

# UNOFFICIAL COPY

PREPARED BY:

97435443

Name: Mr. Richard E. Haske, Jr., Vice-President  
Cornerstone Real Estate Advisors, Inc.  
as Agent for Massachusetts Mutual Life Insurance Company

Address: 311 South Wacker Drive, Suite 980  
Chicago, Illinois 60606

RETURN TO:

Name: Mr. Richard E. Haske, Jr., Vice-President  
Cornerstone Real Estate Advisors, Inc.  
as Agent for Massachusetts Mutual Life Insurance Company

Address: 311 South Wacker Drive, Suite 980  
Chicago, Illinois 60606



DEPT-01 RECORDING \$37.50  
T40010 TRAN 8070 06/18/97 15:41:00  
\$3675 + C.J \* -97-435443  
COOK COUNTY RECORDER

DEPT-10 PENALTY \$34.00

Property of Cook County Clerk

## THE ABOVE SPACE FOR RECORDER'S OFFICE

3750  
3400  
M

THIS ENVIRONMENTAL NO FURTHER REMEDIATION LETTER MUST BE SUBMITTED BY THE REMEDIATION APPLICANT WITHIN 45 DAYS OF ITS RECEIPT, TO THE "OFFICE OF THE RECORDER OR REGISTRAR OF TITLES" OF COOK COUNTY.

Illinois State EPA Number: 0311350001

Mr. Richard E. Haske, Jr., the Remediation Applicant, whose address is 311 South Wacker Drive, Suite 980 Chicago, IL has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and which remediation site can be identified by the following:

### 1. Legal description :

Parcel 1: That part of the East Half of Section 32, Township 36 North, Range 14, East of the Third Principal Meridian, described as follows: Beginning at the southerly most corner of Lot 1 in the Village of Homewood Subdivision, a subdivision of part of the southwest quarter and part of the southeast quarter of said Section 32 recorded September 28, 1966 as document number 19955444. Thence northeasterly along the southerly most line of said Lot 1 and along said line extended northeasterly, a distance of 318.97 feet to the westerly right of way line of Halstead Street (said right of way line being 33.0 feet westerly of us measured perpendicular to the East Line of Section 32 aforesaid) thence northerly along said westerly right of way line of Halstead Street. A distance of 1331.53 feet, thence westerly at right angles, with said westerly right of way line of Halstead Street. A distance of 500.77 feet, thence southwesterly along a line making an angle of 36 degrees, 35 minutes to the left with the prolongation of the last described course. A distance of 68.81 feet, thence southwesterly along a line making an angle of 38 degrees, 49 minutes, 30 seconds to the left with the prolongation of the last described course. A distance of 298.47 feet; thence southwesterly along a line making an angle of 38 degrees, 07 minutes 40 seconds to the right with the prolongation of the last described course. A distance of 216.14 feet, thence southerly parallel with the westerly right of way line of Halstead Street, aforesaid. A distance of 386.83 feet to a point in the line between Lots 1 and 3 in the Village of Homewood Subdivision, aforesaid, thence southeasterly along said line. A distance of 240.50 feet to a point 25.0 feet west of the northwest corner of Lot 2 in said Village of Homewood Subdivision, as measured long the westerly extension of the North line of said Lot 2. Thence easterly along said westerly extension and along the North line of said Lot 2. A distance of 350.00 feet to the northeast corner of said Lot 2; thence southerly along the east line of said Lot 2. A distance of 386.40 feet to the point of beginning, in Cook County, Illinois.

1st AMERICAN TITLE order # 00100486

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Parcel 2: Easement for the benefit of Lot 1 in the Village of Homewood Subdivision aforesaid, as created by grant from Village of Homewood, a Municipal Corporation of Illinois to Chicago Thoroughbred Enterprises, Inc., a Delaware Corporation, dated August 12, 1966 and recorded September 29, 1966 as document number 19956437 for ingress and egress over and across a certain roadway 50 feet in width across Lots 2 and 3 in Village of Homewood Subdivision aforesaid, and marked "Roadway Easement" on the plat of said subdivision recorded as document number 19955444, in Cook County, Illinois

2. Common Address: 17748-17956 S. Halstead Street, Homewood, Illinois 60430

3. Real Estate Tax Index/Parcel Index Number: 29-32-200-009

29-32-401-012

29-32-401-015

29-32-401-007

4. Remediation Site Owner: Massachusetts Mutual Life Insurance Company

5. Land Use Limitation: None

6. Site Investigation: Comprehensive

See NFR letter for other terms.

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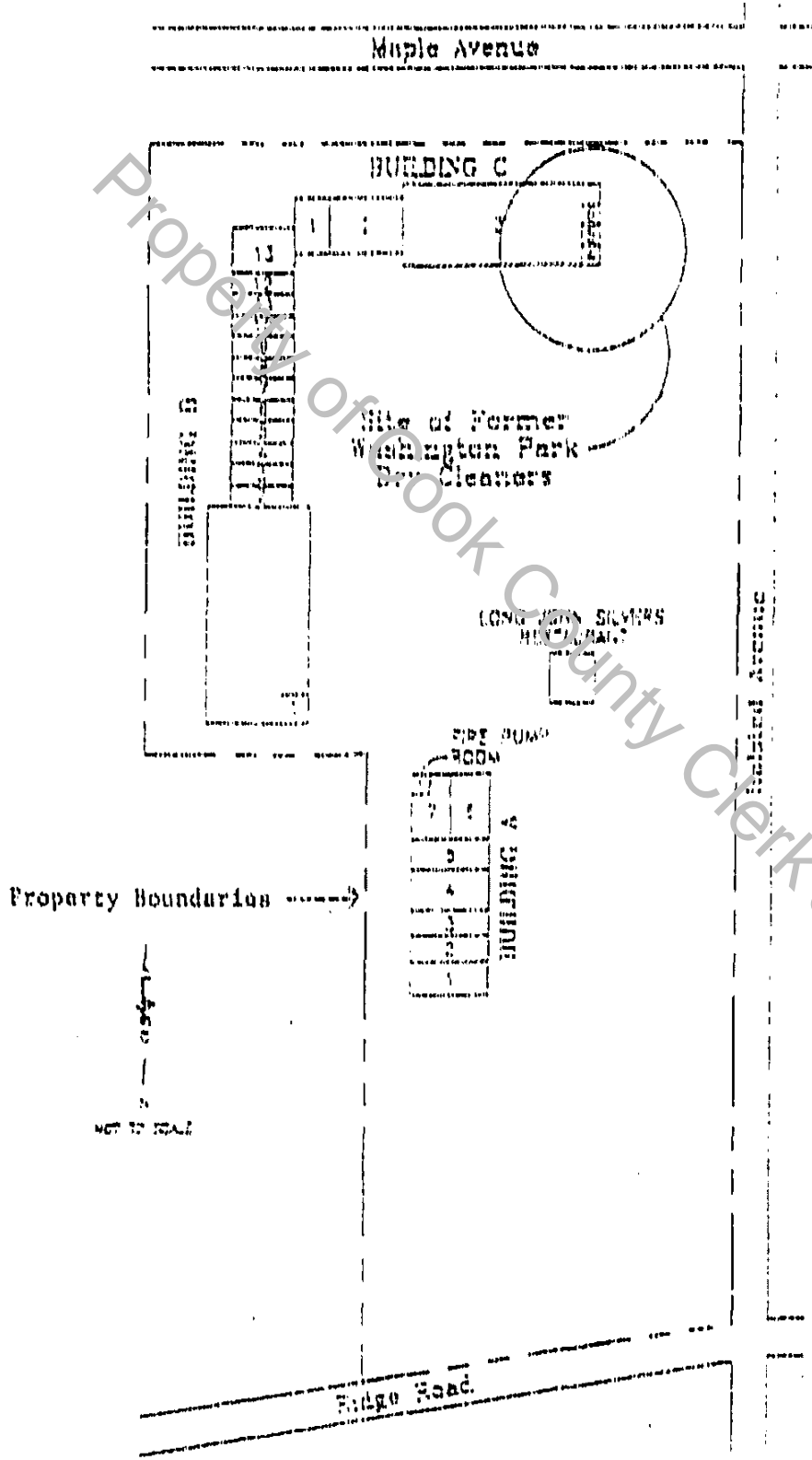
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SITE BASE MAP FROM REMEDIAL ACTION COMPLETION REPORT  
WASHINGTON PARK CLEANERS -- 0311350001



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<p style="text-align: center;"><b>MAP 1</b></p> <p style="text-align: center;">5/11/87</p>	<p style="text-align: center;"><b>SITE BASE MAP FROM REMEDIAL ACTION COMPLETION REPORT</b></p> <p style="text-align: center;">WASHINGTON PARK PLAZA HEALING HILLS</p> <p style="text-align: center;"><b>ROCKLEY &amp; YALOW, INC.</b> COST ESTIMATOR</p> <p style="text-align: center;">17134-4701-1020A</p>
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## PROPERTY OWNER CERTIFICATION OF NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

If the Remediation Applicant is not the sole owner of the remediation site, include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois Inventory I.D. number and real estate tax index/parcel index number. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information			
Owner's Name: _____			
Title: _____			
Company: _____			
Street Address: _____			
City: _____	State: _____	Zip Code: _____	Phone: _____
Site Information			
Site Name: _____			
Site Address: _____			
City: _____	State: _____	Zip Code: _____	County: _____
Illinois Inventory ID Number: _____			
Real Estate Tax Index/Parcel Index No. _____			
I hereby certify that I have reviewed the attached No Further Remediation Letter, and that I accept the terms and conditions and any land use limitations set forth in the letter.			
Owner's Signature: _____		Date: _____	
SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 19____			
_____ Notary Public			

The Illinois EPA is authorized to require this information under Sections 413 ILCS 3/6(a) - 3/6(f) of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Permit Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 1(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

(Illinois EPA Site Remediation Program Environmental Notice)

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State of Illinois  
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ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gads, Director  
217/782-6761

2200 Churchill Road, Springfield, IL 62794-9276

JUN 16 1997

June 12, 1997

Richard F. Haske, Jr., Vice-President  
Cornerstone Real Estate Advisors, Inc.  
as Agent for Massachusetts Mutual Life Insurance Company  
311 S. Wacker Drive, Suite 980  
Chicago, Illinois 60606

Re: 0311350001 -- Cook County  
Homewood/Washington Park Cleaners  
Site Remediation/Technical Report

Dear Mr. Haske:

The "Phase II Environmental Subsurface Investigation" dated January 8, 1997 and the "Remediation Objectives Report Washington Park Dry Cleaners", dated February 24, 1997 as prepared by Boelter Environmental Consultants, Log Number 97-245 for the Washington Park Plaza Shopping Center, Washington Park Dry Cleaners property has been reviewed by the Illinois Environmental Protection Agency (Illinois EPA) and demonstrates that the approved remediation objectives at the site are equal to or above the existing levels of regulated substances and the "Phase II Environmental Subsurface Investigation" and the "Remediation Objectives Report Washington Park Dry Cleaners" are the basis of the NFR letter, and shall serve as the approved Remedial Action Completion Report. The remediation site, consisting of 15.5 acres, is located in Section 32, Township 36 North, Range 14 East (See attached environmental notice) at 17748-17956 S. Halstead Street, Homewood, Illinois in Cook County, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/58.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this comprehensive No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act in performing the approved remedial action and shall be considered prima facie evidence that the remediation site described in the attached Site Remediation Program ("SRP") Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

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## CONDITIONS AND TERMS OF APPROVAL

### LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. This Letter signifies a release for the recognized environmental conditions, as characterized by the "Phase II Environmental Subsurface Investigation" dated January 8, 1997, Log No. 97-245 and demonstrated in the "Remediation Objectives Report Washington Park Dry Cleaners", dated February 24, 1997, Log No. 97-245. The Regulated Substances of Concerns that have been successfully addressed for the remediation site are volatile organic compounds.
2. In accordance with Section 58.8(c) and 58.10(b)(3) of the Act (415 ILCS 5/58.8(c), 415 ILCS 5/58.10(b)(3)), the remediation site described in the attached SRP Environmental Notice and shown on the attached Site Base Map of this letter may be used for residential, industrial, or commercial purposes.
3. The land use specified in this Letter may be revised if:
  - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
  - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

### PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. None.

### OTHER TERMS

5. Where the Remediation Applicant is not the sole owner of the remediation site, the Remediation Applicant shall complete the attached "Property Owner Certification of NFR Letter Under the Site Remediation Program" form. This certification by original signature of each property owner, or the authorized agent of the owner(s), of the remediation site or any portion thereof who is not an Remediation Applicant shall be recorded along with this Letter.
6. Further information regarding this remediation site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

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Illinois Environmental Protection Agency  
Attn: Freedom of Information Act Officer  
Bureau of Land #24  
1001 North Grand Avenue East  
Springfield, IL 62702

7. Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of this Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
- a) Any violation of institutional controls or the designated land use restrictions;
  - b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
  - d) The failure to comply with the recording requirements for this Letter;
  - e) Obtaining the Letter by fraud or misrepresentation;
  - f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
  - g) The failure to pay the No Further Remediation Assessment Fee within 45 days after receiving a request for payment from the Illinois EPA;
  - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within 45 days after receiving a request for payment from the Illinois EPA.
8. Pursuant to Section 58.10(d) of the Act, the No Further Remediation Letter shall apply in favor of the following persons:
- a) Richard E. Haske Jr., Cornerstone Real Estate Advisors, Inc., Massachusetts Mutual Life Insurance Company, Washington Park Plaza, and Washington Park Plaza Dry Cleaners.

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- b) The owner and operator of the remediation site;
  - c) Any parent corporation or subsidiary of the owner of the remediation site;
  - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the remediation site;
  - e) Any holder of a beneficial interest of a fund trust or inter vivos trust, whether revocable or irrevocable, involving the remediation site;
  - f) Any mortgagee or trustee of a deed of trust of the owner of the remediation site or any assignee, transferee, or any successor-in-interest of the owner of the remediation site;
  - g) Any successor-in-interest of the owner of the remediation site;
  - h) Any transferee of the owner of the remediation site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
  - i) Any heir or devisee of the owner of the remediation site;
  - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the remediation site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor in interest thereto; or
  - k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
9. This Letter, including all attachments, must be recorded as a single instrument with the "Office of the Recorder or Registrar of Titles" in Cook County. For recording purposes, the SRP Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the "Office of the Recorder or Registrar of Titles" in Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Washington Park Cleaners property. Within 30 days of this Letter being recorded by the "Office of the Recorder or

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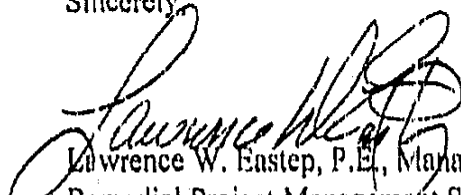
Registrar of Titles" in Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA as indicated below.

Mr. Robert O'Hara  
Illinois Environmental Protection Agency  
Bureau of Land/RPMS Section  
1001 North Grand Ave. East  
Springfield, IL 62702

10. In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the remediation site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the final billing statement.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Steve Bynum, at 217/524-8901.

Sincerely,

  
Lawrence W. Eastep, P.E., Manager  
Remedial Project Management Section  
Division of Remediation Management  
Bureau of Land

Enclosures: SRP Environmental Notice  
Site Base Map

cc: Robert S. Walters, P.E.  
Boelter & Yates, Inc.  
1300 Higgins Road, Suite 301  
Park Ridge, Illinois 60068

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