



ENVIRONMENTAL DISCLOSURE DOCUMENT FOR TRANSFER OF REAL PROPERTY

The following information is provided pursuant to the Responsible Property Transfer Act of 1988

For Use By County

Seller: Topz Inc Pres. Tom Vander Tuuk

Recorder's Office

Buyer: Panicos Kaloghirou

County

Document No.: MARI

Date

Doc. No.

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Rec'd by: \_\_\_\_\_

I. PROPERTY IDENTIFICATION: 4620 Industrial Hwy Calumet

A. Address of property: Street 40-157-13 City or Village Gary IN. Township

Permanent Real Estate Index No.: \_\_\_\_\_

B. Legal Description:

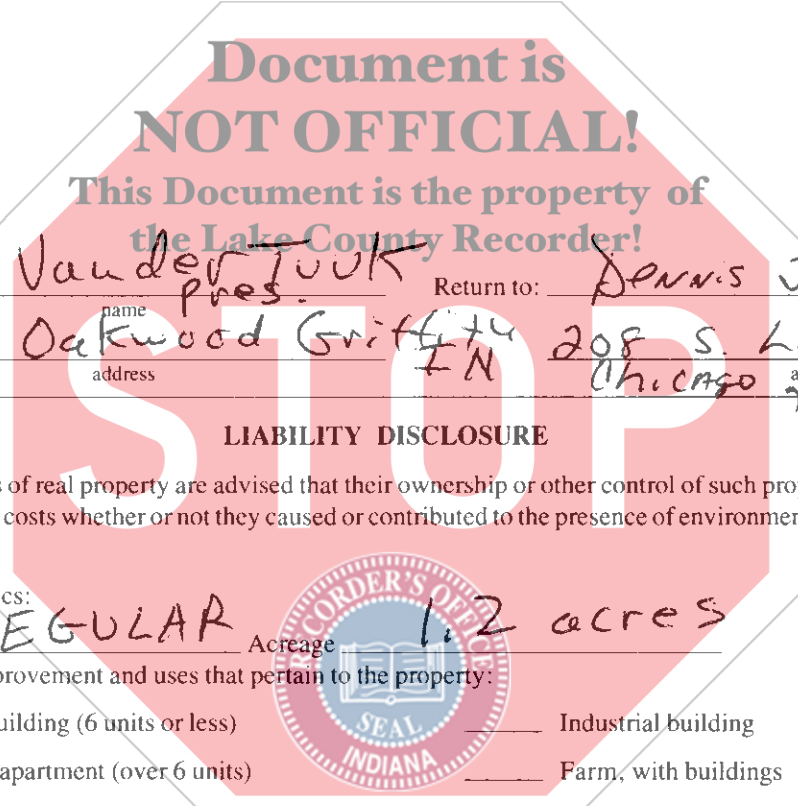
Section \_\_\_\_\_ Township Calumet Range \_\_\_\_\_

Enter or attach current legal description in this area:

See Attached Exhibit "A"

Chicago Title Insurance Company

2006 082953



Prepared by: Tom Vander Tuuk Pres. Return to: Dennis J. Kresik Ltd.  
340 Oakwood Griffith IN 208 S. La Salle St. Chicago IL

LIABILITY DISCLOSURE

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.

C. Property Characteristics:

Lot Size IRREGULAR Acreage 1.2 acres

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

- Apartment building (6 units or less) \_\_\_\_\_ Industrial building \_\_\_\_\_
- Commercial apartment (over 6 units) \_\_\_\_\_ Farm, with buildings \_\_\_\_\_
- Store, office, commercial building \_\_\_\_\_ Other, specify \_\_\_\_\_

II. NATURE OF TRANSFER:

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

\$20 CT CAP

CM 620063438

B. (1) Identify Transferor:

TOPZ Inc PO Box 396 Griffith IN 46319  
Name and Current Address of Transferor

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:

Tom VanderTouk Pres. 340 Oakwood Griffith IN  
Name, Position (if any), and address Telephone No.

C. Identify Transferee:

Mari & Pete Kaloghiro 12613 S. Keeler  
Name and Current Address of Transferee AISIP, IL 60803

III. NOTIFICATION

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act states:

"Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois as a result of a release or substantial threat of a release of a hazardous substance:

(1) The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance;

(2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance;

(3) Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances owned, controlled or possessed by such person at a facility there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance."

2. Section 4(q) of the Act states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(k) of the Act states:

"If any person who is liable for a release or substantial threat of release of a hazardous substance fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as result of such failure to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act states:

"Notwithstanding any other provision or rule of law, except as provided otherwise in subsection (b), the owner or operator, or both, of an underground storage tank shall be liable for all costs of preventive action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of release of petroleum from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes in the text of the statutes cited, but no disclosure statement shall be invalid merely because it sets forth an obsolete or superseded version of such text.

IV. 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 "hazardous substances", as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximate amount, concentration and manner as they are sold to consumers, provided that such retailer does not engage 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 or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

Yes \_\_\_\_\_ No

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

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

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, attach a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency along with this disclosure document.

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 the State. 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 had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes \_\_\_\_\_ No

7. Has the transferor taken any of the following actions relative to this property?

- a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. Yes \_\_\_\_\_ No
- b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes \_\_\_\_\_ No
- c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. 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 Pollution Control Board for which a final order or consent decree was entered. Yes \_\_\_\_\_ 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

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 \_\_\_\_\_
- c. 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
- \_\_\_\_\_ Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act
- \_\_\_\_\_ 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, etc.
- \_\_\_\_\_ 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 Illinois Pollution Control Board?

Yes \_\_\_\_\_ No

11. Is there any explanation needed for clarification of any of the above answers or responses? None

**B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION**

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

Name: Janis L. King (prior owner)  
Restaurant  
 Type of business/ or property usage: CT Adult Book Store Inc. (tenant)  
Used as book store

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 facilities or real property:

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

**V. 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.

TOPZ Inc  
Tom Vander Touk Pres  
 signature  
Tom Vander Touk  
 type or print name  
 TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

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

Sept. 13 2009

[Signature]  
 signature  
PANICOS KALOGHIROU  
 type or print name  
 TRANSFEREE OR TRANSFEREES (or on behalf of Transferee)

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

19



[Signature]  
 signature  
 type or print name  
 LENDER

(Ch. 30, par. 906)

Common address: 4620 Industrial Highway, Gary, Indiana 46406

CTI No: 620063438

LEGAL DESCRIPTION

A Parcel of land in the Southeast Quarter of Section 36, Township 37 North, Range 9 West of the 2nd Principal Meridian, described as Lot No. Fourteen (14), Block Two (2), in the Subdivision known as the Town of Clark, as shown in Plat Book 1, Page 23, in said Section 36; also that part of said Southeast Quarter of Section 36 bounded and described as follows: Commencing at the Southeast corner of said Southeast Quarter of Section 36, thence North along the East line of said Southeast Quarter of Section 36, 151.5 feet more or less to the center line of original location of Industrial Highway; thence Northwesterly along said center line of said highway to a point which is 33 feet West of, measured at right angles, the said East line of the Southeast Quarter of Section 36, said point being the place of beginning of that part of Industrial Highway vacated by City of Gary by Resolutions NO's. 7604 and 7606 of the Board of Works and Safety of said City, recorded August 31, 1937 in the Office of the Recorder of said County, in Miscellaneous Record 290, Page 122; being also, the place of beginning of that part of said Southeast Quarter herein described and being, also, the Northeast corner of a parcel of land dedicated to public use for highway purposes by Gary Land Company by Instrument dated April 29, 1936, recorded May 19, 1936 in the Office of the Recorder of said County in Deed Record 546, Page 69, and designated Parcel No. 18 in said Instrument; thence Southwesterly, Westerly and Northwesterly along the Northerly line of said parcel 18 to the intersection of said Northerly line with the South line, extended West of the aforesaid Lot No. 14, Block 2, Town of Clark, as shown in Plat Book 1, Page 23; thence East along said South line of Lot No. 14 and said South line extended to the Southwest corner of Lot 13, Block 2, Town of Clark; thence South along the West line of said Lot 13, extended South, a distance of 66 feet; thence East parallel with the South line of said Lot 13, 132 feet, more or less, to a point 33 feet West of the said East line of the Southeast Quarter of Section 35; thence South parallel with said East line of the Southeast Quarter of Section 36, to the place of beginning, in the City of Gary, Lake County, Indiana.

