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9511/0093 16 001 Page 1 of 8
1998-08-24 12:54:18
Cook County Recorder 35.50

PREPARED BY:

Name: Soo Line Railroad Company

Address: 4851 Ruby Street
Schiller Park, Illinois 60176

RETURN TO:

Name: Lee Ann Thomas
Soo Line Railroad Company

Address: P.O. Box 530
105 South 5th St.
Minneapolis, MN 55440-0530

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 EPA Number: 0312855070

LUST Incident No.: 932036

Soo Line Railroad Company, the owner and operator, whose address is P.O. Box 530, 105 South 5th Street, Minneapolis, MN, 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. Please see attached for a legal description of the site.
2. Common Address: 4851 Ruby Street, Schiller Park, Illinois
3. Real Estate Tax Index/Parcel Index Number: 12-16-406-003
4. Site Owner: Wisconsin Central, Ltd.
5. Land Use Limitation: There are no land use limitations
6. See the attached No Further Remediation Letter for other terms.

TAH:TL:bjh\981699.WPD

Attachment: 1

Robert A. Mehrens, P.E.
42 Fernwood Rd
Montgomery, IL 60538

Leaking Underground Storage Tank Environmental Notice

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LEGAL DESCRIPTION

That part of the East half of Section 16, together with that part of the Southwest Quarter of Section 15, both in Township 40 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, more particularly described as follows:

Commencing at a brass monument at the northeast corner of said Section 16; thence on an assumed bearing of North 76 degrees 37 minutes 54 seconds West, along the North line of said Section 16, a distance of 1009.96 feet; thence South 8 degrees 00 minutes 38 seconds West a distance of 35.22 feet to the point of beginning, said point being on the backwall of the southerly abutment of the easterly bridge over Lawrence Avenue; thence continuing South 8 degrees 00 minutes 38 seconds West a distance of 1410.10 feet to a point of curvature, said curve being concave easterly and having a radius of 3244.17 feet and whose chord bears South 1 degree 39 minutes 04 seconds East; thence along said curve an arc distance of 1108.74 feet to a point of tangency; thence South 11 degrees 26 minutes 31 seconds East a distance 1318.58 feet to a point 26.5 feet westerly of, as measured perpendicular to, a line known as the centerline of the Chicago East Bound Track; thence South 0 degrees 02 minutes 41 seconds East a distance of 247.86 feet, along a line parallel with and 26.5 feet westerly of said line known as the centerline of the Chicago East Bound Track, to a point on the backwall of the northerly abutment of the bridge over Irving Park Road; thence North 65 degrees 18 minutes 04 seconds West along said backwall a distance of 46.56 feet to the northwest corner of said abutment; thence South 04 degrees 37 minutes 32 seconds East, along the westerly edge of said bridge, a distance of 4.56 feet to a point on the northerly right of way line of Irving Park Road; thence North 65 degrees 04 minutes 01 seconds West, along said northerly right of way line, a distance of 22.35 feet to a point of curvature of a nontangential curve, said curve being concave westerly and having a radius of 3789.83 feet and whose chord bears north 8 degrees 58 minutes 07 seconds West; thence along said curve an arc distance of 327.18 feet; thence North 11 degrees 26 minutes 31 seconds West a distance of 137.38 feet; thence South 78 degrees 33 minutes 29 seconds West a distance of 40.35 feet; thence North 9 degrees 01 minute 34 seconds West a distance of 245.33 feet to a point on a line lying 52 feet southwesterly of the centerline of the "Mainline Track" referred to in Document No. 18966196; thence North 11 degrees 10 minutes 52 seconds West, along a line 52 feet westerly of and parallel with said "Mainline Track", a distance of 1041.29 feet to a point on a line 294.00 feet northerly of, as measured perpendicular to, the North line of Montrose Avenue; thence South 76 degrees 40 minutes 47 seconds East along said line a distance of 30.87 feet to a point on a nontangential curve concave easterly, having a radius of 3849.83 feet; thence northwesterly along said curve an arc distance of 1169.41 feet, said arc having a chord bearing of North 0 degrees 34 minutes 02 seconds West, to a point of Tangency; thence North 8 degrees 08 minutes 05 seconds East a distance of 1190.36 feet to the southerly right of way line of Lawrence Avenue;

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thence South 76 degrees 37 minutes 54 seconds East along said southerly right of way line a distance of 20.88 feet to a point on the westerly edge of the westerly bridge over Lawrence Avenue; thence South 8 degrees 18 minutes 30 seconds West along said westerly edge a distance of 2.35 feet to the southwest corner of the backwall of the southerly abutment of said bridge; thence south 76 degrees 46 minutes 11 seconds East along said backwall a distance of 18.45 feet to the southeast corner of said backwall; thence North 8 degrees 14 minutes 29 seconds East, along the easterly edge of said bridge, a distance of 2.30 feet to a point on said southerly right of way line; thence South 76 degrees 37 minutes 54 seconds East, along said southerly right of way line, a distance of 64.43 feet to a point on the westerly edge of said easterly bridge; thence South 7 degrees 56 minutes 55 seconds West along said edge a distance of 2.14 feet to the southwest corner of aforesaid southerly backwall; thence South 76 degrees 43 minutes 29 seconds East along said backwall a distance of 36.73 feet to the point of beginning, said parcel containing 11.415 acres, more or less.

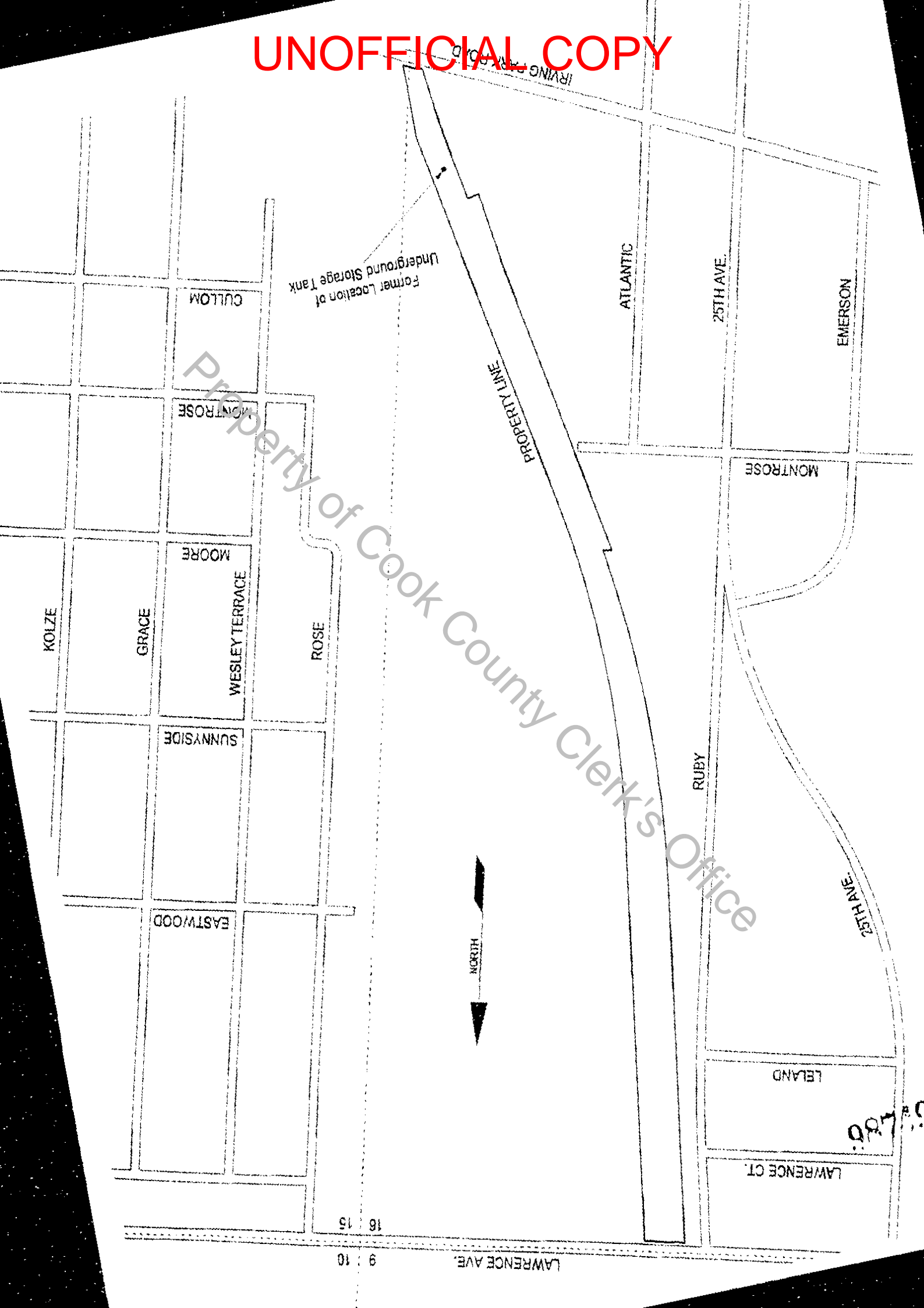
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 Mary A. Gale, Director

217/782-6762

JUL 17 1998

CERTIFIED MAIL

P344309244

Soo Line Railroad Company
Attn: LeeAnn Thomas
P.O. Box 530
105 South 5th St.
Minneapolis, MN 55440-0530

Re: LPC #0312855070 - Cook County
Schiller Park/Soo Line Railroad Co.
4851 Ruby Street
LUST Incident No. 932036
LUST Technical File

Dear Ms. Thomas:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the P.E. Certification Form and Legal Description and Real Estate Tax Index Form submitted for the above-referenced incident. This information was dated April 23, 1998; was received by the Agency April 27, 1998; and was prepared by Ram Engineering, Ltd.

The Site Classification Completion Report and associated Professional Engineer Certification indicate that this site is classified as "No Further Action" as identified in Section 57.7(b)(2) of the Environmental Protection Act and 35 Illinois Administrative Code Section 722.302(a).

Based upon the certification by Robert Mehrens, a Registered Professional Engineer of Illinois, and pursuant to Section 57.10 of the 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, this Letter shall apply in favor of the following persons:

1. LeeAnn Thomas on behalf of Soo Line Railroad Company;
2. The owner and operator of the UST(s);
3. Any parent corporation or subsidiary of the owner or operator of the UST(s);

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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 within 45 days of its receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the County where the above-referenced site is located. 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 filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. Remediation objectives for the above-referenced site described in the Leaking Underground Storage Tank Environmental Notice of this Letter were not established because the site is classified as "No Further Action" as identified in Section 57.7(b)(2) of the Environmental Protection Act and 35 Illinois Administrative Code Section 732.302(a).
2. As a result of the release from the underground storage tank(s) associated with the above-referenced incident, the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used in a manner inconsistent with the following land use limitation: There are no land use limitations.
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

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- 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. 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 establish, operate, and maintain controls in full compliance with the Environmental Protection Act, applicable regulations, and the approved corrective action plan 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
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

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 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;
 - 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;

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- 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.

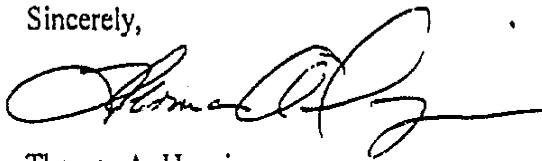
Within 35 days after the date of mailing of this final decision, the owner or operator may petition for a hearing before the Illinois Pollution Control Board (Board) to contest the decision of the Illinois EPA. (For information regarding the filing of an appeal, please contact the Board at 312/814-3620.) However, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the owner or operator and the Illinois EPA within the 35-day initial appeal period. (For information regarding the filing of an extension, please contact the Illinois EPA's Division of Legal Counsel at 217/782-5544.)

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

Illinois Environmental Protection Agency
Bureau of Land - #24
LUST Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

If you have any questions or need further assistance, please contact Pam Lambert at 217/785-7491.

Sincerely,



Thomas A. Henninger
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

TAH:TL:bjh\981698.WPD

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Map

cc: Ram Engineering, Ltd.
Wisconsin Central, Ltd.

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