East of 3rd Principal Meridian

Enter or attach current legal description in this area:

See Exhibit A

Prepared By:

Marvin Lebovitz
5733 North Sheridan Road
Apartment 6D
Chicago, IL 60660

Return To:

Jerome Marks, Esq.
Rudnick & Wolfe
Suite 1800
203 North LaSalle Street
Chicago, IL 60601

RETURN TO: BOX 15
NHL-22835-14
NHL
316191

3700
3200

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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:

Lot Size: 1185 x 519 Acreage: 523,429 sq. ft.

Check all types of improvements 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):

II. NATURE OF TRANSFER:

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

- B. (1) Identify Transferor: American National Bank & Trust Co. of Chicago
u/t/a dated 3/7/79 and known as Trust No. 45977

American National Bank & Trust Co. of Chicago as Trustee,
33 North LaSalle Street, Chicago, IL 60690
u/t/a/ dated 3/7/79 and known as Trust No. 45977
Name and Current Address of Transferor

Not applicable

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust. Include Trust Number.

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(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

Marvin Lebovitz, 5733 North Sheridan Road, Apartment 3D, Chicago, IL 60660
(312) 275-2662

Name, Position (if any), and address Telephone No.

C. Identify Transferee:

World's Finest Chocolate, Inc., a Delaware Corporation

4801 South Lawndale, Chicago, IL 60632-3062

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 for 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."

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3. Section 22.2(k) of the Act states:

"If a 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 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 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 X No ___

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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 1986. Yes
No

c. Filed a Toxic Chemical Releases Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. 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 of the Pollution Control Board for which 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

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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? No.

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: N/A

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:

	YES	NO
Landfill	---	---
Surface Impoundment	---	---
Land Treatment	---	---
Waste Pile	---	---
Incinerator	---	---
Storage Tanks (Above Ground)	---	---
Storage Tanks (Underground)	---	---
Container Storage Area	---	---
Injection Wells	---	---
Wastewater Treatment Units	---	---
Septic Tanks	---	---
Transfer Stations	---	---
Waste Recycling Operations	---	---
Waste Treatment Detoxification	---	---
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.

3636 Building Partnership

Marvin Lebovitz

Marvin Lebovitz
Managing General Partner

B. This form was delivered to me with all elements completed on
MAY 17, 1995.

World's Finest Chocolate, Inc.

By: *Nancy Hull*
Its: *President*

LaSalle National Bank

By: *May S. Joseph*
Its: *Vice President*

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THAT PART OF THE SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE EAST 116.00 FEET OF SAID SOUTH 1/2 WITH THE SOUTH LINE OF SAID SOUTH 1/2; THENCE NORTH ALONG THE WEST LINE OF SAID EAST 116.0 FEET, A DISTANCE OF 1,185.73 FEET TO A POINT WHICH IS 18 FEET SOUTHEASTERLY, BY RADIAL MEASUREMENT, OF THE CENTER LINE OF THE EAST BOUND MAIN TRACK OF THE INDIANA HARBOR BELT RAILROAD; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE WHICH FORMS AN ANGLE OF 73 DEGREES, 40 MINUTES, 30 SECONDS FROM SOUTH TO SOUTHWEST WITH THE LAST DESCRIBED LINE, A DISTANCE OF 311.12 FEET TO THE INTERSECTION OF SAID LINE WITH A CURVED LINE, CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 636.80 FEET, SAID CURVED LINE BEING THE NORTHWESTERLY LINE OF A 66 FOOT WIDE STRIP OF LAND CONVEYED TO THE TERMINAL RAILROAD COMPANY, DESCRIBED IN DOCUMENT 2471256, RECORDED DECEMBER 4, 1896, AND IN OTHER DEEDS, SAID POINT OF INTERSECTION BEING 18 FEET SOUTHEASTERLY, BY RADIAL MEASUREMENT, OF THE CENTER LINE OF THE EAST BOUND MAIN TRACK OF THE INDIANA HARBOR BELT RAILROAD; THENCE SOUTHWESTERLY ALONG SAID CURVED LINE, AN ARC DISTANCE OF 290.41 FEET, THE CHORD OF SAID CURVED LINE BEING 287.90 FEET AND FORMS AN ANGLE OF 134 DEGREES, 51 MINUTES FROM NORTHEAST TO SOUTH TO SOUTHWEST WITH THE LAST DESCRIBED LINE; THENCE WEST ALONG A LINE DRAWN FROM SAID POINT TO A POINT IN THE WEST LINE OF SAID SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4 WHICH IS 844.62 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 116.90 FEET; THENCE SOUTH ALONG THE WEST LINE OF SAID SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 844.62 FEET TO THE AFORESAID SOUTHWEST CORNER; THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 552.30 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THE WEST 33 FEET THEREOF TAKEN FOR SOUTH LAWNDALE AVENUE AND ALSO EXCEPTING THE SOUTH 33 FEET THEREOF TAKEN FOR WEST 51ST STREET, ALL IN COOK COUNTY, ILLINOIS

ALSO EXCEPTING THE FOLLOWING:

THAT PART OF THE SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN COMMENCING AT A POINT ON THE WEST LINE OF THE EAST 116 FEET OF SAID SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4 AT A POINT WHICH IS 203.59 FEET NORTH OF THE NORTH LINE OF THE SOUTH 784.38 FEET OF SAID SOUTH 1/2 OF THE EAST 1/4 OF THE NORTHWEST 1/4, THENCE NORTH ALONG THE WEST LINE OF SAID EAST 116 FEET, HAVING A BEARING OF NORTH 01 DEGREES, 38 MINUTES, 23 SECONDS WEST (ASSUMED), A DISTANCE OF 176.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF SAID EAST 116 FEET A DISTANCE OF 21.03 FEET TO A POINT WHICH IS 18 FEET SOUTHEASTERLY BY RADIAL MEASUREMENT OF THE CENTER LINE OF THE EAST BOUND MAIN TRACK OF THE INDIANA HARBOR BELT RAILROAD; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE WHICH FORMS AN ANGLE OF 73 DEGREES, 40 MINUTES, 30 SECONDS FROM SOUTH TO SOUTHWEST WITH THE LAST DESCRIBED LINE A DISTANCE OF 311.12 FEET TO THE INTERSECTION OF SAID LINE WITH A CURVED LINE CONVEX TO THE NORTHWEST HAVING A RADIUS OF 636.80 FEET, SAID CURVE BEING THE NORTHWESTERLY LINE OF A 66 FOOT WIDE STRIP CONVEYED TO THE TERMINAL RAILROAD COMPANY DESCRIBED IN DOCUMENT NO. 2471256 RECORDED DECEMBER 4, 1896, AND IN OTHER DEEDS, SAID POINT OF INTERSECTION BEING 18 FEET SOUTHEASTERLY BY RADIAL MEASUREMENT OF THE CENTER LINE OF THE EAST BOUND MAIN TRACK OF THE INDIANA HARBOR BELT RAILROAD; THENCE SOUTHWESTERLY ALONG SAID CURVED LINE AN ARC DISTANCE OF 84.29 FEET TO ITS INTERSECTION WITH A CURVED LINE CONVEX TO THE NORTHWEST HAVING A RADIUS OF 1,027.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVED LINE AN ARC DISTANCE OF 368.47 FEET TO A POINT OF TANGENCY, THE CHORD OF SAID CURVED LINE BEING 366.94 FEET AND HAS A BEARING OF NORTH 67 DEGREES, 26 MINUTES, 41 SECONDS EAST; THENCE NORTH 76 DEGREES, 18 MINUTES, 34 SECONDS EAST ALONG SAID TANGENT LINE A DISTANCE OF 7.07 FEET TO THE POINT OF BEGINNING.

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