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This Document Prepared by and mail to:

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1999-07-06 09:08:49
Cook County Recorder 35.00

Thomas A. Pantalion
U.S. Bank Place-MPFP2518
601 Second Avenue South
Minneapolis, MN 55402



99642291

This space reserved for Recorder.

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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146

Seller: Clybourne Holdings, Inc.

Buyer: Lock Up Clybourn, L.L.C.

Documents No.: _____

I. PROPERTY IDENTIFICATION

A. Address of property: 1920 N Clybourn Ave, Chicago, Illinois 60614-4900
Street City or Village Township
Permanent Real Estate Index No.: See attached Exhibit A

B. Legal Description:

Section: _____ Township _____ Range _____

Enter or attach current legal description in this area: See attached Exhibit A

Prepared by: Thomas A. Pantalion
name
U.S. Bank Place, MPFP2518
address
601 Second Avenue South
Minneapolis, MN 55402-4302

Return to: Sanford R. Gail
name
70 W. Madison Street, Suite 3300
address
Chicago, Illinois 60602

Transferees 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 62,782 square feet Acreage 1.44
Check all type of improvement and uses that pertain to the property:

_____ Apartment building (6 units or less) _____ Commercial apartment (over 6 units)

JBW/33867/3772

Mail To AFTER RECORDING:

SANFORD GAIL
BELL BOYD & LLOYD
70 W. MADISON - Suite 3300
Chicago, Illinois 60602

BOX 333-CTI

7822472 02

Store, office, commercial building

Farm, with buildings

X Industrial building

Other, specify

II. NATURE OF TRANSFER

YES NO

- A. (1) Is this a transfer by deed or other instrument of conveyance? X
- (2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust? X
- (3) A lease exceeding a term of 40 years? X
- (4) A mortgage or collateral assignment of beneficial interest? X

B. (1) Identify Transferor:

Clybourne Holdings, Inc., U.S. Bank Place, MPFP2518, 601 2nd Ave. South
Name and Current Address of Transferor Minneapolis, MN 55402-4302

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:

Thomas A. Pantaloni, Vice President and Secretary of Clybourne Holdings, Inc.
U.S. Bank Place, 601 2nd Ave. South, Minneapolis, MN 55402
Name, Position (if any), and Address (612) 973-1195 Telephone No.

C. Identify Transferee: 1920 N Clybourn Ave., Chicago, Illinois 60614-4900
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 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(f) 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, correction 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

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?

	YES	NO		YES	NO
Landfill	_____	<u> X </u>	Injection Wells	_____	<u> X </u>
Surface Impoundment	_____	<u> X </u>	Wastewater Treatment Units	_____	<u> X </u>
Land Treatment	_____	<u> X </u>	Septic Tanks	_____	<u> X </u>
Waste Pile	_____	<u> X </u>	Transfer Stations	_____	<u> X </u>
Incinerator	_____	<u> X </u>	Waste Recycling Operations	_____	<u> X </u>
Storage Tank (Above Ground)	_____	<u> X </u>	Waste Treatment Detoxification	_____	<u> X </u>
Storage Tank (Underground)	_____	<u> X </u>	Other Land Disposal Area	_____	<u> X </u>

Container Storage Area

X

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. YES NO
 - b. Permits for emissions to the atmosphere. YES NO
 - c. Permits for any waste storage, waste treatment or waste disposal operation. YES NO
- 6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works? YES NO
- 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. YES NO
 - b. Filed an Emergency Planning and Hazardous Chemical Inventory Form pursuant to the Community Right-to-Know Act of 1986. YES NO
 - c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. YES NO
- 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. YES 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 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 NO
- 9. Environmental Releases During Transferor's Ownership YES NO
 - a. Has any situation occurred at this site which resulted in a reportable "release" on any hazardous substances or petroleum as required under State or Federal laws? YES NO
 - b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? YES 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 NO
 - ___ 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? YES NO

A. 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: Erickson Cosmetics Company

Type of business/
or property usage Manufacture and packaging of cosmetics and dentistry supplies
and products

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		YES	NO
Landfill	<u> </u>	<u> X </u>	Injection Wells	<u> </u>	<u> X </u>
Surface Impoundment	<u> </u>	<u> X </u>	Wastewater Treatment Units	<u> </u>	<u> X </u>
Land Treatment	<u> </u>	<u> X </u>	Septic Tanks	<u> </u>	<u> X </u>
Waste Pile	<u> </u>	<u> X </u>	Transfer Stations	<u> </u>	<u> X </u>
Incinerator	<u> </u>	<u> X </u>	Waste Recycling Operations	<u> </u>	<u> X </u>
* Storage Tank (Above Ground)	<u> X </u>	<u> </u>	Waste Treatment Detoxification	<u> </u>	<u> X </u>
* Storage Tank (Underground)	<u> X </u>	<u> </u>	Other Land Disposal Area	<u> </u>	<u> X </u>
Container Storage Area	<u> </u>	<u> X </u>			

* See Exhibit B

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.

Dated: June 30, 19 99

Clybourne Holdings, Inc.

David C. Larsen
signature

David C. Larsen, Vice President

type or print name
TRANSFEROR (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on June 30, 1999

Lock Up Clybourn, L.L.C.
Sanford Gail, Asst. Sec of Manager
signature Lock Up Development Corporation

SANFORD GAIL

type or print name
TRANSFEEE (or on behalf of Transferee)

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

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signature

type or print name
LENDER (or on behalf of Lender)

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EXHIBIT A

PARCEL 1:

LOTS 8 TO 21, BOTH INCLUSIVE, IN BLOCK 5 AND THAT PART OF LOTS 6, 7, 22 AND 23 LYING NORTH OF A LINE DRAWN FROM A POINT ON THE EASTERLY LINE OF LOT 23, SAID POINT BEING 4 FEET SOUTHEASTERLY OF THE NORTHEASTERLY CORNER OF SAID LOT 23 TO A POINT ON THE WESTERLY LINE OF LOT 6, SAID POINT BEING 4 FEET SOUTHEASTERLY OF THE NORTHWESTERLY CORNER OF SAID LOT 6, EXCEPTING THEREFROM THE WESTERLY 15 FEET OF EACH OF SAID LOTS 6 THROUGH 14, IN THE SUBDIVISION OF LOTS 1 AND 2 IN BLOCK 8 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTION 32, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE WESTERLY 15 FEET OF LOTS 6 THROUGH 14, INCLUSIVE, LYING NORTH OF A LINE DRAWN FROM A POINT ON THE EASTERLY LINE OF LOT 23, SAID POINT BEING 4 FEET SOUTHEASTERLY OF THE NORTHEASTERLY CORNER OF SAID LOT 23, TO A POINT ON THE WESTERLY LINE OF LOT 6, SAID POINT BEING 4 FEET SOUTHEASTERLY OF THE NORTHWESTERLY CORNER OF SAID LOT 6, ALL BEING IN BLOCK 5 IN THE SUBDIVISION OF LOTS 1 AND 2 IN BLOCK 8 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTION 32, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers: 14-32-406-001-0000; 14-32-406-002-0000;
14-32-406-003-0000;
14-32-406-008-0000; 14-32-406-012-0000;
14-32-406-016-0000.

Street address: 1920 North Clybourn Avenue, Chicago, Illinois

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EXHIBIT B

Supplement To Section IV, Question 11A.2.:

1. The Property does not presently contain any above ground storage tanks.

2. The location and closure status of the suspected underground storage tank is undetermined. The underground storage tank may have been taken out of service prior to January 1, 1974 or used solely for consumptive purposes on the Property. The above is supported by the fact that the suspected underground storage tank is not included on the State of Illinois underground storage tank computerized data base.

Property of Cook County Clerk's Office