

93017778

USG 464832

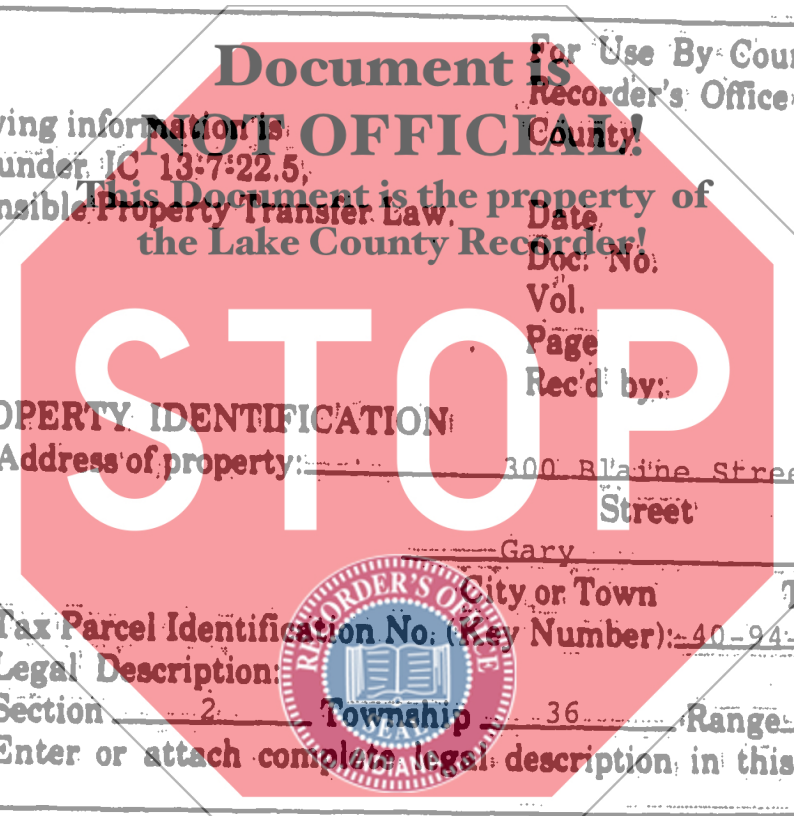
**A WARNING TO THE PARTIES TO A TRANSFER OF PROPERTY:**  
It is highly unlikely that the single act of reading this document would be found to constitute "all appropriate inquiry into the previous ownership and uses of the property" so as to protect you against liability under the "innocent purchaser" provision of the federal Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601(35)(B). You are strongly encouraged not only to read this document carefully but also to take all other actions necessary to the exercise of due diligence in your inquiry into the previous ownership and uses of the property.

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

Chicago Title Insurance Company  
STATE OF ILLINOIS S.N.C.  
LAKE COUNTY, ILL.  
RECORDER'S OFFICE

The following information is provided under IC 13-7-22.5, the Responsible Property Transfer Law.

Document is **NOT OFFICIAL** For Use By County Recorder's Office.  
County: \_\_\_\_\_  
Date: \_\_\_\_\_  
Doc. No.: \_\_\_\_\_  
Vol.: \_\_\_\_\_  
Page: \_\_\_\_\_  
Rec'd by: \_\_\_\_\_



MAR 22 1 06 PM '98  
SARAH J. HONIG  
RECORDER

**I. PROPERTY IDENTIFICATION:**

- A. Address of property: 300 Blaine Street  
Street: \_\_\_\_\_  
Gary \_\_\_\_\_  
City or Town: \_\_\_\_\_ Township: \_\_\_\_\_
- B. Tax Parcel Identification No. (Key Number): 40-94-21  
Legal Description: \_\_\_\_\_  
Section: 2 Township: 36 Range: 9  
Enter or attach complete legal description in this area: \_\_\_\_\_

See attached Exhibit "A"

2200  
ct

# 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 \_\_\_\_\_ Acreage 14.537

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) \_\_\_\_\_

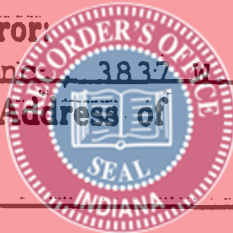
## II. NATURE OF TRANSFER

- A. (1) Is this a transfer by deed or other instrument of conveyance of fee title to property?**
- (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 collateral assignment of beneficial interest?**
- (5) An installment contract for the sale of property?**
- (6) A mortgage or trust deed?**
- (7) A lease of any duration that includes an option to purchase?**

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

## B. (1) Identify Transferor:

Ozinga Bros., Inc., 3837 W. 127th St., Alsip, IL  
 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:

James Ozinga, Vice President, 3837 W. 127th St., Alsip, IL  
 Name, Position (if any), Telephone No. 708/388-6200  
 and address

## C. Identify Transferee:

Rieth-Riley Construction Co., Inc., P.O. Box 477, Goshen, IN  
 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, manufacture, processing, transportation, treatment, storage, or handling of a "hazardous substance", as defined by IC 13-7-8.7-1? 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   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 waste", as defined in IC 13-7-1?

Yes \_\_\_\_\_  
No   X  

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>  X  </u>
Surface Impoundment	_____	<u>  X  </u>
Land Application	_____	<u>  X  </u>
Waste Pile	_____	<u>  X  </u>
Incinerator	_____	<u>  X  </u>
Storage Tank (Above Ground)	_____	<u>  X  </u>
Storage Tank (Underground)	_____	<u>  X  </u>
Container Storage Area	_____	<u>  X  </u>
Injection Wells	_____	<u>  X  </u>
Wastewater Treatment Units	_____	<u>  X  </u>
Septic Tanks	_____	<u>  X  </u>
Transfer Stations	_____	<u>  X  </u>
Waste Recycling Operations	_____	<u>  X  </u>
Waste Treatment Detoxification	_____	<u>  X  </u>
Other Land Disposal Area	_____	<u>  X  </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:



beneficial interest in a land trust, 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? Yes  No

(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? 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 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) 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

(C) 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

(D) 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

(E) 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

(F) 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

(G) 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

(H) 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

(I) 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

(J) 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

(K) 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 X No       

If the answer to question (A) or (B) is Yes, have any of the following actions or events been associated with a release on the property?

X 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 onsite 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?

(C) Is there an environmental defect (as defined in IC 13-7-22.5-1.5) on the property that is not reported under question (A) or (B)? Yes        No X

If the answer is Yes, describe the environmental defect:

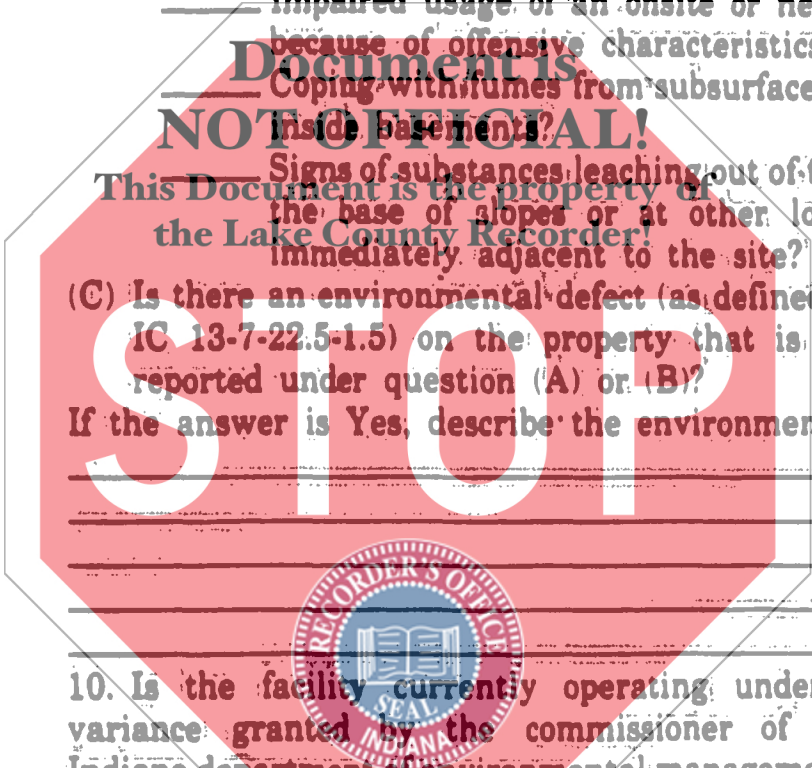
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Is the facility currently operating under a variance granted by the commissioner of the Indiana department of environmental management? Yes        No X

11. Has the transferor ever conducted an activity on the site without obtaining a permit from the U.S. Environmental Protection Agency, the commissioner of the department of environmental management, or another administrative agency or authority with responsibility for the protection of the environment, when such a permit was required by law? Yes        No X

If the answer is Yes, describe the activity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

~~Transferee has been the sole occupant of property since April, 1989. Transferor makes no representations relative to Transferee's use or operation of the~~

~~property. Transferor has informed transferee of soil contamination resulting from underground storage tank which was removed.~~

**B. Site Information Under Other Ownership Or Operation**

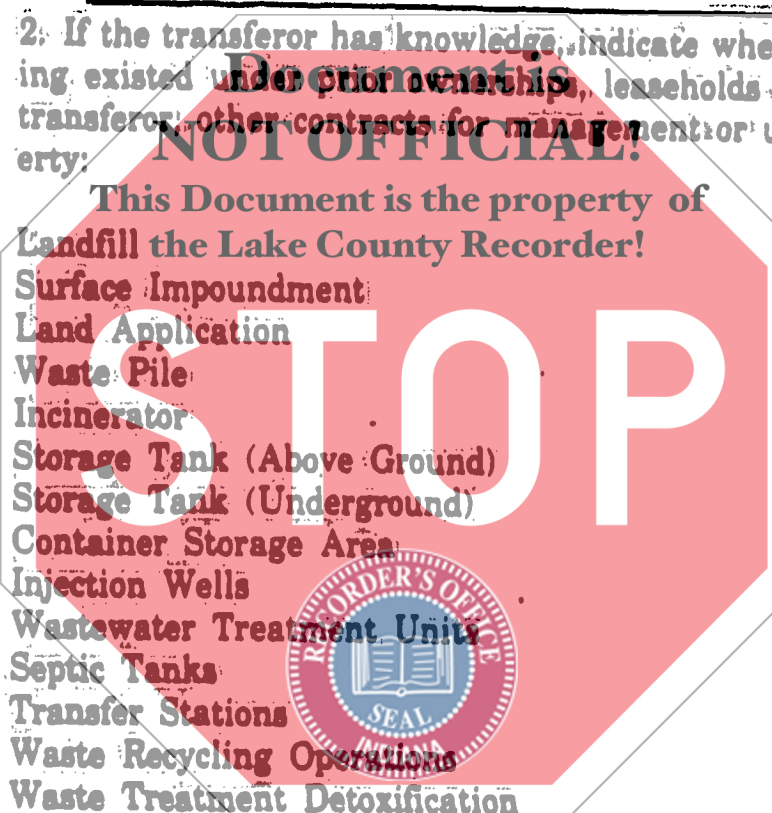
1. Provide the following information about the previous owner or about any entity or person to whom the transferor leased the property or with whom the transferor contracted for the management of the property:

Name: \_\_\_\_\_

Type of Business \_\_\_\_\_  
or property usage \_\_\_\_\_

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

	Yes	No
This Document is the property of Landfill the Lake County Recorder!		
Surface Impoundment		
Land Application		
Waste Pile		
Incinerator		
Storage Tank (Above Ground)		
Storage Tank (Underground)	X	
Container Storage Area		
Injection Wells		
Wastewater Treatment Units		
Septic Tanks		
Transfer Stations		
Waste Recycling Operations		
Waste Treatment Detoxification		
Other Land Disposal Area		



**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.

OZINGA BROS.  
INC.,

By: [Signature], James Ozinga, Vice President  
**TRANSFEROR (or on behalf of Transferor)**

B. This form was delivered to me with all elements completed on  
March 16, [Signature] 19 93,  
Rieth-Riley Construction Co., Inc., by Fritz Gantner, Attorney

**TRANSFEEE (or on behalf of Transferee)**

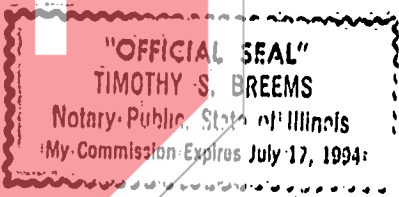
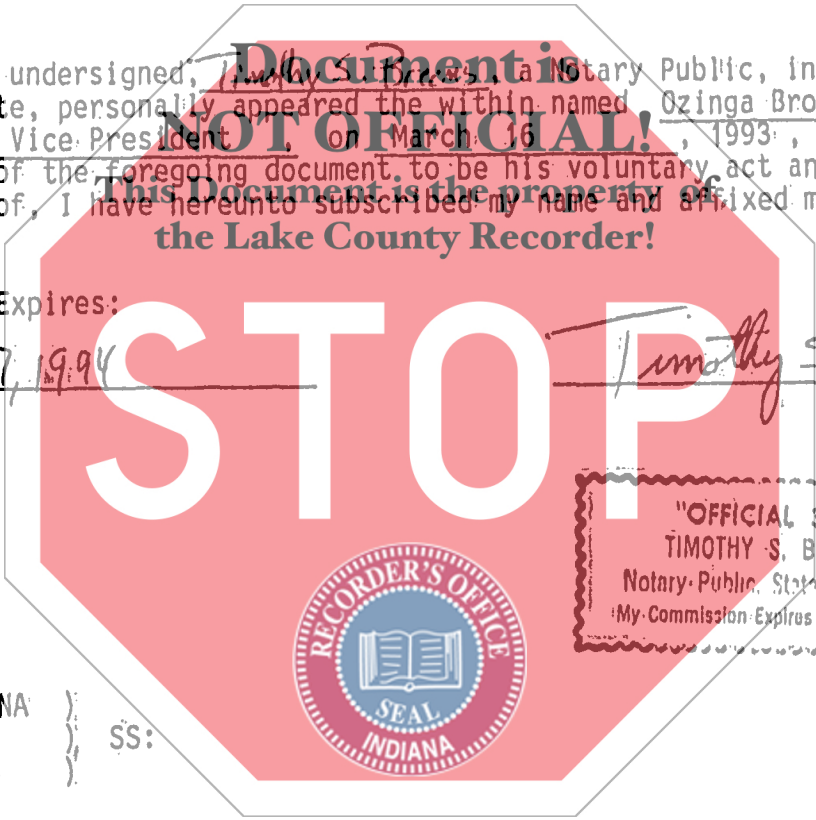
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS:

Before me, the undersigned, ~~Timothy S. Breems~~, a Notary Public, in and for said County and State, personally appeared the within named ~~Ozinga Bros., Inc.~~, by James Ozinga, Vice President, on March 16, 1993, and acknowledged the execution of the foregoing document to be his voluntary act and deed, in witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:

July 17, 1994

Timothy S. Breems  
Notary Public



STATE OF INDIANA )  
COUNTY OF LAKE ) SS:

Before me, the undersigned, Joanne Jones, a Notary Public, in and for said County and State, personally appeared the within named Rieth-Riley Construction Co., Inc., by Fritz Gantner, Attorney, on March 16, 1993, and acknowledged the execution of the foregoing document to be his voluntary act and deed, in witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:

8-16-96

Joanne Jones  
Notary Public

County of Residence: Lake

EXHIBIT "A"

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF GARY, CALUMET TOWNSHIP, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 491.90 FEET SOUTH OF THE NORTH LINE AND 111.09 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 2 AT THE POINT OF INTERSECTION OF THE EAST LINE OF WIDENED CLINE AVENUE TAKEN IN CAUSE C55-1246 WITH A LINE THAT IS PARALLEL TO AND 491.90 FEET SOUTH OF THE NORTH LINE OF SAID NORTHWEST QUARTER, THIS 491.90 FOOT PARALLEL LINE IS 177.46 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF DEDICATED OAK RIDGE ON THE GRAND CALUMET SUBDIVISION IN THE CITY OF GARY, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 18, PAGE 34, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 04 DEGREES 43 MINUTES 44 SECONDS WEST, 530.36 FEET ALONG SAID EAST LINE OF WIDENED CLINE AVENUE TAKEN IN CAUSE C55-1246 FOR HIGHWAY PURPOSES BY REASON OF A DECREE OF CONDEMNATION RENDERED FEBRUARY 23, 1956 IN CAUSE C55-1246 OF THE LAKE CIRCUIT COURT AT CROWN POINT, INDIANA, TO A POINT OF CURVE; THENCE SOUTHERLY BY AN ARC OF A CURVE DEFLECTING TO THE LEFT, SAID CURVE HAVING A RADIUS OF 478.22 FEET, 335.22 FEET MORE OR LESS TO A POINT OF TANGENT; THENCE SOUTH 35 DEGREES 46 MINUTES EAST 589.21 FEET MORE OR LESS TO A POINT IN THE NORTH LINE OF PROPERTY RECORDED JULY 10, 1967 AS DOCUMENT NO. 712789, IN BOOK 1349, PAGE 535; THENCE EAST 802.83 FEET TO A POINT IN THE NORTH-SOUTH CENTERLINE OF SAID NORTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH ALONG THE NORTH-SOUTH CENTERLINE OF SAID NORTHWEST QUARTER OF SAID SECTION 2 FOR A DISTANCE OF 30 FEET TO A POINT THAT IS 1795.34 FEET SOUTH OF THE NORTHEAST CORNER OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SAID SECTION 2 AS MEASURED ALONG THE NORTH-SOUTH CENTERLINE OF SAID NORTHWEST QUARTER; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF A 30-FOOT WIDE PRIVATE ROAD WHICH MAKES AN INTERIOR ANGLE OF 89 DEGREES 54 MINUTES WITH AFORESAID EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER, MEASURED NORTH TO WEST, FOR A DISTANCE OF 752.30 FEET; THENCE NORTHWESTERLY ON A STRAIGHT LINE THAT MAKES AN INTERIOR ANGLE OF 154 DEGREES 36 MINUTES MEASURED EAST THROUGH NORTH TO NORTHWEST WITH AFORESAID 752.30 FOOT LINE FOR A DISTANCE OF 42.32 FEET TO A LINE PARALLEL TO AND 38.5 FEET NORTHEAST OF THE MONUMENTED AND FENCED CLINE AVENUE ENTRANCE RAMP OF THE INDIANA STATE HIGHWAY DEPARTMENT; THENCE NORTHWESTERLY ON SAID 38.5 FOOT PARALLEL LINE OF THE HIGHWAY RIGHT OF WAY FOR A DISTANCE OF 300.25 FEET, THIS LINE MAKES AN INTERIOR ANGLE OF 151 DEGREES 12 MINUTES MEASURED SOUTHEAST THROUGH EAST AND NORTH WITH AFORESAID 42.32-FOOT LINE; THENCE NORTH ON A LINE THAT MAKES AN INTERIOR ANGLE OF 144 DEGREES 40 MINUTES MEASURED SOUTHEAST THROUGH EAST WITH AFORESAID 300.25-FOOT LINE FOR A



DISTANCE OF 217.78 FEET TO A STRAIGHT LINE THAT IS PARALLEL TO AND 480 FEET NORTH OF AFORESAID 752.30-FOOT LINE; THENCE EAST ON SAID 480-FOOT PARALLEL LINE 415.25 FEET TO A LINE THAT IS ONE FOOT EAST OF A STRAIGHT 5 FOOT HIGH CHAIN LINK FENCE; THENCE NORTHERLY ON A STRAIGHT LINE THAT MAKES AN INTERIOR ANGLE OF 89 DEGREES 38 MINUTES MEASURED WEST TO NORTH WITH AFORESAID 415.25-FOOT LINE FOR A DISTANCE OF 823.44 FEET TO AFORESAID 491.90-FOOT PARALLEL LINE TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE WEST ON SAID 491.90-FOOT LINE FOR A DISTANCE OF 673.15 FEET TO THE POINT OF BEGINNING

