

139826

Return To:
The First Bank of Whiting
c/o Dan Grass
2310 Broadway
Hammond, IN 46340

**ENVIRONMENTAL DISCLOSURE DOCUMENT FOR
TRANSFER OF REAL PROPERTY**

8

The following information is provided under IC 13-7-22, the Responsible Property Transfer Law.

For Use By County
Recorder's Office
County
Date
Doc. No.
Vol.
Page
Rec'd by:

FILED

DEC 19 1990

I. PROPERTY IDENTIFICATION

Anna N. Antos
AUDITOR LAKE COUNTY

A. Address of property: 2208 Summer Street
Street

Hammond North
City or Town Township
Permanent Real Estate Index No.: 37-12-16 Unit 26
37-12-19 Unit 26

B. Legal Description: Section 5 Township 36-N Range 9-W
Enter or attach complete legal description in this area: See Exhibit "A" attached.

STOP
This Document is the property of the Lake County Recorder.
LIABILITY DISCLOSURE
Transferors and transferees of real property are advised that their ownership or other control of such property may render them liable for environmental cleanup costs whether or not they caused or contributed to the presence of environmental problems in association with the property.

C. Property Characteristics:
Lot Size 406.88' X 53.27' Acreage .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
 Industrial building
 Farm, with buildings
 Other (specify) _____

II. NATURE OF TRANSFER.

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

01015

20.00

(5) A contract for the sale of property? No

B. (1) Identify Transferor:

Oil Dealers, Inc., 2204 Summer Street, Hammond, IN 46320; and The First Bank of
Whiting as Trustee of Trust Agreement No. 1652, dated October 21, 1981, 9701-
Indianapolis Blvd., Highland, IN 46322
Name and Current Address of Transferor

Trust No. _____
Name and Address of Trustee if this is a transfer of
beneficial interest of a land trust.

(2) Identify person who has completed this form on
behalf of the Transferor and who has knowledge of
the information contained in this form;

Stella Bainbridge, Secretary-Treasurer

2204 Summer Street, Hammond, IN 46320
Name, Position (if any), and Address

C. Identify Transferee:

Thomas R. and Julie Lynn Rose

279 Duke Drive, Lynwood, IL 60411
Name and Current Address of Transferee

III. ENVIRONMENTAL INFORMATION

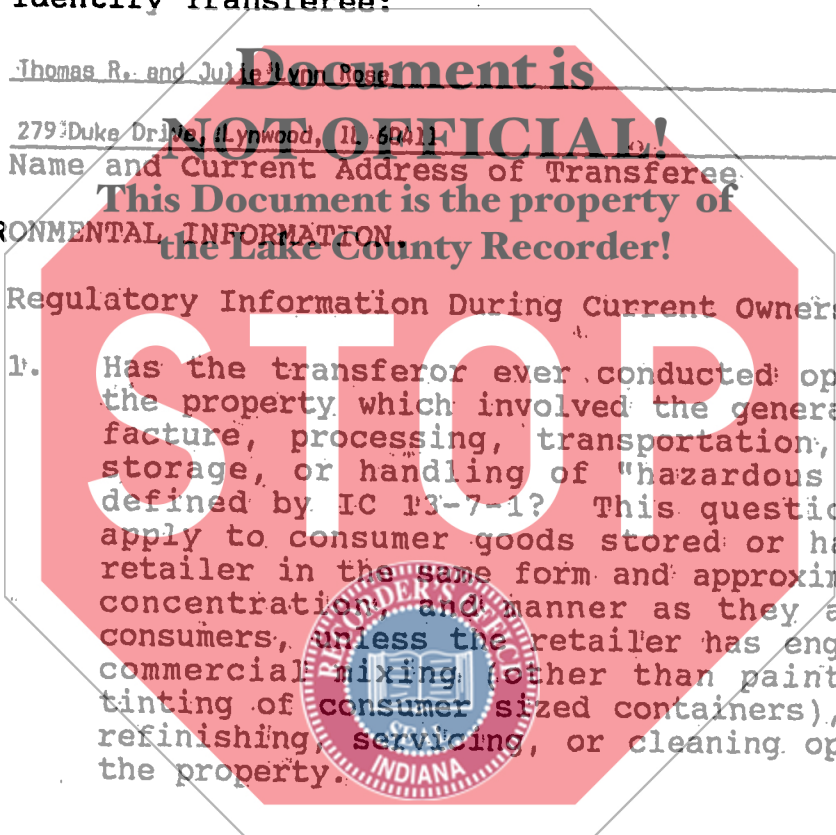
A. Regulatory Information During Current Ownership.

1. Has the transferor ever conducted operations on
the property which involved the generation, manu-
facture, processing, transportation, treatment,
storage, or handling of "hazardous waste", as
defined by IC 13-7-1? This question does not
apply to consumer goods stored or handled by a
retailer in the same form and approximate amount,
concentration, and manner as they are sold to
consumers, unless the retailer has engaged 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 ✓

2. Has the transferor ever conducted operations on
the property which involved the processing, stor-
age, or handling of petroleum, other than that
which was associated directly with the
transferor's vehicle usage?

Yes _____
No ✓

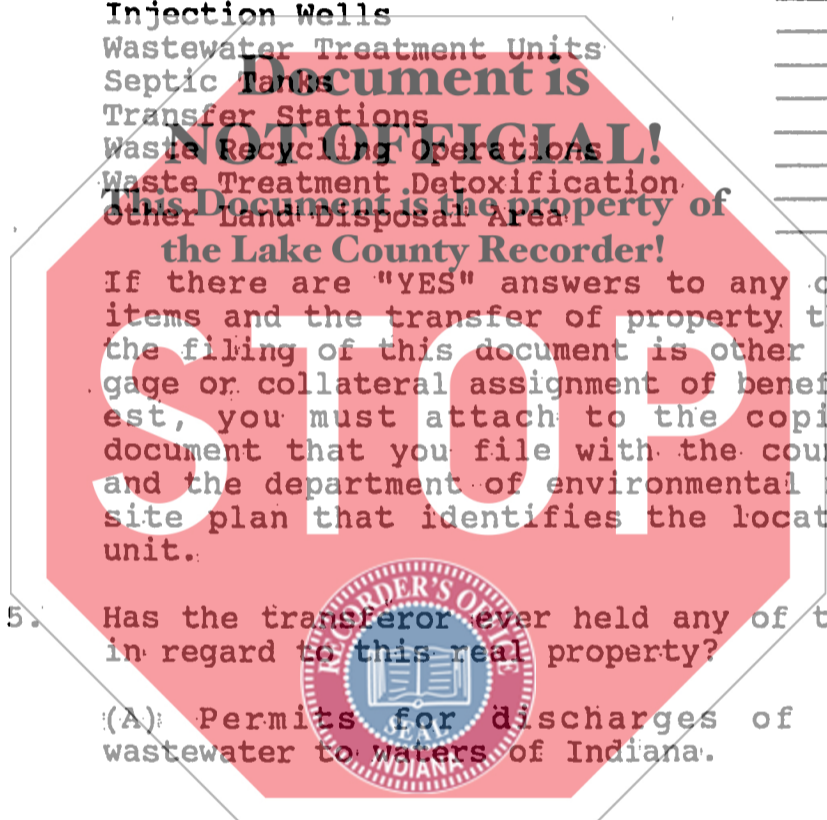


3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment, or disposal of "hazardous waste", as defined in IC 13-7-1?

Yes _____
No ✓

4. Are there any of the following specific units (operating or closed) at the property that are used or were used by the transferor to manage hazardous wastes, hazardous substances, or petroleum?

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



If there are "YES" answers to any of the above items and the transfer of property that requires the filing of this document is other than a mortgage or collateral assignment of beneficial interest, you must attach to the copies of this document that you file with the county recorder and the department of environmental management a site plan that identifies the location of each unit.

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 Indiana. 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 ever discharged any wastewater (other than sewage) to a publicly owned treatment works? Yes _____
No ✓

7. Has the transferor been required to take any of the following actions relative to this property?

(A) Filed an emergency and hazardous chemical inventory form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11022).

Yes _____
No ✓

(B) Filed a toxic chemical release form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023).

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?

(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 solid waste management board for which a final order or consent decree was entered.

Yes _____
No ✓

(C) If the answer to question (B) was 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.

(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 ✓

(B) Have any hazardous substances or petroleum which were released come into direct contact with the ground at this site?

Yes _____
No ✓

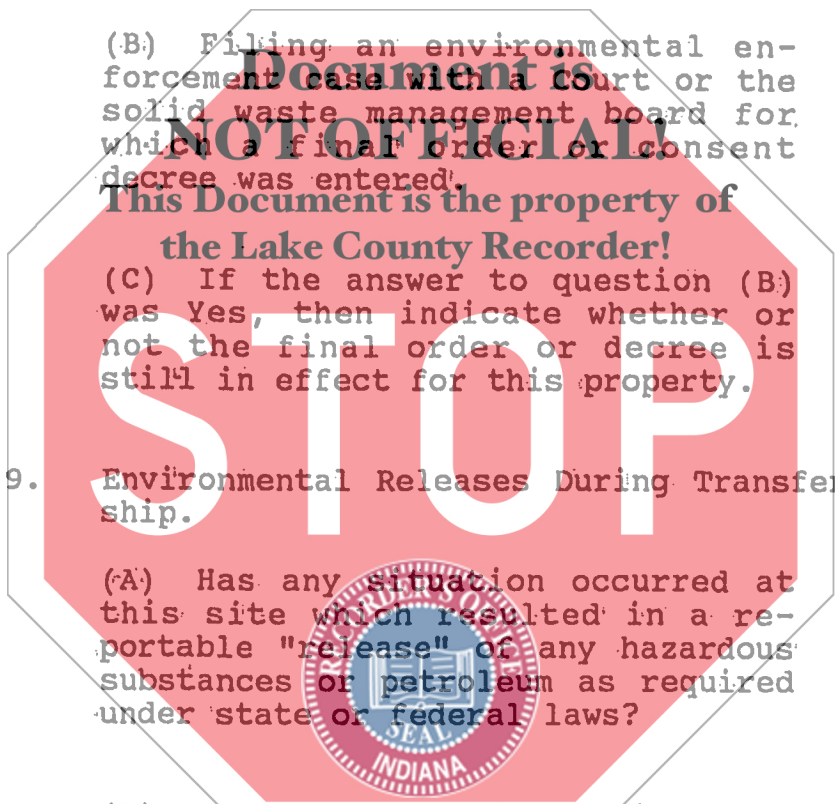
If the answers to questions (A) and (B) are Yes, have any of the following actions or events been associated with a release on the property?

_____ 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?

_____ 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?

----- 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 commissioner of the Indiana department of environmental management?

Yes _____
No ✓

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 of about any entity or person to whom the transferor leased the property, or with whom the transferor contracted for the management of the property:

Name: Virgil Hundley

Type of business or property usage bar land

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, or other contracts for management or use of the property:

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

IV. 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.

TRANSFEROR

THE FIRST BANK OF WHITING, as Trustee under the provisions of a Certain Trust Agreement dated the 21st day of October, 1981, and known as Trust No. 1652, and NOT INDIVIDUALLY.

By: _____
Title: See Attached Page

TRANSFEROR

OIL DEALERS, INC., an Indiana Corporation

By: Stella Bainbridge
Title: Secy. - Treas.
Attest By: David K. Bainbridge
Title: President

B. This form was delivered to me with all elements completed on November 27, 1990

TRANSFeree

Thomas R. Rose
THOMAS R. ROSE

NOT OFFICIAL!

This Document is the property of
the Lake County Recorder!

STATE OF INDIANA)

COUNTY OF LAKE)

Before me, a Notary Public, in and for said County and State, personally appeared, Stella Bainbridge as Secy. - Treas. and David K. Bainbridge as President of Oil Dealers, Inc., an Indiana Corporation, "TRANSFEROR", and acknowledged the execution of the foregoing document.

Witness my hand and Notarial Seal this 27th day of November, 1990.



Theresa D. Mingo
Notary Public
A resident of Lake County, IN

My Commission Expires: 10-21-91

STATE OF INDIANA)

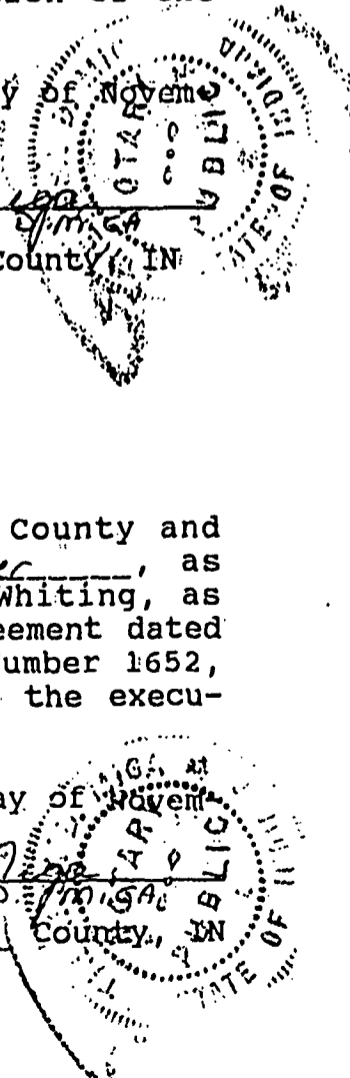
COUNTY OF LAKE)

Before me, a Notary Public, in and for said County and State, personally appeared, Carolyn A. Meyer, as Trust Officer, for The First Bank of Whiting, as Trustee under the provisions of a certain Trust Agreement dated the 21st day of October, 1981, and known as Trust Number 1652, and NOT INDIVIDUALLY, "TRANSFEROR", and acknowledged the execution of the foregoing document.

Witness my hand and Notarial Seal this 27th day of November, 1990.

Theresa D. Mingo
Notary Public
A resident of Lake County, IN

My Commission Expires: 10-21-91



LEGAL DESCRIPTION

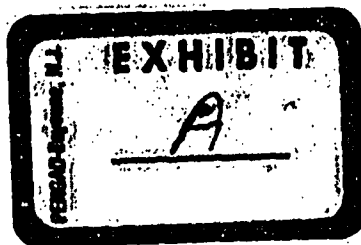
PARCEL 1:

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 9 WEST, OF THE SECOND PRINCIPAL MERIDIAN, LYING SOUTHERLY OF THE SOUTHERLY LINE OF 80 FOOT WIDE SUMMER STREET RIGHT OF WAY AND LYING NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF THE NEW YORK, CHICAGO AND ST. LOUIS RAILROAD, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 WITH THE SOUTHERLY LINE OF SAID 80 FOOT WIDE SUMMER STREET RIGHT OF WAY; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 391.77 FEET; THENCE SOUTHWESTERLY A DISTANCE OF 406.88 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID RAILROAD, SAID POINT BEING 119.77 FEET (DEED) SOUTHEASTERLY OF THE INTERSECTION OF THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 WITH SAID NORTHERLY RAILROAD RIGHT OF WAY LINE; THENCE NORTHWESTERLY ALONG SAID RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 53.27 FEET TO THE TRUE POINT OF BEGINNING, BEING ALSO THE MOST SOUTHERLY CORNER OF LAND AS DESCRIBED IN DEED TO JOHN BAKER AND JEANETTE BAKER, RECORDED SEPTEMBER 14, 1989 AS DOCUMENT NO. 057731; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID BAKERS LAND 80.08 FEET TO THE MOST SOUTHERLY CORNER OF LAND AS DESCRIBED IN DEED TO JOHN BAKER AND JEANETTE BAKER, RECORDED SEPTEMBER 14, 1989 AS DOCUMENT NO. 057732; THENCE SOUTH TO A POINT ON THE NORTH LINE OF SAID RAILROAD RIGHT OF WAY THAT LIES 53.27 FEET SOUTHEASTERLY OF THE TRUE POINT OF BEGINNING, THENCE NORTHWESTERLY ALONG SAID RAILROAD RIGHT OF WAY LINE, 53.27 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, LYING SOUTHERLY OF THE SOUTHERLY LINE OF 80 FOOT WIDE SUMMER STREET RIGHT OF WAY AND LYING NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF THE NEW YORK, CHICAGO AND ST. LOUIS RAILROAD, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 WITH THE SOUTHERLY LINE OF SAID 80 FOOT WIDE SUMMER STREET RIGHT OF WAY; THENCE SOUTHEASTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 338.5 FEET, TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG SAID SOUTHERLY LINE, A DISTANCE OF 53.27 FEET; THENCE SOUTHWESTERLY A DISTANCE OF 406.88 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID RAILROAD, SAID POINT BEING 119.77 FEET (DEED) SOUTHEASTERLY OF THE INTERSECTION OF THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 WITH SAID NORTHERLY RAILROAD RIGHT OF WAY LINE; THENCE NORTH TO THE MOST SOUTHERLY CORNER OF LAND AS DESCRIBED IN DEED TO JOHN BAKER AND JEANETTE BAKER, RECORDED SEPTEMBER 14, 1989 AS DOCUMENT NO. 057732; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID BAKERS LAND AND THE PROLONGATION THEREOF 326.94 TO THE TRUE POINT OF BEGINNING.

(END OF SCHEDULE A)



THIS INSTRUMENT is executed by the undersigned Trustee, not personally but solely as Trustee under the terms of that certain agreement dated the 21st day of October, A.D. 198, creating Trust No. 1652 and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the covenants, undertakings, representations and agreements herein made are made and intended not as personal covenants, undertakings, representations and agreements of the Trustee, individually or for the purpose of binding it personally, but this instrument is executed and delivered by THE FIRST BANK OF WHITING, as Trustee, solely in the exercise of the powers conferred upon it as such Trustee under said agreement and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against THE FIRST BANK OF WHITING, on account hereof, or on account of any covenant, undertaking, representation or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by the parties hereto or holder hereof, and by all persons claiming by or through or under said parties or holder hereof.

IN WITNESS WHEREOF, said THE FIRST BANK OF WHITING has caused its name to be signed to these presents by its Trust Officer and its corporate seal to be hereunto affixed and attested by its ASST. Vice President the day and year first above written.

THE FIRST BANK OF WHITING, as Trustee
aforesaid and not personally,

BY: [Signature]
CAROLYN A. MAYER
Trust Officer

ATTEST:

[Signature]
DAN L. GRASS
STATE OF INDIANA
COUNTY OF LAKE



This Document is the property of
the Lake County Recorder!

SS:

I, Theresa D. Misa, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that: CAROLYN A. MAYER of THE FIRST BANK OF WHITING, a state bank organized under the state banking laws of Indiana, and DAN L. GRASS of said state bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trust Officer and ASST. Vice President respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts; and as the free and voluntary act of said state bank as Trustee, for the uses and purposes therein set forth; and the said CAROLYN A. MAYER did also then and there acknowledge that he, as custodian of the corporate seal of said state bank, did affix the said corporate seal of said state bank to said instrument as his own free and voluntary act; and as the free and voluntary act of said state bank, as Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 27th day of November, 1990

[Signature]
Theresa D. Misa
NOTARY PUBLIC
Resident of Lake County

My Commission Expires:
10-21-91