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ILLINOIS ENVIRONMENTAL DISCLOSURE DOCUMENT  
for Transfer of Real Property

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

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201/0084 93 001 Page 1 of 10  
1998-06-22 11:32:34  
Cook County Recorder 39.00

SELLER: Marathon Oil Company

BUYER: Marathon Ashland Petroleum LLC

DOCUMENT NO.: \_\_\_\_\_

I. PROPERTY IDENTIFICATION

A. Address of property:  
115 W. Dundee & Arlington Hts. Rds.  
(Street)

Arlington Heights  
(City or Village) (Township)

Permanent Real Estate Index No.:  
03-08-100-055-0000

B. Legal Description:  
Section 8 Township 42N Range 11E  
Enter or attach current legal description in this area:

See attached Exhibit "A"

Prepared by: D. L. Woodsmall  
(Name)  
277 Streamwood Drive  
Valparaiso, IN 46383  
(Address)

Return to: Real Estate, Rm. 1604  
(Name)  
539 South Main Street  
Findlay, Ohio 45840  
(Address)

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 .175' X 175' (Irreg.) Acreage .797 Acre

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

- Apartment building (6 units or less)
- Commercial apartment (over 6 units)
- Store, office, commercial building
- Industrial building

SYR  
P/P-ND  
MND

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Farm, with buildings  
 Other (specify) Service Station

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:

Marathon Oil Company  
539 South Main Street, Findlay, Ohio 45840  
 (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:

D. L. Woodsmall, Environmental Specialist  
277 Streamwood Drive, Valparaiso, IN 46383 / (219) 477-4001  
 Name, Position (if any), and address Telephone No.

C. Identify transferee:

Marathon Ashland Petroleum LLC, 539 S. Main St., Findlay, OH 45840  
 Name and Current Address of Transferee

III. NOTIFICATION

Under the Illinois Environmental Protection Act, owners of real property 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

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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(g) 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 an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as a 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

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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 change 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 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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EMERGENCY

	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?

	YES	NO
a. Permits for discharges of wastewater to waters of the State	_____	<u>X</u>
b. Permits for emissions to the atmosphere.	<u>X</u>	_____
c. Permits for any waste storage, waste treatment or waste disposal operation.	_____	<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?

	YES	NO
a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act.	_____	<u>X</u>
b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and	_____	_____

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- Community Right-to-Know Act of 1986.   X
- c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986.        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?

- |  | YES         | NO           |
|--|-------------|--------------|
| a. Written notification regarding known, suspected, or alleged contamination on or emanating from the property.                                | <u>    </u> | <u>  X  </u> |
| b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. | <u>    </u> | <u>  X  </u> |
| 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.       | <u>    </u> | <u>  X  </u> |

9. Environmental Releases During Transferor's Ownership.

- |   | YES         | NO           |
|---|-------------|--------------|
| 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? | <u>    </u> | <u>  X  </u> |
| b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site?  | <u>    </u> | <u>  X  </u> |

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 IEMA, 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

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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?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: Robert & Emma Lee Walker, h & w  
Type of business or property usage: Residential

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 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.....	_____	_____

Transferor has no knowledge whether any of the above existed under previous ownership.

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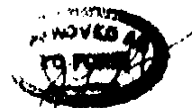
V. CERTIFICATION

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.

Marathon Oil Company

By: James L. Kitts  
Signature

JAMES L. KITTS  
Type or Print Name



TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on DECEMBER 18, 1997.

Marathon Asset and Petroleum LLC  
By: [Signature]  
Signature

RAY Q. SHOLES  
Type or Print Name

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

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8-26-94

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**EXHIBIT "A"**

**Legal Description of Premises @  
115 W. Dundee & Arlington Hts. Rds.  
Arlington Hts., IL**

Real Estate situated in the County of Cook in the state of Illinois, more particularly described as follows:

LOTS 1 and 2 in Freedom Small Farms, being a Subdivision in the North west quarter of the North West quarter and the North half of the South West quarter of the North West quarter of Section 8, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois

EXCEPTING THEREFROM that portion conveyed to the State of Illinois by Quit Claim Deed dated July 28, 1970, more particularly described as follows:

That part of Lot 1 of Freedom Small Farms, being a subdivision of the North 485.6 feet (except the East 307.95 feet thereof) together with the East 433.5 feet (except the North 485.6 feet thereof) of the Northwest 1/4 of the Northwest 1/4 of Section 8, Township 42 North, Range 11, East of the Third Principal Meridian, also the East 433.5 feet of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 8, as per document No. 12703394 described as follows: Beginning at a point on the West line of said Lot 1 of Freedom Small Farms (also being the East right of way line of dedicated Westview Road), said point lying 50 feet South of the North line of Section 8-42-11; thence South 25 feet along said West line of Lot 1 to a point; thence, Northeasterly 35.36 feet to a point; said point lying 50 feet South of the North line of Section 8-42-11 and 25 feet East of said West line of Lot 1; thence West along the North line of said Lot 1 a distance of 25 feet to the point of beginning.

AND ALSO EXCEPTING THEREFROM that portion conveyed to American National Bank and Trust Company of Chicago, as Trustee, by deed dated August 3, 1984, more particularly described as follows:

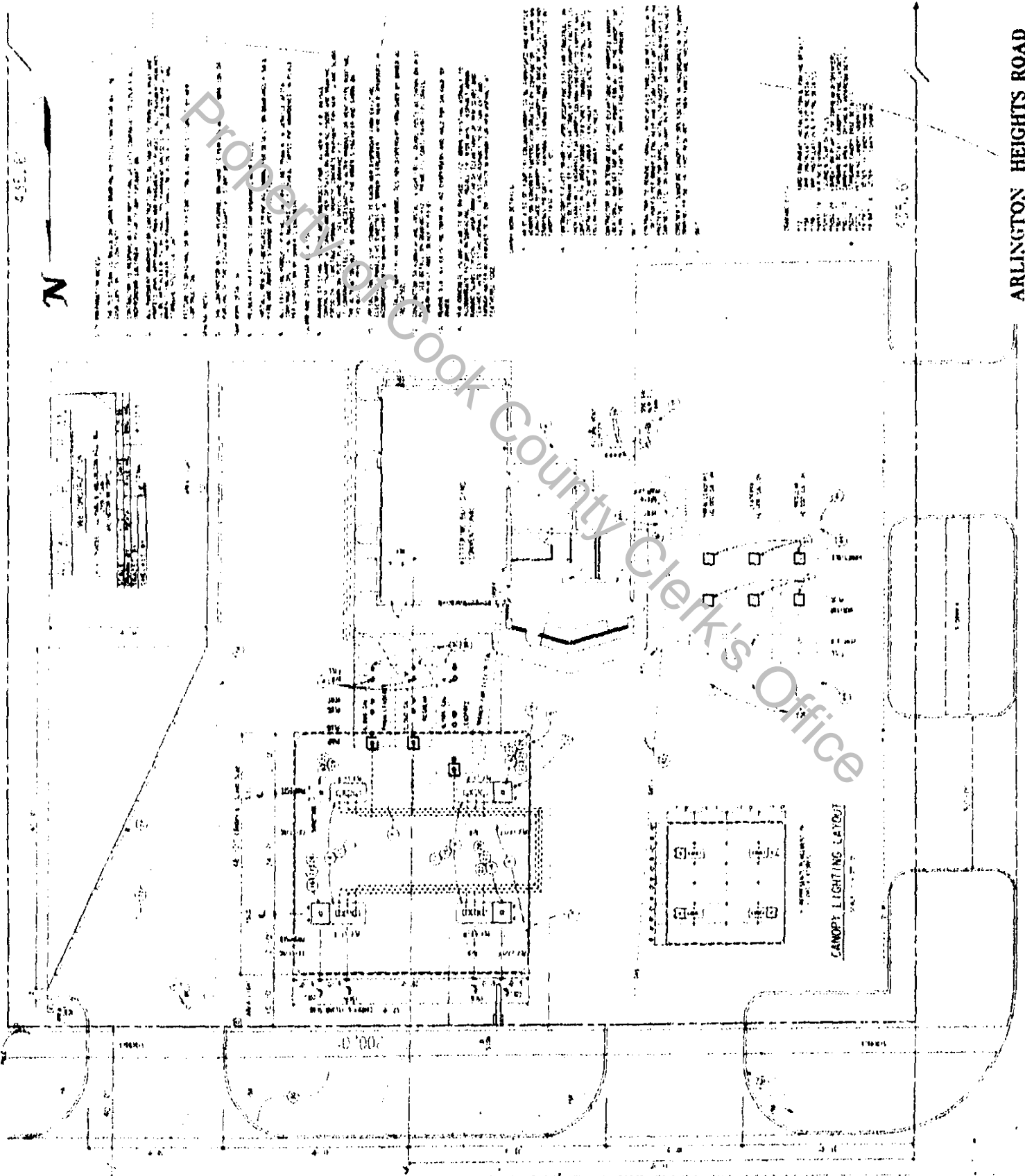
The South 260.6 feet of Lots 1 and 2 in Freedom Small Farms, being a subdivision in the Northwest 1/4 of the Northwest 1/4 and the North 1/2 of the South West 1/4 of the Northwest 1/4 of Section 8, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois,

All of Grantor's remaining property having been resubdivided in 1986, and now described as follows: Lot 1 Lauria's First Addition, being a subdivision of part of the Northwest Quarter of Section 8, Township 42 North, Range 11 East of the Third Principal Meridian, Cook County, Illinois.

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ARLINGTON HEIGHTS ROAD

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