

ENVIRONMENTAL DISCLOSURE DOCUMENT  
FOR TRANSFER OF REAL PROPERTY

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

Seller: Jefferson-Pilot Life Ins. Co.Buyer: Jacilin Investments, Inc.

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

For Use By County  
Recorder's Office

County

Date

Doc. No.

Vol.

Page

Rec'd By

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COOK COUNTY RECORDER

## I. PROPERTY IDENTIFICATION:

A. Address of property: 2610 Vincennes Road Chicago Heights 35 North  
Street City or Village TownshipPermanent Real Estate Index No. 32-29-401-022-0000

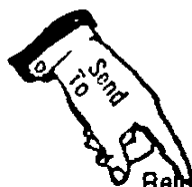
## B. Legal Description:

Section 29 Township 35 North Range 14 East

Enter or attach current legal description in this area:

See attached Exhibit A

1st AMERICAN TITLE order #

1082478 DRILL  
2W96420649  
Cook County Clerk's OfficePrepared by: J. Gregory Poole  
name100 North Greene Street  
address  
Greensboro, NC 27401Return to: J. Gregory Poole  
name100 North Greene Street  
address  
Greensboro, NC 27401

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96420649

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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 90 x 235 Acreage .49

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

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

### II. NATURE OF TRANSFER:

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

### B. (1) Identify Transferor:

Jefferson-Pilot Life Insurance Company, 100 North Greene Street, Greensboro, NC 27401  
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:

J. Gregory Poole, Associate Counsel  
100 North Greene Street, Greensboro, NC 27401 (910) 691-3698  
Name, Position (if any), and address Telephone No.

C. Identify Transferee: c/o 2878 Camino del Rio S., Ste 260, San Diego, CA 92108  
Jacilin Investments, Inc., 9454 Wilshire Blvd., Suite 901, Beverly Hills, CA 90212  
Name and Current Address of Transferee

### III. NOTIFICATION

Under the Illinois Environmental Protection Act,<sup>1</sup> 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<sup>2</sup> 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;

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(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 owned or operated by another party or entity from which 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<sup>3</sup> states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(l) 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<sup>4</sup> states:

"Notwithstanding any other provision of 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 preventative 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   X    
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   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?

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|                                | Yes      | No       |
|--------------------------------|----------|----------|
| Landfill                       | _____    | <u>X</u> |
| Surface Impoundment            | _____    | <u>X</u> |
| Land Treatment                 | _____    | <u>X</u> |
| Waste Pile                     | _____    | <u>X</u> |
| Incinerator                    | _____    | <u>X</u> |
| Storage Tank (Above Ground)    | _____    | <u>X</u> |
| Storage Tank (Underground)     | _____    | <u>X</u> |
| Container Storage Area         | <u>X</u> | _____    |
| Injection Wells                | _____    | <u>X</u> |
| Wastewater Treatment Units     | _____    | <u>X</u> |
| Septic Tanks                   | _____    | <u>X</u> |
| Transfer Stations              | _____    | <u>X</u> |
| Waste Recycling Operations     | _____    | <u>X</u> |
| Waste Treatment Detoxification | _____    | <u>X</u> |
| Other Land Disposal 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 <u>X</u> |
| b. Permits for emissions to the atmosphere.                                    | Yes _____   |
|  | No <u>X</u> |
| c. Permits for any waste storage, waste treatment or waste disposal operation. | Yes _____   |
|  | No <u>X</u> |

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 <u>X</u>  |
| b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. <sup>5</sup> | Yes <u>X</u> |
|  | No _____     |
| c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986.                                   | Yes _____    |
|  | No <u>X</u>  |

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 <u>X</u> |
|  | 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 <u>X</u>  |

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- 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 X  
No \_\_\_\_\_

- b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site?

Yes X  
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?

- X 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  
X 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 X

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

Information relating to questions 4-10 above was provided by Clark Refining & Marketing, Inc., the current Lessee of the property.

## 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 Clark Refining & Marketing, Inc.

Type of business/ service station  
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:

Landfill  
Surface Impoundment  
Land Treatment

| Yes   | No       |
|-------|----------|
| _____ | <u>X</u> |
| _____ | <u>X</u> |
| _____ | <u>X</u> |

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Waste Pile  
Incinerator  
Storage Tank (Above Ground)  
Storage Tank (Underground)  
Container Storage Area  
Injection Wells  
Wastewater Treatment Units  
Septic Tanks  
Transfer Stations  
Waste Recycling Operations  
Waste Treatment Detoxification  
Other Land Disposal Area

|       |   |
|-------|---|
| _____ | X |
| _____ | X |
| _____ | X |
| X     | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |
| _____ | X |

## 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:

J. Gregory Poole  
Signature

J. Gregory Poole  
Type or print name

TRANSFEROR OR TRANSFERORS  
(or on behalf of the Transferor)

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

3-22, 1996

McBurt  
Signature

Jacilin Investments, Inc.  
Type or print name

TRANSFeree OF TRANSFEREES  
(or on behalf of the Transferee)

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

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or print name

LENDER

1. Chapter 111 1/2, paragraph 101 et seq.
2. Chapter 111 1/2, paragraph 1022.2
3. Chapter 111 1/2, paragraph 1004

4. Chapter 111 1/2, paragraph 1022.18
5. 42 USCA, Section 11001 et seq.

65-2705-19

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61-00-38

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## EXHIBIT A

The East One hundred twenty-three and thirteen hundredths (123.13) feet as measured on the South line of that part of the South East quarter of Section Twenty-nine (29), Township Thirty-five (35) North, Range Fourteen (14) East of the Third (3rd) P.M., bounded and described as follows: Beginning at the intersection of the center line of Chicago and Vincennes Road with the East and West center line of said Section Twenty-nine (29); running thence in a Westerly direction along the East and West center line of said Section Twenty-nine (29) a distance of Three Hundred One and Sixty-three Hundredths (301.63) feet; thence in a Southerly direction at right angles to the East and West center line of said Section Twenty-nine (29), a distance of Two Hundred Eighty-three and Thirty-six Hundredths (288.36) feet; thence in an Easterly direction along a line parallel with the East and West center line of said Section Twenty-nine (29) a distance of Three Hundred Twenty-seven and Eleven Hundredths (327.11) feet to a point in the center line of the Chicago and Vincennes Road, thence in a North Westerly direction along the center line of the Chicago and Vincennes Road, a distance of Two Hundred Eighty-four and Thirty-one Hundredths (284.11) feet to the place of beginning,

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619 329 966