

PREPARED BY:

Name: Mr. John G. Mulvihill
Property Investments Officer
Sun Life Assurance Company of Canada

Address: 1 Sun Life Executive Park
Wellesley Hills, MA 02181

RETURN TO:

Name: Mr. John G. Mulvihill
Property Investments Officer
Sun Life Assurance Company of Canada

Address: 1 Sun Life Executive Park
Wellesley Hills, MA 02181

THE ABOVE SPACE FOR RECORDER'S OFFICE

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

Illinois State EPA Number: 0316115082

Sun Life Assurance Company of Canada, the Remediation Applicant, whose address is 1 Sun Life Executive Park, Wellesley Hills, Massachusetts 02181, 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 or Reference to a Plat Showing the Boundaries:

Parcel 1:

Lot 1 of St. Lucas First Subdivision, being a part of the Northeast 1/4 of Section 10, Township 40 North, Range 13 East of the Third Principal Meridian, according to the Plat thereof recorded August 7, 1992 as Document No. 92586021, in Cook County, Illinois.

Parcel 2:

Landscape Easement Agreement appurtenant to and for the benefit of Parcel 1 made by St. Lucas Association, a corporation of Illinois, to LaSalle National Trust N.A., as Trustee under Trust Agreement dated January 15, 1992 known as Trust Number 116878 recorded February 5, 1992, as Document 92075915, as modified by Amendment to Landscape Easement Agreement recorded July 2, 1994 as Document 94680049, over the following described land:

(Illinois EPA Site Remediation Program Environmental Notice)

A 10 foot wide strip of land being described as that part of the South 590.00 feet of the East 673.00 feet of the Northeast 1/4 of Section 10, Township 40 North, Range 13, East of the Third Principal Meridian, bounded and described as follows: Commencing at the intersection of the North line of the South 50.00 feet (as measured at right angles to the South line thereof) of the aforesaid Northeast 1/4 of Section 10, with the West line of the East 33.00 feet (as measured at right angles to the East line thereof) of the aforesaid Northeast 1/4 of Section 10; thence North 0 degrees 00 minutes 26 seconds East along the last described West line 530.01 feet to the North line of the South 580.00 feet of the Northeast 1/4 of said Section 10 and the point of beginning of the parcel of land herein described; thence North 89 degrees 35 minutes 36 seconds West along said North line 485.02 feet to a point distant 145.00 feet East of the aforesaid West line of the East 663.00 feet of said Section 10; thence south 46 degrees 13 minutes 09 seconds West along a line herein designated as line "A" 200.85 feet to a point on the West line of the aforesaid East 663.00 feet of the Northeast 1/4 of said section 10 and distant 140.00 feet South of the aforesaid North line of the South 580.00 feet of said Section 10; thence South 0 degrees 00 minutes 26 seconds West along the West line of the East 663.00 feet of said Section 10 for a distance of 320.22 feet; thence North 89 degrees 59 minutes 34 seconds West 10.00 feet to the West line of the East 673.00 feet of the Northeast 1/4 of aforesaid Section 10; thence North 0 degrees 00 minutes 26 seconds East along said West line 724.49 feet to the intersection with a line drawn 10.00 feet Northwesterly of and parallel with the hereinabove designated line "A"; thence North 46 degrees 13 minutes 09 seconds East along said parallel line 209.18 feet to the North line of the South 590.00 feet of the Northeast 1/4 of aforesaid Section 10; thence South 89 degrees 35 minutes 36 seconds East along said North line 489.00 feet to the West line of the aforesaid East 33.00 feet of the Northeast 1/4 of said Section 10; thence South 0 degrees 00 minutes 26 seconds West along said West line 10.00 feet to the hereinabove designated point of beginning, in Cook County, Illinois.

2. Common Address: 4040-4042 West Foster Ave./5240 North Pulaski Road, Chicago, Illinois 60630
3. Real Estate Tax Index/Parcel Index Numbers: 13-10-200-010-0000
4. Remediation Site Owner: Sun Life Assurance Company of Canada and any property owner(s) identified in the attached Property Owner Certification of NFR Letter under the Site Remediation Program form.
5. Land Use Limitation: Industrial/Commercial
6. Site Investigation: Focused

See NFR letter for other terms.

(Illinois EPA Site Remediation Program Environmental Notice)

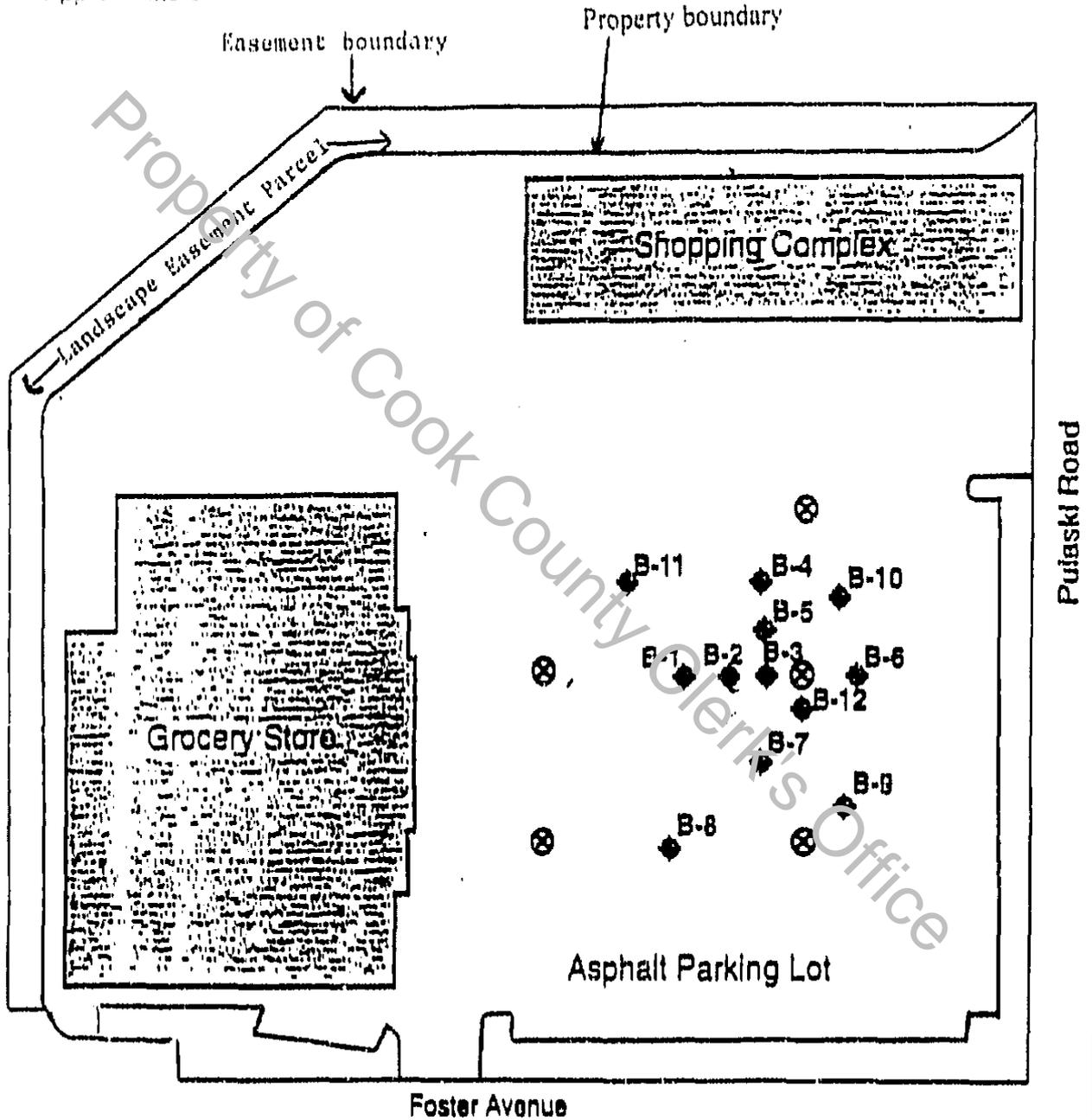
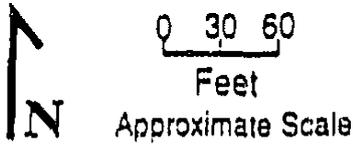
**SITE BASE MAP FROM REMEDIAL ACTION COMPLETION REPORT
NORTH MAYFAIR COMMONS--0316115082**

Legend

◆ Soil Borings
B-1 to B-12 performed 1/27/97

⊗ Light Poles

Site Location: 4040 - 4042 West Foster Avenue
5240 North Pulaski Road
Chicago, Illinois



client name	Sun Life Assurance Company of Canada	project #	017053	scale:	1 in. = 95 ft.
site location	One Sun Life Executive Park SC1307 Wellesley Hills, Massachusetts 02181	drawn by	rd	drawing	not to scale
		date	01/31/97	units:	feet

Gabriel Environmental Services 1421 N. Elston Ave phone (773) 486-2123
Chicago, IL 60622 fax (773) 486-0004

OWNER CERTIFICATION OF FURTHER 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: Sun Life Assurance Company of Canada
 Title: _____
 Company: _____
 Street Address: One Sun Life Executive Park
 City: Wellesley Hills State: MA Zip Code: 02181 Phone: 781-446-1304

Site Information

Site Name: North Mayfair Commons
 Site Address: 4040 - 4042 West Foster/5240 North Pulaski
 City: Chicago State: IL Zip Code: _____ County: Cook
 Illinois Inventory ID Number: 0316 115 082
 Real Estate Tax Index/Parcel Index No. 13-10-200-010-000

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: By: George M. Collins *By: [Signature]*

SUBSCRIBED AND SWORN TO BEFORE ME
 this 15th day of Dec., 1997

Kambriya Marchetti
 Notary Public

The Illinois EPA is authorized to require this information under Sections 413 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated hereunder. 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 reconciled with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms 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 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

State of Massachusetts }
County of Norfolk } SS

On this 10th day of December, 1997 before me appeared George M. Collins and Jameson Wilcox both to me known to be acting for the President and Secretary respectively of the Sun Life Assurance Company of Canada, the corporation that executed the annexed instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Kambriya Marchetti
Notary Public
My Commission Expires June 15, 2001



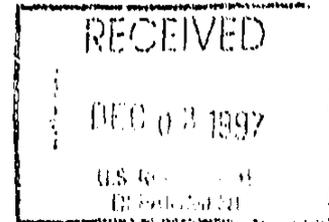
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

217/782-6761

2 363 547 994

November 17, 1997



Mr. John G. Mulvihill
Property Investments Officer
Sun Life Assurance Company
1 Sun Life Executive Park
Wellesley Hills, MA 02181

Refer to: 0316115082--Cook County
North Mayfair Commons/Chicago
Site Remediation/Technical Reports

Dear Mr. Mulvihill:

The "Site Investigation and Remedial Objectives Report", Log No. 97-688, as prepared by Gabriel Environmental, for the North Mayfair Commons property has been reviewed by the Illinois Environmental Protection Agency (Illinois EPA) and demonstrates that site-specific remedial objectives were achieved. The remediation site consists of 7.3 acres, as indicated by the legal description, and is commonly known as 4040-4042 West Foster Avenue/5240 North Pulaski Road, Chicago, 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 focused No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act in performing the approved remedial action. The Letter 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 for the specified recognized environmental conditions within the areas identified herein and no further remediation is required under this Act for the specified recognized environmental conditions within the identified areas so long as the site is utilized in accordance with the terms of this Letter.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

- 1. The regulated substances of concern at the site consist of the semi-volatile organic compounds included in laboratory analytical method USEPA Method 8310 and the metals arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver, as detailed in the Site Investigation and Remedial Objectives Report, Log No. 97-688.

Regulated substances of concern which remain in the subsurface at the area described in the SRP Environmental Notice, shown on the Site Base Map, and which have been successfully addressed at the remediation site:

<u>CAS No.</u>	<u>Chemical Name</u>
7439-02-1	Lead
7740-38-2	Arsenic

- 2. In accordance with Section 58.8(c) of the Act (415 ILCS 5/58.8(c)), the remediation site described in the SRP Environmental Notice and shown on the Site Base Map of this Letter shall not be used in a manner that is inconsistent with the following land use: industrial/commercial.
- 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. Preventative: A Site Health and Safety Plan for this remediation site is recommended to be implemented in accordance with the Occupational Safety and Health Administration requirements, to address possible worker exposure, should any future excavation and construction activities occur within the contaminated soil.

Engineering: A six (6) inch asphalt barrier currently covering contaminated soil at the remediation site, as delineated in the Site Base Map, must remain over the

contaminated soil. This asphalt cap, excluding existing landscaping as delineated on the Site Base Map, must be properly maintained in the future as an engineered barrier to inhibit inhalation and ingestion of the contaminated media below the asphalt cap, as well as impede contaminant migration to the groundwater.

5. Failure to manage the controls in full compliance with the terms of the Remedial Action Completion Report may result in voidance of this Letter.

OTHER TERMS

6. 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 duly authorized agent of the owner(s), of the remediation site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.

7. Further information regarding this remediation site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Bureau of Land #24
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

8. 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;

- c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Completion Report. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Completion Report and the Site Health and Safety 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 any applicable fees under the Review and Evaluation Services Agreement within 45 days after receiving a request for payment from the Illinois EPA.
9. Pursuant to Section 58.10(d) of the Act, the No Further Remediation Letter shall apply in favor of the following persons:
- a) Sun Life Assurance Company of Canada;
 - 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 land 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;

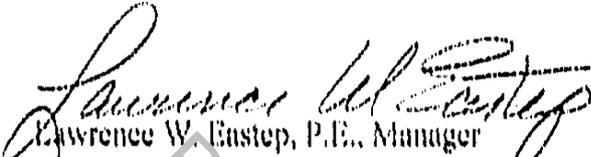
- h) Any transferee of the owner of the remediation site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the remediation site;
 - j) Any 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.
10. This Letter, including all attachments, must be recorded within 45 days as a single instrument with the "Office of the Recorder or Registrar of Titles of 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 of Cook County" in accordance with Illinois law so that it forms a permanent part of the chain of title for the Sun Life Assurance Company of Canada property. Within 30 days of this Letter being recorded by the "Office of the Recorder or Registrar of Titles of 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

11. 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, Todd Cross at (217) 524-4862.

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
Property Owner Certification Form

cc: Geoff King
Project Geologist
Gabriel Environmental Services
1421 North Elston Ave.
Chicago, Illinois 60622

Property of Cook County Clerk's Office