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Page 1

PREPARED BY:

Name: Massachusetts Mutual Life
Insurance Company
c/o Cornerstone Real Estate
Advisers, Inc.

DEPT-01 RECORDING \$33.50
749010 TRAN 8097 06/19/97 15:37:00
#920 # CJ #97-442098
COOK COUNTY RECORDER

Address: Massachusetts Mutual Life
Insurance Company
c/o Cornerstone Real Estate
Advisers, Inc.
Attn: Richard Haske
311 South Wacker Drive
Suite 980
Chicago, Illinois 60605

97442098

RETURN TO:

Name: Massachusetts Mutual Life
Insurance Company
c/o Cornerstone Real Estate
Advisers, Inc.

Address: Massachusetts Mutual Life
Insurance Company
c/o Cornerstone Real Estate
Advisers, Inc.
Attn: Richard Haske
311 South Wacker Drive
Suite 980
Chicago, Illinois 60606



1st AMERICAN TITLE order #

3350
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CC/100486 18/10013

THE ABOVE SPACE FOR RECORDER'S OFFICE

THIS ENVIRONMENTAL NO FURTHER REMEDIATION LETTER MUST BE SUBMITTED BY THE OWNER/OPERATOR WITHIN 45 DAYS OF ITS RECEIPT, TO THE RECORDER OF DEEDS OF COOK COUNTY IN WHICH THE SITE (AS DESCRIBED BELOW) IS LOCATED.

Illinois State EPA Number: 0311355050

LUST Incident No.: 970398

Massachusetts Mutual Life Insurance Company, the owner and operator, whose address is c/o

Leaking Underground Storage Tank Environmental Notice

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Carnations Real Estate Advisors, Inc., 311 South Wacker Drive, Chicago, Illinois, has performed investigative and/or remedial activities for the site that can be identified by the following:

1. **Legal description or Reference to a Plat Showing the Boundaries:** Parcel 1: That part of the east $\frac{1}{2}$ of section 32, township 36 north, range 14, east of the third principal meridian described as beginning at the southerly most corner of lot 1 in the Village of Homewood subdivision; a subdivision of part of the south west $\frac{1}{4}$ and part of the south east $\frac{1}{4}$ 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 northerly, a distance of 318.97 feet to the westerly right of way line of Halsted Street (said right of way being 33.0 feet westerly of as measured perpendicular to the east line of section 32, as said); thence northerly along the westerly right of way line of Halsted Street, a distance of 1331.53 feet; thence westerly at right angles with said westerly right of way line of Halsted Street, a distance of 500.77 feet; thence southwestwesterly 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 98.81 feet; thence southwestwesterly along a line making an angle of 38 degrees 49 minutes 20 seconds to the left with the prolongation of the last described course, a distance of 298.47 feet; thence southwestwesterly 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 Halsted Street, aforesaid, a distance of 387.83 feet to a point in the line between lots 1 and 3 in the Village of Homewood subdivision, as said; thence southeasterly along said line, a distance of 240.80 feet to a point of 25.0 feet west of the north west corner of lot 2 in said Village of Homewood subdivision, as measured along 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 350.0 feet to the north east 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. 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 Throughroad 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 20 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 no. 19955444, in Cook County, Illinois.
2. **Common Address:** 17956 Halsted Street
3. **Real Estate Tax Index/Parcel Index Number:** 29-32-200-009; 29-32-401-007; 29-32-401-012; 29-32-401-015.
4. **Site Owner:** Massachusetts Mutual Life Insurance Company
5. **Land Use Limitation:** none
6. **See NFR letter for other terms.**

Leaking Underground Storage Tank Environmental Notice

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APPENDIX I

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board ("Board") pursuant to Section 57.8(i) and Section 40 of the Illinois Environmental Protection Act. An owner or operator who seeks to appeal the Agency's decision may, within 35 days of the date of mailing of the Agency's final decision, petition for a hearing before the Board; however, the 35-day period may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the 35-day initial appeal period.

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
312/814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-5544

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State of Illinois

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ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/782-6762

JUN 1 1 1997

CERTIFIED MAIL

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Massachusetts Mutual Life Insurance Company
c/o Cornerstone Real Estate Advisers, Inc.
Attn.: Richard E. Haske
311 South Wacker Drive, Suite 980
Chicago, Illinois 60606

Re: LPC # 0311355050 - Cook County
Homewood - Massachusetts Mutual Life Insurance Company
17966 Halstead Street
LUST Incident No. 970398
LUST Technical File

Dear Mr. Haske:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the corrective action completion reports which have been submitted for the above-referenced LUST incident. This information was received by the Agency April 14, 1997, and June 2, 1997.

The Corrective Action Completion Reports and the Professional Engineer Certification submitted pursuant to 35 Illinois Administrative Code Section 732.300(b)(1) and Section 732.409(b) indicate that the remediation objectives set forth in 35 Illinois Administrative Code Section 732.408 have been met.

Based upon the certification by Robert S. Walters, a Registered Professional Engineer of Illinois, and pursuant to Section 57.10 of the Illinois Environment Protection Act ("Act") (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Registered Professional Engineer signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the occurrence has been completed; and (3) no further remediation concerning the occurrence is necessary for the protection of human health, safety and the environment. Pursuant to Section 57.10(d) of the Act, the No Further Remediation Letter shall apply in favor of the following persons:

1. Massachusetts Mutual Life Insurance Company,

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2. The owner and operator of the UST(s);
3. Any parent corporation or subsidiary of the owner or operator of the UST(s);
4. Any co-owner or co-operator, either by joint-tenancy, right of survivorship, or any other party sharing a legal relationship with the owner or operator to whom the letter is issued;
5. Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable;
6. Any mortgagee or trustee of a deed of trust of the owner of the site or any assignee, transferee, or any successor-in-interest of the owner of the site;
7. Any successor-in-interest of such owner or operator;
8. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest; or
9. Any heir or devisee of such owner or operator.

This Letter, including all attachments, must be filed as a single instrument with the Office of the Recorder or Registrar of Titles in the County where the above-referenced site is located within 45 days of its receipt. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so that it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded by the Office of the Recorder or Registrar of Titles of the applicable County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice attached to this Letter be the first page of the instrument.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives for the above-referenced site described in the Leaking Underground Storage Tank Environmental Notice of this Letter were established in accordance with the requirements of the proposed Tiered Approach to Corrective Action Objectives (TACO, 35 Illinois Administrative Code Part 742) rules.
2. The site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used in a manner that is inconsistent with the following land use limitation: There are no land use limitations.

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3. The land use limitation 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.

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PREVENTIVE ENGINEERING AND INSTITUTIONAL CONTROLS

4. Preventive: None.
Engineering: None.
Institutional: This Letter shall be recorded as a permanent part of the chain of title for the site described in the attached Leaking Underground Storage Tank Environmental Notice.
5. Failure to manage the controls in full compliance with the terms of this Letter may result in voidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater that is removed, excavated, or disturbed from the above-referenced site must be handled in accordance with all applicable laws and regulations.
7. Further information regarding this site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

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

8. Pursuant to Section 57.10(e) of the Act (415 ILCS 5/57.10(e)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the owner and/or operator 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 include, but shall not be limited to:
 - a) Any violation of institutional controls or industrial/commercial land use restrictions;

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- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c) The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
- d) The failure to comply with the recording requirements for the Letter;
- e) Obtaining the Letter by fraud or misrepresentation; or
- 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.

For purposes of appeal, this constitutes the Agency's final decision regarding the above matters. Please see Appendix 1 for an owner or operator's appeal rights.

Submit the certified copy of this letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land
Division of Remediation Management
Leaking Underground Storage Tank Section
1001 North Grand Avenue East
Springfield, Illinois 62702

Please contact Becky Lockart at 217/782-6762 if you have any questions or need further assistance.

Sincerely,

Hernando A. Albarracin

Hernando A. Albarracin

Unit Manager

Leaking Underground Storage Tank Section

Division of Remediation Management

Bureau of Land

BL-116-Inter-970398a

Attachment: Leaking Underground Storage Tank Environmental Notice

Appendix: 1

cc: Boelter and Yates, Inc., Eric Spens