

479102 LD

THIS INSTRUMENT WAS PREPARED BY AND MAIL AFTER RECORDING TO:

Feinstet Mase E Snyder
11835 W. Olympic Blvd, Suite 1100
Los Angeles CA 90064
Attn: John A. Mase

Chicago Title Insurance Company

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ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

(INDIANA)
Document is

NOT OFFICIAL!

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

Seller: American National Can Company

Buyer: S.L. Hammond L.L.C.

This Document is the property of the Lake County Recorder!

STOP

I. PROPERTY IDENTIFICATION:

A. Address of property: 2501 165th Street Hammond
Street City or Town
Tax Parcel Identification No. (Key Number): 37-8-2 (Tax Unit #26)

Township

B. Legal Description: Section 4 Township 36 N Range 9X
Enter or attach complete legal description in this area.

95 NOV 10 PH 1:21
MARGARET M. EDWARDS
RECORDER

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

See Exhibit A attached hereto.

Prepared by:

Name Rohinton M. Rivetna
Company American National Can Company
Address 8770 W. Bryn Mawr
City Chicago State IL Zip 60631

Return to:

Name John A. Mase
Company Feinstet Mase E Snyder
Address 11835 W. Olympic Blvd, Suite 1100
City Los Angeles State CA Zip 90064

LIABILITY DISCLOSURE

Transferees 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.

Handwritten initials and date: 21.00 CT K.

C. Property Characteristics:

Lot Size _____ Acreage 37

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 of fee title to property?
- (2) Is this a transfer by assignment of over 25% of beneficial interest to 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?

B. (1)

Identify Transferor: American National Can Company
 Current Address of Transferor: 8770 West Bryn Mawr Avenue
Chicago, Illinois 60631

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

Trust No.: _____

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

Name, Position (if any), and address: Rohinton M. Rivetna - Director

Environmental

Telephone No.: (312) 399-3392

C.

Identify Transferee: S.L. Hammond R.C.C.

Current Address of Transferee: _____

III. 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 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

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

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or trust deed or collateral assignment of 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 had any of the following relative to this property?

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

6. Has the transferor ever discharged any wastewater (other than sewage) to a publicly-owned treatment works?

Yes X No

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

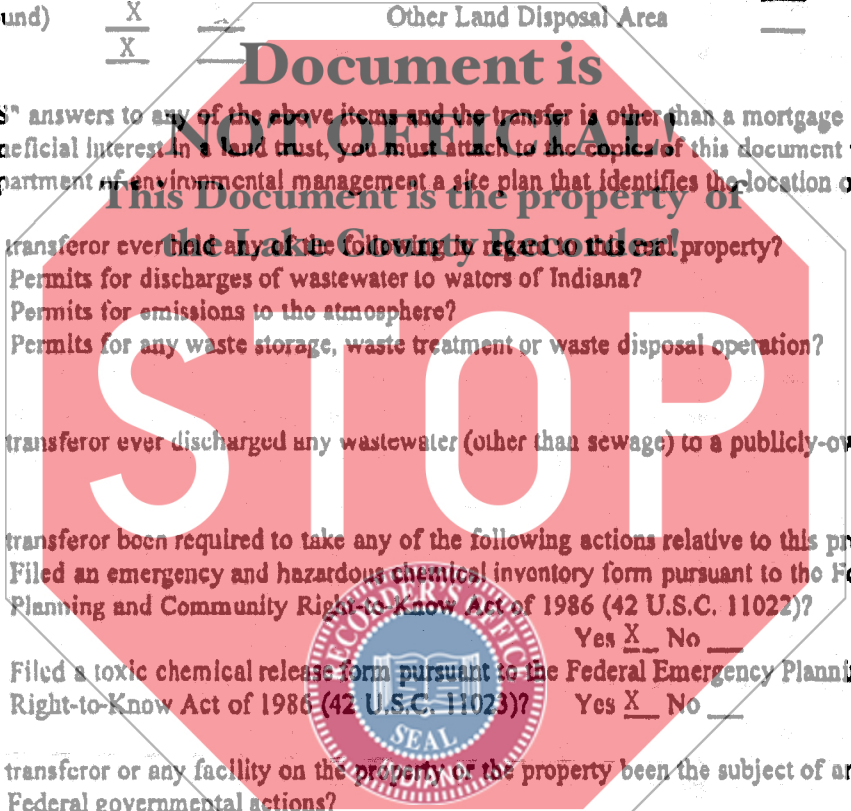
- a. Filed an emergency and hazardous chemical inventory form pursuant to the Federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11022)? Yes X No
- b. Filed a toxic chemical release form pursuant to the Federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023)? Yes X 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 X 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 X No
- 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 X No

If the answer to questions (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
- X Sampling and analysis of soils
- X 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

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

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?

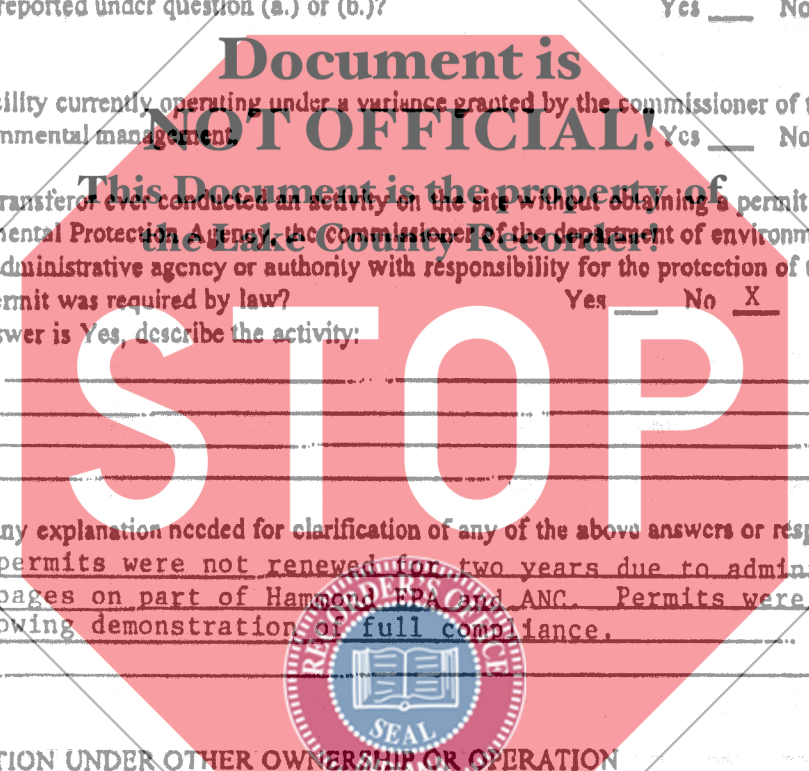
Air permits were not renewed for two years due to administrative slippages on part of Hammond EPA and ANC. Permits were issued following demonstration of full compliance.

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: American Can

Type of business same as American National Can, i.e., coil & sheet coating & decorating
or property usage for the manufacture of metal cans



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 property:

	Yes	No		Yes	No
Landfill	—	X	Injection Wells	—	X
Surface Impoundment	—	X	Wastewater Treatment Units	—	X
Land Application	—	X	Septic Tanks	—	X
Waste Pile	—	X	Transfer Stations	—	X
Incinerator	—	X	Waste Recycling Operations	—	X
Storage Tank (Above Ground)	X	—	Waste Treatment Detoxification	—	X
Storage Tank (Underground)	X	—	Other Land Disposal Area	—	X
Container Storage Area	X	—			

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.

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signature

Rohinton M. Riverna

type or print name

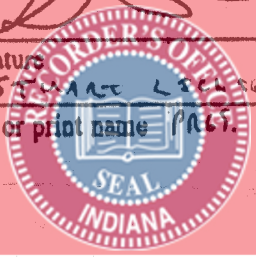
B. This form was delivered to me with all elements completed on 10/31, 1995

TRANSFeree (or on behalf of the transferee)

signature

SEAN LEESEN

type or print name



[P.L. 166-1989, § 1; P.L. 19-1990, § 33.]

PROPERTY BOUNDARY



AREA 9
TWO 20,000 GALLON
OIL USTS AND
UNDERGROUND
PIPELINE AREA

BOILER HOUSE

RAILROAD SPURS

AREA 8
FORMER
SOLVENT
USTS
AREA

MW 1 (S)
MW 2 (I)
MW 4
MW 3
MW 5 (I)
MW 6 (S)

SURFICIAL
STAINING

RED LABEL
STORAGE
BUILDING

UNDERGROUND
PIPELINE
M.W. 7 (I)
M.W. 8 (S)

AREA 5
INCINERATOR
AND STACK
AREA

HA-1
HA-2
HA-4

AREA 7
REMOVE HAZARDOUS
WASTE UNDERGROUND
PIPELINE AND
CONTAINMENT AREA
FOR HAZARDOUS
WASTE AST

AREA 3
TWO REMOVED
30,000 GAL HEATING
OIL USTS AREA

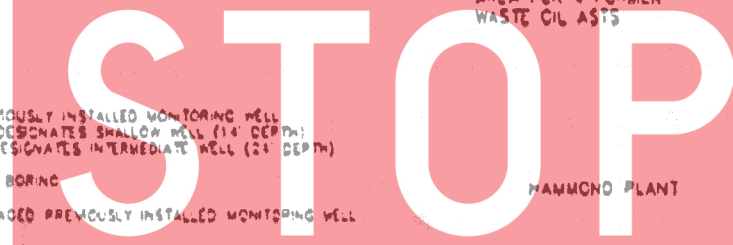
HAZ. WASTE
DRUM
STORAGE

AREA 6
NON-
SPILL CONTAINMENT
AREA

WASTE OIL AST'S
& DRY WELL

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AREA 4
DRYWELL AND CONTAINMENT
AREA FOR 4 FORMER
WASTE OIL ASTS



LEGEND

- MW 12 (S) ● PREVIOUSLY INSTALLED MONITORING WELL
"S" DESIGNATES SHALLOW WELL (14' DEPTH)
"I" DESIGNATES INTERMEDIATE WELL (24' DEPTH)
- MW 4 ● SOIL BORING
- MW 13 (S) ● DAMAGED PREVIOUSLY INSTALLED MONITORING WELL
- MW 17 (S) ● MONITORING WELL INSTALLED BY RUST
- MA 1 ● HAND AUGER BORING

HAMMOND PLANT

AREA 2

EAST
SPILL CONTAINMENT
SYSTEM AREA
MANHOLE

AREA 1
FORMER 10,000 GALLON
GASOLINE AND DIESEL
UST AREA

MW 10 (S)
MW 9 (I)
MW 13 (I)
FORMER
GASOLINE
UST

FORMER DIESEL
UST

MW 11 (I)
MW 12 (S)

MW 14 (S)
MW 15 (I)

MW 16 (S)

BUILDING FOOTPRINT

MW 17 (S)

DRIVEWAY

165th STREET

SCALE IN FEET



SITE PLAN

RUST ENVIRONMENT &
INFRASTRUCTURE

AMERICAN NATIONAL CAN CO.
HAMMOND, IN

DRAWING No. 38290-01

PROJECT No. 38290.301

DATE 6/20/95

DWG. No. 38290-01

SCALE AS SHOWN

FIGURE No. 1

EXHIBIT A

Legal Description

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (EXCEPT THE EAST 174 FEET THEREOF), AND THE SOUTH 151.24 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, EXCEPTING FROM BOTH TRACTS:

THAT PART THEREOF LYING NORTH OF A LINE WHICH INTERSECTS THE NORTH LINE OF SAID SOUTH 151.24 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER 386.08 FEET WEST OF THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER AND WHICH INTERSECTS THE WEST LINE OF THE EAST 174 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, 60.84 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER;

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ALSO EXCEPT THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 00 DEGREES 03 MINUTES 41 SECONDS WEST 47.00 FEET ALONG THE WEST LINE OF SAID SECTION TO THE POINT OF BEGINNING, WHICH POINT IS ON THE NORTH BOUNDARY OF 165TH STREET; THENCE CONTINUING NORTH 00 DEGREES 03 MINUTES 41 SECONDS WEST, 170.76 FEET ALONG SAID WEST LINE; THENCE SOUTH 88 DEGREES 56 MINUTES 48 SECONDS EAST, 46.53 FEET; THENCE SOUTH 2 DEGREES 35 MINUTES 02 SECONDS EAST, 119.10 FEET; THENCE SOUTH 31 DEGREES 08 MINUTES 31 SECONDS EAST, 29.16 FEET; THENCE SOUTH 59 DEGREES 12 MINUTES 51 SECONDS EAST, 29.16 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 19 SECONDS EAST, 178.00 FEET; THENCE SOUTH 86 DEGREES 30 MINUTES 19 SECONDS EAST, 147.30 FEET TO THE NORTH BOUNDARY OF 165TH STREET; THENCE SOUTH 89 DEGREES 38 MINUTES 24 SECONDS WEST, 416.87 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING.