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3335/0103 30 001 Page 1 of 4
2001-08-08 14:50:39
Cook County Recorder 37.00

PREPARED BY:

Name: Charles Thompson
The Peoples Gas Light and Coke Company

Address: 130 East Randolph Drive
Chicago, Illinois 60601



RETURN TO: MAIL

Name: Charles Thompson
The Peoples Gas Light and Coke Company

Address: 130 East Randolph Drive
Chicago, Illinois 60601

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 Office of the Recorder of Cook County.

Illinois State EPA Number: 0316025084

The Peoples Gas Light and Coke Company, the Remediation Applicant, whose address is 130 East Randolph Drive, Chicago, Illinois 60601 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

- 1. Legal description or Reference to a Plat Showing the Boundaries: *Parcel 1* Parcel 3: That part of the west half of the southwest fractional quarter of Section 36 south of the Indian Boundary line in Township 41 North, Range 13, East of the Third Principal Meridian, lying north of the south 1328.42 feet of said section and west of the east 505.82 feet of said west half of the southwest quarter, Cook County, Illinois.

Parcel 2
Parcel 4: That part of lot 3 in the subdivision of the west half (in area) of the southwest fractional quarter north of the Indian Boundary line of Section 36, Township 41 North, Range 13, East of the Third Principal Meridian, which lies north of a line 1328.42 feet north of the south line of the southwest fractional quarter of Section 36 south of the Indian Boundary line, in Cook County, Illinois. Except therefrom that part falling within the following described tract of land:
That part of lots 2 and 3 in subdivision of west half (in area) of southwest fractional quarter (SW fractional quarter) of Section 36, Township 41 North, Range 13, East of the Third Principal Meridian, lying north of the Indian Boundary line and lying west of the following described line:
Beginning at a point on the north line of lot 2, a distance of 48.26 feet east of the northwest corner of said lot, thence south in a straight line to a point on the south line of lot 3 a distance of 62.23 feet east of the southwest corner of said lot 3.

- 2. Common Address: 6601 N. Kedzie Avenue, Chicago, IL

- 3. Real Estate Tax Index/Parcel Index Number: 10-36-300-007-0000 and 10-36-306-020-0000

RECORDED 3700
DATE 8/8/01
JM 9/1/01

(Illinois EPA Site Remediation Program Environmental Notice)



4. Remediation Site Owner: The Peoples Gas Light and Coke Company

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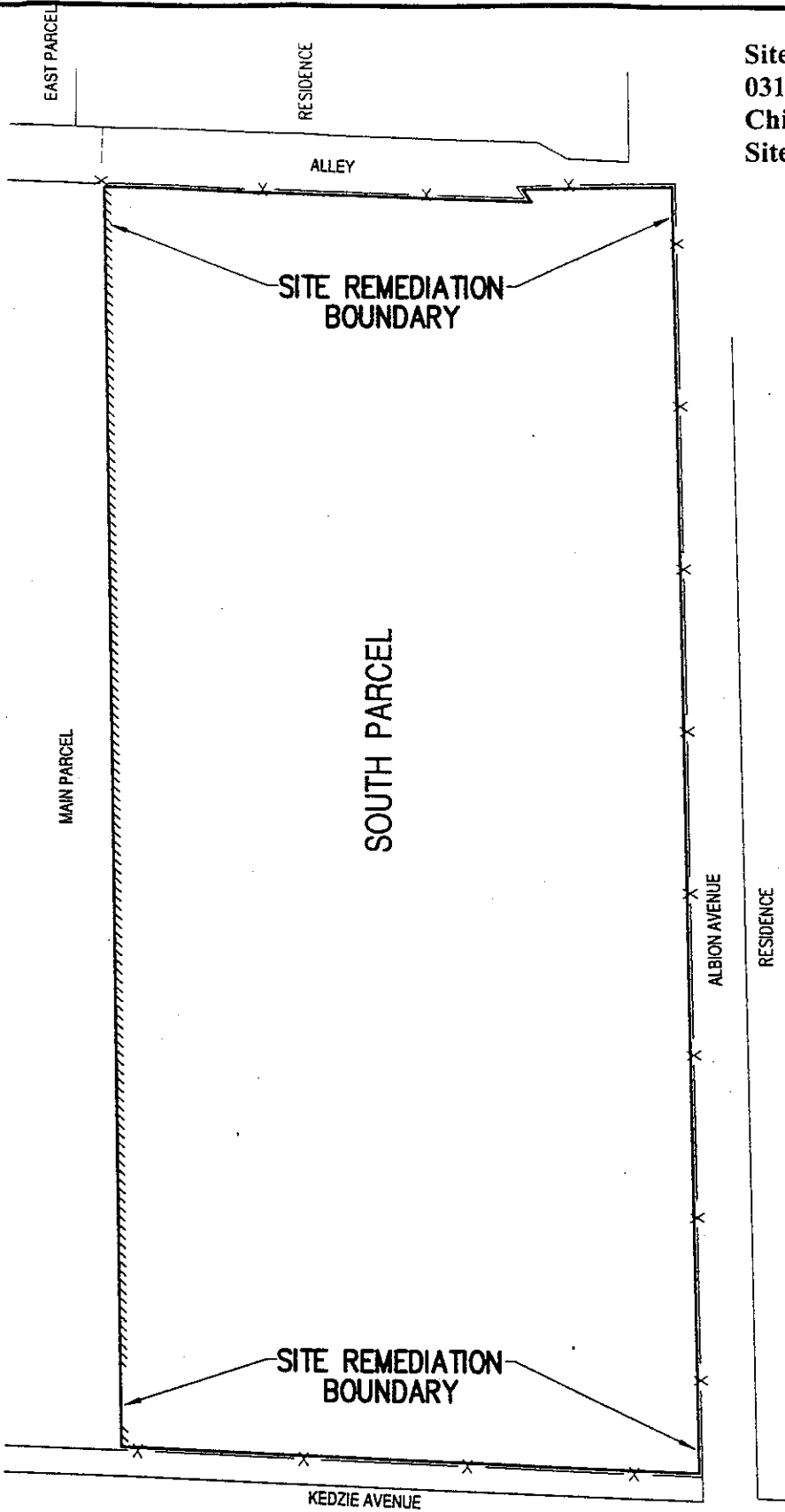
5. Land Use: Residential or Industrial/Commercial

6. Site Investigation: Comprehensive

See NFR letter for other terms.

I:\PEOPLES GAS\ROGERS PARK\CAD\SOUTH\COMPLETION REPORT\SITE 8X11

Site Base Map
0316025084 - Cook County
Chicago/Rogers Park - South Parcel
Site Remediation Program



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LEGEND

— SITE REMEDIATION
BOUNDARY JULY 24, 2001



**THE PEOPLES GAS LIGHT
AND COKE COMPANY
CHICAGO, ILLINOIS**

SITE MAP
ROGERS PARK-SOUTH PARCEL

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**PROPERTY OWNER CERTIFICATION OF THE NFR 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 identification 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:	_____
Title:	_____
Company:	_____
Street Address:	_____
City:	_____ State: _____ Zip Code: _____ Phone: _____
Site Information	
Site Name:	_____
Site Address:	_____
City:	_____ State: _____ Zip Code: _____ County: _____
Illinois inventory identification number:	_____
Real Estate Tax Index/Parcel Index No.	_____
<p>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.</p> <p>Owner's Signature: _____ Date: _____</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__</p> <p>_____ Notary Public</p>	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. 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 recorded 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.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

10725343

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

THOMAS V. SKINNER, DIRECTOR

(217) 782-6761

August 2, 2001

CERTIFIED MAIL

7000-1670-0008-1669-5567

Charles Thompson
The Peoples Gas Light and Coke Company
130 East Randolph Drive
Chicago, IL 60601

Re: 0316025084/Cook County
Chicago/Rogers Park – South Parcel
Site Remediation Program/Technical Reports

Dear Mr. Thompson:

The *Remedial Action Completion Report* (July 9, 2001/01-2580), as prepared by Burns and McDonnell Engineering Company for the Rogers Park – South Parcel property, has been reviewed by the Illinois Environmental Protection Agency (“Illinois EPA”) and demonstrates that the remedial action was completed in accordance with the *Remedial Action Plan* (July 3 and 10, 2001/ 01-2522 and 01-2611).

The Remediation Site, consisting of 6.2 acres, is located at 6601 N. Kedzie Avenue, Chicago, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act (“Act”) (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA’s Site Remediation Program DRM-1 Form (July 27, 2001/01-2850), is The Peoples Gas Light and Coke Company.

This comprehensive No Further Remediation Letter (“Letter”) signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

GEORGE H. RYAN, GOVERNOR

Conditions and Terms of Approval

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Level of Remediation and Land Use Limitations

- 1) The Remediation Site is restricted to Residential or Industrial/Commercial land use.
- 2) 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.

Other Terms

- 3) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the 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.
- 4) 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
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 5) 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 the 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 Plan. 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 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 forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 6) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) The Peoples Gas Light and Coke Company;
 - 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 thereto;
 - 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

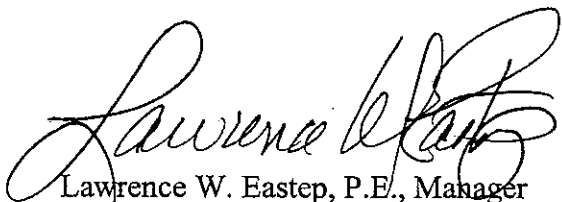
- k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 7) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program 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 of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Rogers Park – South Parcel property.
- 8) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 9) 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 billing statement.

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Jennifer M. Seul at 217/785-9399.

Sincerely,



Lawrence W. Eastep, P.E., Manager
Remedial Project Management Section
Division of Remediation Management
Bureau of Land

- Attachments(3):
- Illinois EPA Site Remediation Program Environmental Notice
 - Site Base Map
 - Property Owner Certification of No Further Remediation Letter under the Site Remediation Program Form

10725343

cc: Margaret Kelly, P.E.
Burns and McDonnell
2601 West 22nd Street
Oak Brook, Illinois 60523-1229