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Cook County Recorder 45.50



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LIMITED WARRANTY DEED

DES PLAINES – O'HARE LINE

FEE ROW

COOK COUNTY, ILLINOIS

**SHELL OIL COMPANY TO
EQUILON ENTERPRISES LLC**

Exempt under provisions of Paragraph E
Section 31-45, Real Estate Transfer Tax Act

January 28, 1999

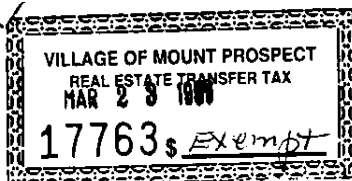
By: Craig A. Edwards
Craig A. Edwards



Mail Recorded Deed to Equilon Enterprises LLC, P.O. Box 2643
Houston, Texas 77252-2648, Attn: Craig A. Edwards Rm. 14119 TSP

Mail Tax Bill to Equilon Enterprises LLC, in care of Property Tax Division,
P.O. Box 4854, Houston, Texas 77210

Address: 555 W. Carboy Rd., Mt. Prospect, IL
P.I.N.# 08-23-400-004



LIMITED WARRANTY DEED

THIS IS A DEED dated January 28, 1999, but effective as of the 1st day of January 1999, by **SHELL OIL COMPANY**, a Delaware corporation, whose address is P.O. Box 2648, Houston, Texas 77252 (herein called "Grantor") to **EQUILON ENTERPRISES LLC**, A Delaware limited liability company, whose address is P. O. Box 2648, Houston, Texas 77252 (herein called "Grantee" whether one or more).

GRANTOR, for good and valuable consideration received, hereby grants and conveys to Grantee the following described Premises situated in the County of **Cook**, State of **Illinois**:

Des Plaines - O'Hare Line

That certain tract of land located in Cook County, Illinois and conveyed by Henry F. Deeke, et ux, to Shell Oil Company by Warranty Deed dated August 19, 1959 and recorded as Document No. 17638489 in the office of the Recorder of Deeds of Cook County, Illinois, said tract described as follows:

The South one-half acre of that parcel of real estate described as follows: The North three quarters of the West half of the South East quarter of Section 23, Township 41 North, Range 11 East of the Third Principal Meridian (except therefrom the West 987.10 feet and the North 289 feet).

Subject to:

A reserved roadway easement over the East 30 feet of the real estate hereby conveyed. Said easement is in favor of Henry F. Deeke, et ux, their heirs and assigns.

together with all rights, privileges and appurtenances thereto and all buildings and land improvements thereon; but subject to all easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts as accurate survey or inspection of the premises would show.


TO HAVE AND TO HOLD the same unto Grantee and Grantee's successors and assigns forever.

SUBJECT to the foregoing and to the liens of all taxes and assessments for the year 1998 and subsequent years, Grantor covenants with Grantee that Grantor will warrant and defend the title to the Premises against the lawful claims of all persons claiming by, through, or under Grantor.

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EXECUTED by Grantor on the date first herein specified.

SHELL OIL COMPANY


G. W. Sanders, Attorney-in-Fact *msd*

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me this 28th day of January, 1999, by G. W. Sanders, as Attorney-in-Fact on behalf of Shell Oil Company, a Delaware corporation.




Notary Public

This instrument prepared by Craig Edwards at Equilon Enterprises LLC in Harris County, Texas.

When recorded return to:

Equilon Enterprises LLC
P. O. Box 2648
Houston, Texas 77252-2648
Attn: Craig A. Edwards, Room 14119 TSP

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ILLINOIS RESPONSIBLE PARTY TRANSFER ACT, STATUTORY DISCLOSURE FORM

The following information is provided pursuant to the Responsible Party Transfer Act of 1988

Seller: Shell Oil Company
Buyer: Equilon Enterprises LLC

For use by County Recorder's Office:

County: _____
Date: _____
Doc No.: _____
Vol.: _____
Page: _____
Rec'd by: _____
Document No.: _____

DES PLAINES O'HARE FEE ROW

I. PROPERTY IDENTIFICATION:

A. Address of property 555 W. Carboy Rd. Mt. Prospect, Illinois, Elk Grove Township
Street City or Village Township

Permanent Real Estate Index No.: 08-23-400-004

B. Legal Description: Section 23 Township 41N Range 11E
Enter or attach current legal description in this area: **SEE EXHIBIT A ATTACHED**

Prepared by: Craig A. Edwards Return to: Craig A. Edwards

name
Shell Oil Company
Two Shell Plaza, Rm.14119
P.O. Box 2648
Houston, TX 77252-2648
address

name
Shell Oil Company
Two Shell Plaza, Rm. 14119
P.O. Box 2648
Houston, TX 77252-2648
address

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.

C. Property Characteristics: Lot Size 63.9' x 339.9' Acreage 00.50

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

- Apartment building (6 units or less)
- Commercial apartment (over 6 units)
- Store, office, commercial building
- Farm, with buildings
- ...X.... Other (specify) Petroleum Products Pipeline & Delivery Terminal

UNOFFICIAL COPY**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: Shell Oil Company, P.O. Box 2648, Houston, TX 77252-2648 Name and Current Address of Transferor Name
Address of Trustee if this is a transfer of beneficial interest of a land trust.
Trust No. N/A.
- (2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

Craig A. Edwards, Contract Land Agent (713) 241-8098
Name, Position (if any), and address Telephone No.

- C. Identify Transferee: Equilon Enterprises LLC, P.O. Box 2648, Houston, TX 77252-2648 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;

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(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(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 3 times, the amount of any costs incurred by the State of Illinois as 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.

UNOFFICIAL COPY**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 ...X... (If gasoline is defined as hazardous)

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?

YesX...

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

NoX...

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
LandfillX.
Surface ImpoundmentX.
Land TreatmentX.
Waste PileX.
IncineratorX.
Storage Tank (Above Ground)X.
Storage Tank (Underground)	X.
Container Storage AreaX.
Injection WellsX.

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Wastewater Treatment UnitsX.
Septic TanksX..
Transfer Stations	X.
Waste Recycling OperationsX.
Waste Treatment Detoxification	....	.X.
Other Land Disposal 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?

- | | | |
|--|-----|-------|
| a. Permits for discharges of wastewater to waters of the State. | Yes | ..... |
| | No | ..X.. |
| b. Permits for emissions to the atmosphere. | Yes | ..... |
| | No | ..X.. |
| c. Permits for any waste storage, waste treatment or waste disposal operation. | Yes | ..... |
| | No | ..X.. |

6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes	.....
No	..X..

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 | ..... |
| | No | ..X.. |
| b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. | Yes | ..... |
| | No | ..X.. |
| c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. | Yes | |
| | No | ..X.. |

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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?

- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. Yes No ..X..
- 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 ..X..
- 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 ..X..

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
No ...X....

b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site?

Yes
No ...X....

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?

- 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 IEMA, 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

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- 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 (Not for air or water)

11. Is there any explanation needed for clarification of any of the above answers or responses?

B. 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: _____

Type of business/ _____ or property usage _____

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
LandfillX..
Surface ImpoundmentX..
Land TreatmentX..
Waste PileX..
IncineratorX..
Storage Tank (Above Ground)X..
Storage Tank (Underground)X..
Container Storage AreaX..
Injection WellsX..
Wastewater Treatment UnitsX..
Septic TanksX..
Transfer StationsX..
Waste Recycling OperationsX..
Waste Treatment DetoxificationX..
Other Land Disposal AreaX..

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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.

Craig A. Edwards
signature

Craig A. Edwards, Contract Land Agent for Shell Oil Company
type or print name
TRANSFEROR OR TRANSFERORS (or on behalf of
Transferor)

B. This form was delivered to me with all elements completed on January 29, 1999.

W. Craig Dickerson
signature

W. Craig Dickerson, Land Agent for Equilon Enterprises LLC
type or print name
TRANSFeree OR TRANSFEREES (or on behalf of
Transferee)

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

signature

type or print name
LENDER

Property of Carbon County Clerk's Office

Exhibit "A"

Cook County, Illinois

Des Plaines - O'Hare Line

That certain tract of land located in Cook County, Illinois and conveyed by Henry F. Deeke, et ux, to Shell Oil Company by Warranty Deed dated August 19, 1959 and recorded as Document No. 17638489 in the office of the Recorder of Deeds of Cook County, Illinois, said tract described as follows:

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