

UNOFFICIAL COPY

Duty to Record

Within 30 days after the date, any real property subject to the provisions of the Responsible Property Transfer Act of 1988 is transferred, this completed document must be filed in the office of the recorder of the county in which such property is located and filed with the Illinois Environmental Protection Agency.

For use by County
Recorder's Office
County
Date
Doc. No.
Vol.
Page
Rec'd. By

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

98647007

Seller: Sisters of the Holy Family of Nazareth
Buyer: Illinois Department of Transportation
Document No.: _____

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1998-07-24 11:26:12
Cook County Recorder 63.50

Property Identification:

A. Address of property 310 N. River Road Des Plaines 60016 Maine

	Street	City or Village	Township
Permanent Real Estate Index No.	<u>300 N. River Road</u>	<u>09-08-400-014</u>	
	<u>353 N. River Road</u>	<u>09-08-400-016</u>	

B. Legal Description:

Section 8 Township 41 North Range 12 East

Enter current legal description in this area:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Prepared by:

Name Raymond Fligg
Company Holy Family Medical Center
Address 100 N. River Road
City Des Plaines State IL Zip 60016

Return to:

Illinois Department of Transportation
District I, Bureau of Land Acquisition, Attn: S. Derka
201 West Center Court
Schaumburg, IL 60196-1096

PERMIT ROW CONVEYANCE
DES PLAINES RIVER ROAD AT HOLY FAMILY MEDICAL CENTER
R-55-002-94

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

I. 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 cleanup costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

A. Property Characteristics:

Lot Size 23,225 sf Acreage 0.53 ac

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
- Farm, with buildings
- Other (specify)

II. Nature of Transfer

A. (1) Is this a transfer by deed or other instrument of conveyance?

Yes No

(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?

Yes No

(3) A lease exceeding a term of 40 years?

Yes No

(4) A mortgage or collateral assignment of beneficial interest?

Yes No

B. (1) Identify Transferor:

Sisters of the Holy Family of Nazareth

Name and Current Address of Transferor:

310 North River Road, Des Plaines, IL 60016

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust:

N/A

Trust No.

N/A

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

Raymond Fligg, Dir., Facilities/Construction, 100 N. River Road, Des Plaines, IL 60016

Name, Position (if any) and Address

Telephone No. 817-297-1800 X 1895

C. Identify Transferee:

Illinois Department of Transportation

Name and Current Address of Transferee:

Illinois Department of Transportation, District 1, 201 West Center Court, Schaumburg, IL 60196-1096

III. Notification

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs to the release of hazardous substances.

1. Section 22.2(f) of the Act states:

"Notwithstanding any other provision 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 from 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."
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 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 _____ No X
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?

Land fill	Yes _____	No <u> X </u>
Surface Impoundment	Yes _____	No <u> X </u>
Land Treatment	Yes _____	No <u> X </u>
Waste Pile	Yes _____	No <u> X </u>
Incinerator	Yes _____	No <u> X </u>
Storage Tank (above ground)	Yes _____	No <u> X </u>
Storage Tank (underground)	Yes _____	No <u> X </u>
Container Storage Area	Yes _____	No <u> X </u>
Injection Wells	Yes _____	No <u> X </u>
Wastewater Treatment Units	Yes _____	No <u> X </u>
Septic Tanks	Yes _____	No <u> X </u>
Transfer Stations	Yes _____	No <u> X </u>
Waste Recycling Operations	Yes _____	No <u> X </u>
Waste Treatment Detoxification	Yes _____	No <u> X </u>
Other Land Disposal Area	Yes _____	No <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 X
 - b. Permits for emissions to the atmosphere. Yes _____ No X
 - c. Permits for any waste storage, waste treatment or waste disposal operation. Yes _____ No X
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 X
 - 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 X
 - c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes _____ No 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 government actions:
- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. Yes _____ No X
 - 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 X
 - c. If item b. Was answered by checking Yes, (not) indicate whether or not the final order or decree is still in effect for this property. Yes _____ No X
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 X
 - b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes _____ No X
 - 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?

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 or the site or real property:

Name _____

 Type of business / 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:

Land fill	Yes _____	No <u>X</u>
Surface Impoundment	Yes _____	No <u>X</u>
Land Treatment	Yes _____	No <u>X</u>
Waste Pile	Yes _____	No <u>X</u>
Incinerator	Yes _____	No <u>X</u>
Storage Tank (above ground)	Yes _____	No <u>X</u>
Storage Tank (underground)	Yes _____	No <u>X</u>
Container Storage Area	Yes _____	No <u>X</u>
Injection Wells	Yes _____	No <u>X</u>
Wastewater Treatment Units	Yes _____	No <u>X</u>
Septic Tanks	Yes _____	No <u>X</u>
Transfer Stations	Yes _____	No <u>X</u>
Waste Recycling Operations	Yes _____	No <u>X</u>
Waste Treatment Detoxification	Yes _____	No <u>X</u>
Other Land Disposal Area	Yes _____	No <u>X</u>

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.

Signature(s) _____

Sisters of the Holy Family of Nazareth
 Transferor or Transferors (please type)
 (or on behalf of Transferor)

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

6-1 1998

Signature(s) _____

ILLINOIS DEPARTMENT OF TRANSPORTATION
 201 W. CENTER CT, SCHAUMBURG, IL 60196-1096

Transferor or Transferees (please type)
 (or on behalf of Transferee)

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

N/A 19____

Signature(s) _____

Lender _____

Lender Representative (please type) _____

Title _____

EXHIBIT A

WEST SIDE OF RIVER ROAD

PARCEL 0001A

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF DES PLAINES RIVER ROAD AS WIDENED BY CONDEMNATION CASE NO. 80L20877 IN THE CIRCUIT COURT OF COOK COUNTY, BEING A LINE 55.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID ROAD, WITH THE EASTERLY EXTENSION OF THE SOUTH LINE OF LAND CONVEYED TO NAZARETHVILLE BY WARRANTY DEED RECORDED AS DOCUMENT 22245835; THENCE NORTH 10 DEGREES 57 MINUTES 55 SECONDS WEST ALONG SAID WESTERLY LINE OF DES PLAINES RIVER ROAD AS WIDENED, 41.62 FEET (DEED DISTANCE, 45.00 FEET) TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 79 DEGREES 02 MINUTES 05 SECONDS EAST ALONG THE WESTERLY LINE OF DES PLAINES RIVER ROAD AS WIDENED BY CONDEMNATION CASE NO. 80L20877, 20.00 FEET TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 10 DEGREES 57 MINUTES 55 SECONDS WEST ALONG THE WESTERLY LINE OF DES PLAINES RIVER ROAD AS WIDENED BY CONDEMNATION CASE NO. 80L20877, BEING A LINE 35.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID ROAD, 235.22 FEET TO THE SOUTH LINE OF LOT 1 IN CATHOLIC BISHOP OF CHICAGO'S DIVISION OF PARTS OF SECTIONS 8 AND 9, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 22, 1903, AS DOCUMENT 3482088; THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE OF LOT 1, 2.04 FEET TO A LINE 33.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID DES PLAINES RIVER ROAD; THENCE NORTH 10 DEGREES 57 MINUTES 55 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 432.11 FEET TO AN INTERSECTION WITH A LINE 75.42 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF LOT 1 IN CATHOLIC BISHOP OF CHICAGO'S DIVISION, AFORESAID; THENCE SOUTH 89 DEGREES 59 MINUTES 07 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 17.32 FEET TO A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID DES PLAINES RIVER ROAD; THENCE SOUTH 10 DEGREES 57 MINUTES 55 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 487.16 FEET; THENCE SOUTH 79 DEGREES 02 MINUTES 05 SECONDS WEST AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE, 30.00 FEET TO A LINE 80.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID DES PLAINES RIVER ROAD; THENCE SOUTH 10 DEGREES 57 MINUTES 55 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 94.59 FEET; THENCE SOUTH 79 DEGREES 02 MINUTES 05 SECONDS WEST AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE, 15.00 FEET TO A LINE 95.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID DES PLAINES RIVER ROAD; THENCE SOUTH 10 DEGREES 57 MINUTES 55 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 60.00 FEET; THENCE NORTH 79 DEGREES 02 MINUTES 05 SECONDS EAST AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE, 15.00 FEET TO A LINE 80.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID DES PLAINES RIVER ROAD; THENCE SOUTH 10 DEGREES 57 MINUTES 55 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 65.84 FEET TO AN INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTH LINE OF LAND CONVEYED TO NAZARETHVILLE BY WARRANTY DEED RECORDED AS DOCUMENT 22245835; THENCE NORTH 88 DEGREES 42 MINUTES 28 SECONDS EAST ALONG SAID LAST DESCRIBED LINE, 25.36 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 18,275 SQUARE FEET OR 0.4195 ACRES

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Exhibit A, page 2

EAST SIDE OF RIVER ROAD

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PARCEL 0001B

THAT PART OF LOT 1 IN CIRCUIT COURT PARTITION OF THE 80 ACRES LYING NORTH OF AND ADJOINING THE SOUTH 5.60 CHAINS OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EASTERLY LINE OF DES PLAINES RIVER ROAD, BEING A LINE 27.00 FEET, AS MEASURED AT RIGHT ANGLES, NORTHEASTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID ROAD, WITH THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 10 DEGREES 57 MINUTES 55 SECONDS WEST ALONG SAID EASTERLY LINE OF DES PLAINES RIVER ROAD, 289.15 FEET TO A POINT OF BEGINNING; THENCE CONTINUING NORTH 10 DEGREES 57 MINUTES 55 SECONDS WEST ALONG SAID EASTERLY LINE OF DES PLAINES RIVER ROAD, 110.00 FEET; THENCE NORTH 79 DEGREES 02 MINUTES 05 SECONDS EAST AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE, 45.00 FEET; THENCE SOUTH 10 DEGREES 57 MINUTES 55 SECONDS EAST PARALLEL WITH THE EASTERLY LINE OF DES PLAINES RIVER ROAD, 110.00 FEET; THENCE SOUTH 79 DEGREES 02 MINUTES 05 SECONDS WEST, 45.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 4,950 SQUARE FEET OR 0.114 ACRES

Property of Cook County Clerk's Office