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#701 Lake

ENVIRONMENTAL DISCLOSURE DOCUMENT FOR  
TRANSFER OF REAL PROPERTY

For Use By County Recorder's Office

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

County \_\_\_\_\_  
Date \_\_\_\_\_  
Doc. No. \_\_\_\_\_  
Vol. \_\_\_\_\_  
Page \_\_\_\_\_  
Rec'd by: \_\_\_\_\_

I. PROPERTY IDENTIFICATION

A. Address of property: 48 U.S. 41, Main Street & Hwy. 41

This Document is the property of  
the Lake County Recorder!

Permanent Real Estate Index No.: See Exhibit A

B. Legal Description:

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Enter or attach complete legal description in this area:  
See Exhibit A attached hereto and made a part hereof.



Transfers 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 \_\_\_\_\_

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) \_\_\_\_\_

Chicago Title Insurance Company

95057172

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

95 SEP 22 PM 1:41

MARGARETTE D. BELAND  
RECORDER

2300  
0080  
15

**II. NATURE OF TRANSFER**

- |    |  | Yes                                 | No                                  |
|----|--|-------------------------------------|-------------------------------------|
| A. | (1) Is this a transfer by deed or other instrument or conveyance?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|    | (2) Is this a transfer by assignment of over 25% of beneficial interest of a land trust? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
|    | (3) A lease exceeding a term of 40 years?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
|    | (4) A mortgage or collateral assignment of beneficial interest?                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|    | (5) A contract for the sale of property?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

B. (1) Identify Transferor:

Martin Oil of Indiana, Inc.

Name and Current Address of Transferor:

Martin Oil of Indiana, Inc.  
4501 W. 127th Street  
Alsip, Illinois 60658

Trust No.

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust:

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:

Donald E. Waterlander  
General Manager, Engineering, Construction and Maintenance  
Martin Oil of Indiana, Inc.  
4501 W. 127th Street  
Alsip, Illinois 60658

Name, Position (if any), and address

708/385-6500

Telephone No.

C. Identify Transferee:

William J. McEnery, as Trustee of the William J. McEnery Revocable Trust dated April 22, 1993,  
c/o Gas City, Ltd., 160 South LaGrange Road, Frankfort, Illinois 60423

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 "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, storage, 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?

**Document is NOT OFFICIAL!**

Yes  No

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	Yes	No
Landfill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Treatment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Pile	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Incinerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Container Storage Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Injection Wells	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wastewater Treatment Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Septic Tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transfer Stations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Recycling Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Waste Treatment Detoxification	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Land Disposal Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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. See Exhibit B attached hereto and made a part thereof.

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? N/A

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 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?

A Corrective Action Plan has been submitted to IDEM. The proposed corrective action plan includes, in part, on site soil treatment/biomediation.

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 ownerships, leaseholds granted by the transferor, or other contracts for management or use of the property:

	Yes	No
Landfill	<input type="checkbox"/>	<input type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input type="checkbox"/>
Land Treatment	<input type="checkbox"/>	<input type="checkbox"/>
Waste Pile	<input type="checkbox"/>	<input type="checkbox"/>
Incinerator	<input type="checkbox"/>	<input type="checkbox"/>
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Wastewater Treatment Units	<input type="checkbox"/>	<input type="checkbox"/>
Septic Tanks	<input type="checkbox"/>	<input type="checkbox"/>
Transfer Stations	<input type="checkbox"/>	<input type="checkbox"/>
Waste Recycling Operations	<input type="checkbox"/>	<input type="checkbox"/>
Waste Treatment Detoxification	<input type="checkbox"/>	<input type="checkbox"/>
Land Disposal Area	<input type="checkbox"/>	<input type="checkbox"/>

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**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:



By Donald E. Waterlander 9/5/95  
 Donald E. Waterlander,  
 General Manager  
 Engineering, Construction  
 and Maintenance

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

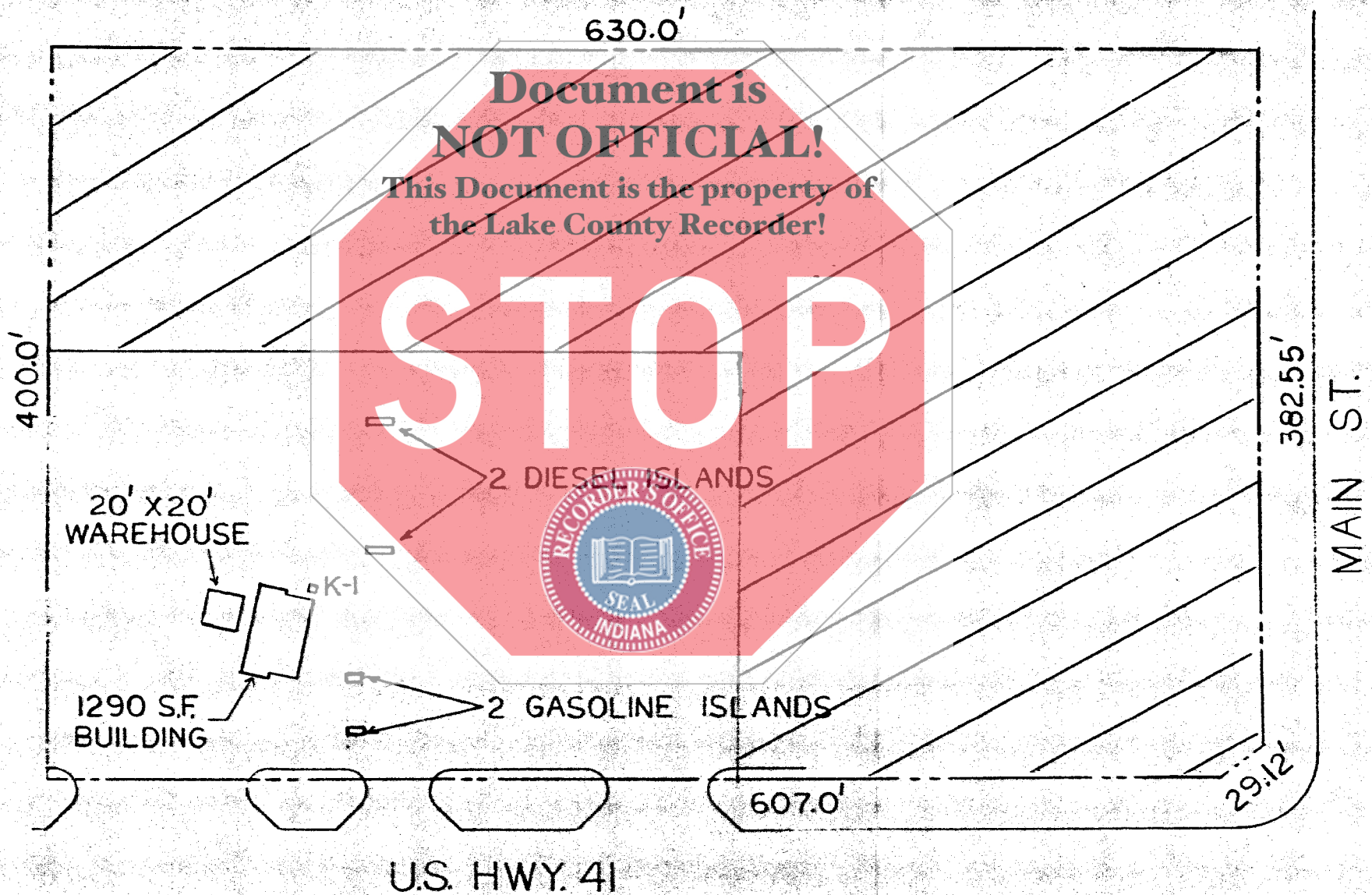
TRANSFeree:

William J. McEnery  
 William J. McEnery, as Trustee  
 of the William J. McEnery Revocable  
 Trust dated April 22, 1993

ST. 701  
1" = 80'-0"



shaded Area



Property 701

**EXHIBIT A**

**LEGAL DESCRIPTION**

ALL OF LOT 1, EXCEPTING THEREFROM THE SOUTH 310 FEET OF THE EAST 210 FEET OF LOT 1, MARTIN OIL COMMERCIAL SUBDIVISION, AN ADDITION TO THE TOWN OF SCHERERVILLE, AS SHOWN IN PLAT BOOK 72, PAGE 82, AND AMENDED BY

CERTIFICATE OF CORRECTION RECORDED AUGUST 31, 1994, AS DOCUMENT NO. 94061690, IN LAKE COUNTY, INDIANA.

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KEY NO: 13-559-1

ADDRESS: HWY. 48 US HWY. 41, Schererville, Indiana 46375