

H-19900603/20

IC 13-25-3-7, Disclosure document; form

\*44879 IC 13-25-3-7

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WEST'S ANNOTATED INDIANA CODE  
TITLE 13. ENVIRONMENT  
ARTICLE 25. HAZARDOUS SUBSTANCES  
CHAPTER 3. RESPONSIBLE PROPERTY TRANSFER LAW

Current through End of 1998 2nd Regular Sess

13-25-3-7 Disclosure document; form

Sec. 7. A disclosure document delivered by a transferor of property under this chapter must follow the form:

**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

For Use By County  
Recorder's Office  
County

The following information is provided under IC 13-25-3, the Responsible Property Transfer Law. Vol. \_\_\_\_\_  
Date \_\_\_\_\_ Doc. No. \_\_\_\_\_  
Page \_\_\_\_\_  
Rec'd by: \_\_\_\_\_

I. PROPERTY IDENTIFICATION

A. Address of property: 4728 4730 Hohman Avenue  
Street  
Hammond, Indiana  
City or Town Township

Tax Parcel Identification No. (Key Number): 34-98-41, 42, 43 and 44

B. Legal Description:

Section \_\_\_ Township \_\_\_ Range \_\_\_  
Enter or attach complete legal description in this area:

See attached

LIABILITY DISCLOSURE

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 100' X 127'

Check all types of improvement and uses that pertain to the property:

Apartment building (6 units or less)

Chicago Title Insurance Company

STATE OF INDIANA  
LAKE COUNTY  
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- 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? | <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 collateral assignment of beneficial interest?  | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| (5)    | An installment contract for the sale of property?                                      | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| (6)    | A mortgage or trust deed?  | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| (7)    | A lease of any duration that includes an option to purchase?                           | <input type="checkbox"/> <input checked="" type="checkbox"/> |

B. (1) Identify Transferor: Bell Appliance Sales & Service, Inc.

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:  
Howard O. Cyrus Agent 9723 Prairie Ave. Highland, In 219-924-9305

\*44881 Name, Position (if any), and Address Telephone No.

C. Identify Transferee: Bell Parts Supply Inc.

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 13-11-2-98)? 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 13-11-2-99(a))?

Yes   
No

- \*44882 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waste Pile	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Incinerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Storage Tank (Above Ground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Storage Tank (Underground)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Container Storage Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Injection Wells	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wastewater Treatment Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Septic Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transfer Stations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waste Recycling Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waste Treatment Detoxification	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Land Disposal Area	<input checked="" type="checkbox"/>	<input 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 trust deed or a 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.

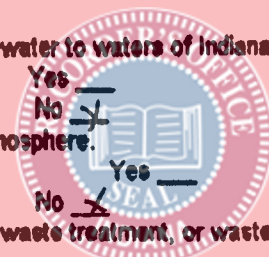
- \*44883 5. Has the transferor ever held any of the following in regard to this real property?
- (A) Permits for discharges of wastewater to waters of Indiana.  
Yes   
No
- (B) Permits for emissions to the atmosphere.  
Yes   
No
- (C) Permits for any waste storage, waste treatment, or waste disposal 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

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(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

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(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 answer to question (A) or (B) is 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 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?

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(C) Is there an environmental defect (as defined in IC 13-11-2-70) on the property that is not reported under question (A) or (B)?

Yes

No

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

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

If the answer is Yes, describe the activity:

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

12. 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 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: \_\_\_\_\_

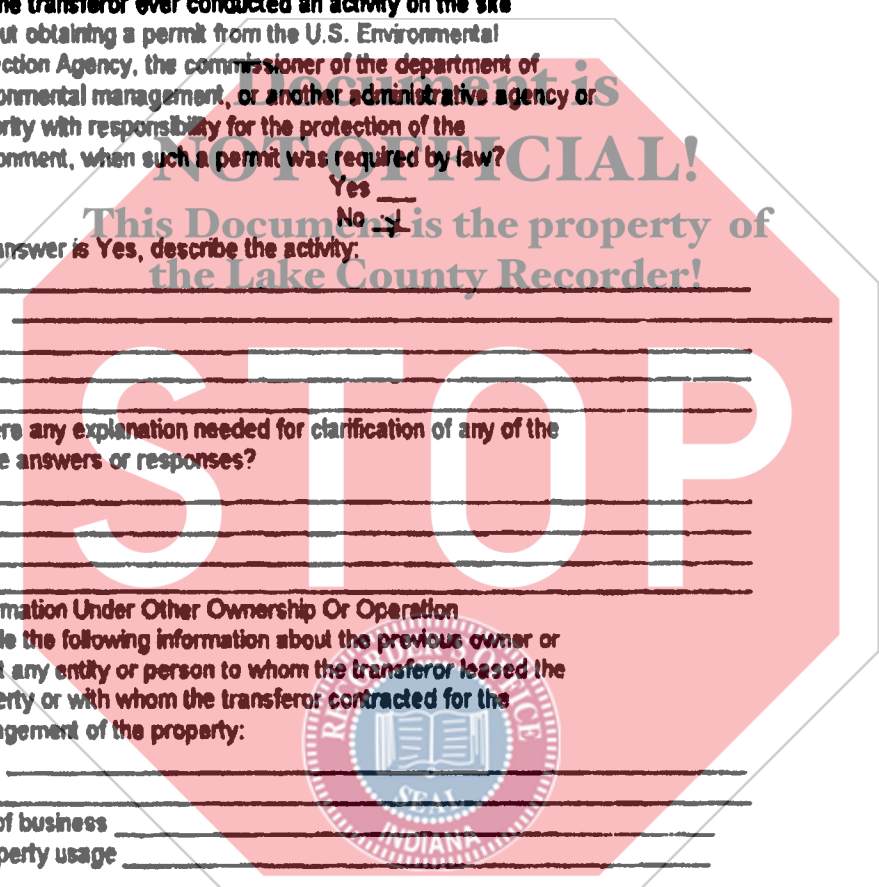
Type of business or property usage: \_\_\_\_\_

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 checked="" type="checkbox"/>
Surface Impoundment	___	<input checked="" type="checkbox"/>
Land Application	___	<input checked="" type="checkbox"/>
Waste Pile	___	<input checked="" type="checkbox"/>
Incinerator	___	<input checked="" type="checkbox"/>
Storage Tank (Above Ground)	___	<input checked="" type="checkbox"/>
Storage Tank (Underground)	___	<input checked="" type="checkbox"/>
Container Storage Area	___	<input checked="" type="checkbox"/>
Injection Wells	___	<input checked="" type="checkbox"/>

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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.

[Signature]  
TRANSFEROR (or on behalf of Transferor)

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

[Signature]  
TRANSFEEE (or on behalf of Transferee)

CREDIT(S)

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As added by P.L.1-1996, SEC.15:

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL NOTES

HISTORICAL AND STATUTORY NOTES

1998 Main Volume

Formerly.

IC 13-7-22.5-15.  
P.L.166-1989, SEC.1.  
P.L.19-1990, SEC.33.

