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1999-09-23 10:56:05
Cook County Recorder 31.50



99902265

PREPARED BY:

Name: Currie Motors, Inc.
Attn: George Bialkowski

Address: 909 East Chicago St.
Elgin, Illinois

RETURN TO:

Name: Currie Motors, Inc.
Attn: George Bialkowski

Address: ~~909 East Chicago St.~~ 11211 W. Cermaq Rd.
~~Elgin, Illinois~~ Westchester, IL 60154



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 State EPA Number: 0314385020

LUST Incident No.: 912058

Currie Property Holdings, the owner and operator, whose address is 909 East Chicago Street, Elgin, Illinois, has performed investigative and/or remedial activities for the site that can be identified by the following legal description:

1. Legal description or Reference to a Plat Showing the Boundaries:

That part of the South Half of Section 18, Township 41, Range 9 East of the Third Principal Meridian described as follows: Commencing at the Southeast Corner of the Southwest Quarter of Section 18; thence West along the South Line of said Section 18, a distance of 638.0 feet to the Southeast Corner of a 14 acre tract or lot sold by Grote and Church to Jay Legge; thence North 7 degrees 55 minutes East a distance of 516 feet; thence North 82 degrees 05 minutes 00 seconds West a distance of 520.7 feet to the Westerly Line of Lot 9 of the County Clerk's Subdivision of unsubdivided lots in Section 18, Township 41 North, Range 9 East of the Third Principal Meridian; thence North 7 degrees 55 minutes 00 seconds East, along said Westerly Line, a distance of 415.70 feet to a point on a line that is 500.00 feet Southerly of (measured at right angles thereto) and parallel with the Centerline of State Route 19 of beginning; thence continuing Northerly along said Westerly line of Lot 9, a distance of 486.8 feet (483.48 feet measured) to the Southerly line of State Route 9; thence Northwesterly along said Southerly line of State Route 19, a distance 286.8 feet; thence

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

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Southerly at right angles to the last described course, a distance of 467.0 feet to a point on a line that is 500 feet Southerly of (measured at right angles thereto) and parallel with the centerline of State Route 19; thence Southeasterly along said Parallel Line, a distance of 411.96 feet more or less to the Point of Beginning, in Cook County, Illinois.

2. Common Address: 909 East Chicago St., Elgin, IL
3. Real Estate Tax Index/Parcel Index Number: 16-32-302-067
4. Site Owner: Currie Property Holdings
5. Land Use Limitation: Not applicable.
6. See NFR letter for other terms.

MKF:ct\9912911.WPD

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

THOMAS V. SKINNER, DIRECTOR

217/782-6762

CERTIFIED MAIL
P344297484

AUG 31 1999

Currie Property Holdings
Attn: George Bialkowski
909 East Chicago Street
Elgin, Illinois 60120

Re: LPC #0314385020 -- Cook County
Elgin/Currie Motors, Inc
909 East Chicago Street
LUST Incident No. 912058
LUST Technical File

Dear Mr. Bialkowski:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Closure Report submitted for the above-referenced incident. This information was dated April 20, 1999; was received by the Illinois EPA April 26, 1999; and was prepared by Aspen Environmental, Inc.

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Illinois Administrative Code Part 731 indicate that remediation has been successfully completed.

Based upon the certification by Yiping Zhou, a Registered Professional Engineer of Illinois, and based upon other information in the Illinois EPA's possession, 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. This Letter shall apply in favor of the following persons:

1. Currie Property Holdings;

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2. The owner and operator of the UST(s);
3. Any parent corporation or subsidiary of the owner or operator of the UST(s);
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. The remediation objectives for the above-referenced site described in the Leaking Underground Storage Tank Environmental Notice of this Letter were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (TACO, 35 Illinois Administrative Code Part 742) rules.

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

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8. Should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the owner and/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;
 - 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.

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 the Illinois EPA project manager, Melinda Friedel, at 217/782-6762.

Sincerely,



Eric E. Portz, P.E.
 Unit Manager
 Leaking Underground Storage Tank Section
 Division of Remediation Management
 Bureau of Land

EEP:MKF:ct\9912910.WPD

Attachments: Leaking Underground Storage Tank Environmental Notice

cc: Aspen Environmental, Inc., Matthew Nowak