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ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

Subject to the Illinois Responsible Property Transfer Act

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, or, upon recording of the deed, other instrument of conveyance, lease, mortgage, or assignment of the beneficial interest in an Illinois land trust, whichever occurs first, this completed disclosure document must be recorded in the office of the recorder of the county in which such property is located, and within 30 days after the date any real property subject to the provisions of the Responsible Property Transfer Act is transferred, a copy thereof shall be filed with the Illinois Environmental Protection Agency

Seller: R & B of Northwest Indiana, Inc.

Buyer: Luke Oil Co., Inc.

Document No.:

Property Identification:

A. Property Address (include township): 264 Torrence Avenue, Calumet City, Illinois

Permanent Real Estate Index No.: 29-12-207-019-000; 29-12-207-020-000; 29-12-207-021-000; 29-12-207-022-000; and 29-12-207-023-000

B. Legal Description: Section 12 Township 36 North Range 14 East

Enter or attach current legal description in this area:

Lots 7, 8, 9, 10 and 11 in Block 16 in Calumet City First Addition, being a subdivision of the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 36 North, Range 14 East of the Third Principal Meridian (excepting therefrom that part of Lots 7 and 8, taken as a tract, described as follows: Beginning at a point on the East line of said Lot 8, a distance of 5.0 feet from its Northeast corner; thence Northwesterly to a point on the North line of said Lot 7, a distance of 107.20 feet from its Northwest corner), all in Cook County, Illinois.

Prepared by: Name: Ralph A. Luke Company: R & B of Northwest Indiana, Inc. Address: 8202 Calumet Avenue City/State/Zip: Munster, IN 46321 Return to: Name: Glenn R. Patterson, Esq. Company: Singleton, Crist, Patterson & Austgen Address: Suite 200, 9245 Calumet Avenue City/State/Zip: Munster, IN 46321

The following information is provided pursuant to 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 clean-up costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

A. Property Characteristics: Lot Size: 150' x 170' Acreage: 2.42

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

- Apartment building (6 units or less)
Commercial apartment (over 6 units)
Industrial building
Farm, with buildings
Store, office, commercial building
X Other (specify) commercial building

II. Nature of Transfer

- (1) Is this a transfer by deed or other instrument of conveyance? X Yes ___ No
(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? ___ Yes ___ No
(3) Is this a transfer by a lease exceeding a term of 40 years? ___ Yes ___ No
(4) Is this a transfer by a mortgage or collateral assignment of beneficial interest? ___ Yes ___ No

B. (1) Identify Transferor:

R & B of Northwest Indiana, Inc., 8202 Calumet Avenue, Munster, IN 46321

Name and current address of transferor

Name and address of trustee if this is a transfer of beneficial interest in 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:

Ralph A. Luke

P.O. Box 96, Hobart, IN 46342

Name

Position (if any)

Address

Phone

C. Identify Transferee:

Luke Oil Co., Inc., 3592 Randolph Street, Hobart, IN 46342

Name and current address of transferee

III. Notification

Under the Illinois Environmental Protection Act, owners of real property may 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 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 from which 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 three 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 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 filling of consumer-sized containers), finishing, refinishing, servicing or cleaning operations on the property. Yes No
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
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
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?

- | | |
|---|--|
| Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Landfill | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Injection Wells |
| Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Surface Impoundment | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Wastewater Treatment Units |
| Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Land Treatment | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Septic Tanks |
| Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Waste Pile | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Transfer Stations |
| Yes <input type="checkbox"/> No <input type="checkbox"/> Incinerator | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Waste Recycling Operations |
| Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Storage Tank (Above ground) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Waste Treatment Detoxification |
| Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Storage Tank (Underground) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Other Land Disposal Area |
| Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Container Storage Area | |

If any of the above items are answered Yes 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 X No
 - b. Permits for emissions to the atmosphere. Yes X No
 - c. Permits for any waste storage, waste treatment or waste disposal operation. Yes X No
6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works? Yes X No
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 X No
 - b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right to Know Act of 1986 Yes X No
 - c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right to Know Act of 1986. Yes X No
8. Has the transferor or any facility on the property been the subject of any of the following state or federal governmental actions?
- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. Yes X No
 - 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 X No
 - 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. Yes X No
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 X No
 - b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes X No
 - 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? Yes X No

- Use of a clean-up 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 X No
11. Is there any explanation needed for clarification of any of the above answers or responses?

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: Luke Oil Co., Inc.

Type of business/or property usage: Gas station/convenience store

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
- Yes No Surface Impoundment
- Yes No Land Treatment
- Yes No Waste Pile
- Yes No Incinerator
- Yes No Storage Tank (Above ground)
- Yes No Storage Tank (Underground)
- Yes No Container Storage Area

- Yes No Injection Wells
- Yes No Wastewater Treatment Units
- Yes No Septic Tanks
- Yes No Transfer Stations
- Yes No Waste Recycling Operations
- Yes No Waste Treatment Detoxification
- Yes No Other Land Disposal Area

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.

Ralph A. Luke
Signature(s)

Ralph A. Luke
Transferor(s) (type or print name) or on behalf of transferor(s)

B. This form was delivered to me with all elements completed on January 1 1998

Ralph A. Luke
Signature(s)

Ralph A. Luke
Transferor(s) (type or print name) or on behalf of transferor(s)

C. This form was delivered to me with all elements completed on _____ 19____

Signature

Lender

Lender Representative (type or print name)

Yes