



RECEIVED

CLERK'S OFFICE

JUL 23 2003

STATE OF ILLINOIS  
Pollution Control Board

Jim Roberts  
Montgomery County State's Attorney

July 17, 2003

Assistant State's Attorneys:

Chris Matoush  
Katherine Pawlik

Victim Witness Coordinator:  
Lena Beck

AC 04-01  
Montgomery County Courthouse

120 N. Main, Room 212  
Hillsboro, IL 62049  
(217) 532-9551  
FAX (217) 532-9518

The Honorable Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Re: Administrative Citation  
County of Montgomery v. Luie and Mary Pease  
Montgomery County No. 2003-02-AC; 1350605003  
Inspection Date: June 16, 2003

Dear Clerk Gunn:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Montgomery County Coordinated Services' Open Dump Inspection Checklist and report, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

  
Jim Roberts  
Montgomery County State's Attorney

JR/bh  
Enclosures


cc: Montgomery County Coordinated Services, Bill Gonet  
DLPC/FOS Springfield Region  
Division of Land Pollution Control File



JUL 23 2003

STATE OF ILLINOIS  
*Pollution Control Board*

) ) ) ) ) ) ) ) ) )

  
Jim Roberts  
Montgomery County State's Attorney

THIS FILING SUBMITTED ON RECYCLED PAPER



## PROOF OF SERVICE

I hereby certify that I did on the 17<sup>th</sup> day of July, 2003, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST and REPORT

To: Luie and Mary Pease  
2016 School Street, P.O. Box 415  
Hillsboro, IL 62049

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail with postage thereon fully prepaid.

To: Dorothy Gunn, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601



---

Jim Roberts  
Montgomery County State's Attorney

Jim Roberts  
Montgomery County State's Attorney  
120 North Main, Room 212  
Hillsboro, Illinois 62049  
(217) 532-9551



RECEIVED  
CLERK'S OFFICE

JUL 23 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

ADMINISTRATIVE CITATION

County of Montgomery,

Complainant,

v.

Luie and Mary Pease,

Respondents.

AC 04-01  
Administrative Citation  
(Montgomery County No. 2003-02-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31.1 (2000), and delegated to the County of Montgomery pursuant to Section 4(r) of the Act, 415 ILCS 5/4(r) (2000),

FACTS

1. That Luie and Mary Pease ("Respondents") are the present owner and/or operator of a facility located at Lot 1 in Block 18 in Hardebeck's Subdivision being a part of the North half of the Northwest Quarter of Section 7, Township 8 North, Range 3 West of the Third Principal Meridian, Situated in the corporate limits of Schram City, Montgomery County, Illinois. The property is commonly known to Montgomery County as the Schram City/Pease, Luie & Mary site.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1350605003.

3. That Respondents have owned and/or operated said facility at all times pertinent hereto.



4. That on June 16, 2003, Bill Gonet of the Montgomery County Coordinated Services' office inspected the above-described facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

#### VIOLATIONS

Based upon direct observations made by Bill Gonet during the course of his June 16, 2003 inspection of the above-named facility, Montgomery County has determined that Respondents have violated the Act as follows:

- (1) That Respondents caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2000).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris or clean construction or demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2000).

#### CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2000), Respondents are subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Three Thousand Dollars (3,000.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than August 18, 2003, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondents elect to contest this Administrative Citation by petitioning the Illinois Pollution



Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 (2000), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by Montgomery County and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the One Thousand Five Hundred Dollar (\$1,500.00) statutory civil penalty for each violation.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2000), if Respondents fail to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

**When payment is made, Respondents' check shall be made payable to the Montgomery County Coordinated Services office and mailed to the attention of Christine Daniels, County Coordinator, at P.O. Box 122, Hillsboro, Illinois 62049.** Along with payment, Respondents shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondents from the date payment is due up to and including the date that payment is received. The State's Attorney of Montgomery County may be requested to initiate proceedings against Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.



PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2000). If Respondents elects to contest this Administrative Citation, then Respondents shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the State's Attorney of Montgomery County at the Montgomery County Courthouse, 120 North Main, Room 212, Hillsboro, Illinois 62049. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.

Christine Daniels

Date:

7-14-03

Christine Daniels  
County Coordinator  
Montgomery County Coordinated Services office

BY:

Jim Roberts  
Montgomery County State's Attorney

Prepared by: Jim Roberts  
Montgomery County State's Attorney  
120 North Main, Room 212  
Hillsboro, Illinois 62049  
(217) 532-9551



**REMITTANCE FORM**

County of Montgomery,	)	
	)	
Complainant,	)	AC
	)	Administrative Citation
v.	)	(Montgomery County No. 2003-02-AC)
	)	
Luie and Mary Pease,	)	
	)	
Respondents.	)	

FACILITY:	Schram City/Pease, Luie & Mary	SITE CODE NO.:	1350605003
COUNTY:	Montgomery	CIVIL PENALTY:	\$3,000.00
DATE OF INSPECTION:	June 16, 2003		

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

**NOTE**

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Christine Daniels, County Coordinator, Montgomery County Coordinated Services office, P.O. Box 122, Hillsboro, Illinois 62049.



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION

County of Montgomery,	)	
	)	
Complainant,	)	AC
	)	Administrative Citation
v.	)	(Montgomery County No. 2003-02-AC)
	)	
Luie and Mary Pease,	)	
	)	
Respondents.	)	

AFFIDAVIT

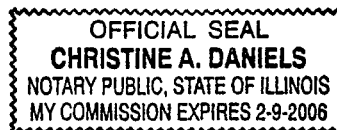
Affiant, Bill Gonet, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Montgomery County Coordinated Services' office and has been so employed at all times pertinent hereto.
2. On June 16, 2003 between 9:55 a.m. and 10:20 p.m., Affiant conducted an inspection of the site in Montgomery County, Illinois, known as Schram City/Pease, Luie & Mary, Site Code No. 1350605003.
3. Affiant inspected said Schram City/Pease, Luie & Mary site by an on-site inspection which included photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to the Schram City/Pease, Luie & Mary site.

Bill Gonet

Subscribed and Sworn to before me  
this 10<sup>th</sup> day of July,  
2003.

Christine A. Daniels  
Notary Public





County: Montgomery LPC#: 1350605003 Region: 5 - Springfield  
Location/Site Name: Schram City/Pease, Luie & Mary  
Date: 06/16/2003 Time: From 9:55 am To 10:20 am Previous Inspection Date: 04/30/2002  
Inspector(s): Bill Gonet Weather: 75 degrees F, clear, dry  
No. of Photos Taken: # 12 Est. Amt. of Waste: 50 yds<sup>3</sup> Samples Taken: Yes # \_\_\_\_\_ No ☒  
Interviewed: \_\_\_\_\_ Complaint #: \_\_\_\_\_

**Luie and Mary Pease**  
2016 School St. P.O. Box 285  
Hillsboro, IL 62049

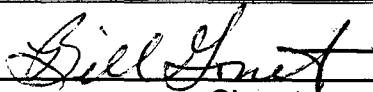
	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input type="checkbox"/>
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT	<input type="checkbox"/>
8.	21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	
	(1)	Litter	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>



LPC #

Inspection Date:

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input checked="" type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input checked="" type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
13.	809.302(a)	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
14.		APPARENT VIOLATION OF: ( <input type="checkbox"/> ) PCB; ( <input type="checkbox"/> ) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



Signature of Inspector(s)

**Informational Notes**

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the MCCC or as limiting the MCCC's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).
6. Items marked with an "NE" were not evaluated at the time of this inspection.



**MONTGOMERY COUNTY COORDINATED SERVICES**

**Historic Court House**

**P.O. Box 122**

**Hillsboro IL 62049**

DATE: June 20, 2003  
TO: Montgomery County Coordinated Services File  
FROM: Bill Gonet, Montgomery County Solid Waste Inspector  
SUBJECT: LPC # 1350605003-Montgomery County  
Schram City/Pease, Luie & Mary  
FOS File

An open dump inspection was conducted on June 16, 2003 due to a complaint received on the day of this inspection.

The site is located at the southwest corner of School Street and 21<sup>st</sup> Street in the Village of Schram City, Illinois. The property is owned by Luie W Pease and Mary Pease per attached Corporate Joint Tenancy Warranty Deed. The mailing address for the property owners is 2016 School Street, Hillsboro, IL 62049.

The site was previously inspected on 3 occasions, February 13, 2002, March 15, 2002, and April 30, 2002. At the time of the February 13, 2002 inspection several violations of the Environmental Protection Act that were observed. As a result of this inspection Mr. Luie Pease was given a Non-compliance Advisory Letter (NCAL). On March 15, 2002 a re-inspection of the site was conducted. During the inspection it was noticed that some progress had been made towards the cleanup of the site. For this reason Mr. Pease was granted an extension to the compliance deadline. During the April 30, 2002 inspection it appeared that Mr. Pease had complied with the corrective actions required in the NCAL and a letter of compliance was given.

Prior to the inspection I contacted the Village of Schram City Water Clerk, Marcia Eller, about the Pease property. Ms. Eller said that the Village has contacted Mr. Pease several times about the condition of the property but Mr. Pease has made no effort to clean up the property. Ms. Eller also informed me that Mr. Pease was no longer residing at the property and the water had been shut off due to non payment of the water bill.

I arrived at the site at 9:55 a.m. The temperature was about 75°F with clear skies. There was a light breeze coming from the south and the soil condition was dry. No one was met at the site during the inspection. The property appeared to be abandoned.

Observed at the site were various types of waste consisting of plastic toys, junk lawnmowers, lawnmower parts, furniture, dimensional lumber, bicycles, bicycle parts, domicile waste, clothes, an estimated 30 used or waste tires both on and off rims, two



abandoned vehicles, fuel containers, scrap metal, and sections of deteriorated wood fence. These wastes were placed in various locations throughout the property (photos 001, 002, 003, 004, 009, 010 & site sketch). Located on the south side of the property was an open topped structure. Within the structure were several used/waste tires, furniture, several full garbage bags, dimensional lumber, bicycle parts, a boat, and other assorted wastes. Large openings in the roof and sides of the structure left all of these wastes exposed to the weather (photos 005, 006, 007, & 008). Also located on the property was house that was in extremely poor condition. An opening observed in the south side of the house was exposing additional waste (photo 012). The entrance way to the basement of the house was open and the basement was full of water (photo 011). The open basement was reported to the Village Clerk.

Shown in photo 010 are sections of wood fence. During the March 15, 2002 inspection Mr. Pease stated that the sections of wood fence were to be painted and re-constructed on the property. It appeared that no attempt had been made to restore or re-construct the fence. The fence was still in the same location that it was in during the March 15, 2002 inspection and was beginning to deteriorate.

I left the site at 10:20 a.m.

See attached Open Dump Checklist for apparent violations.

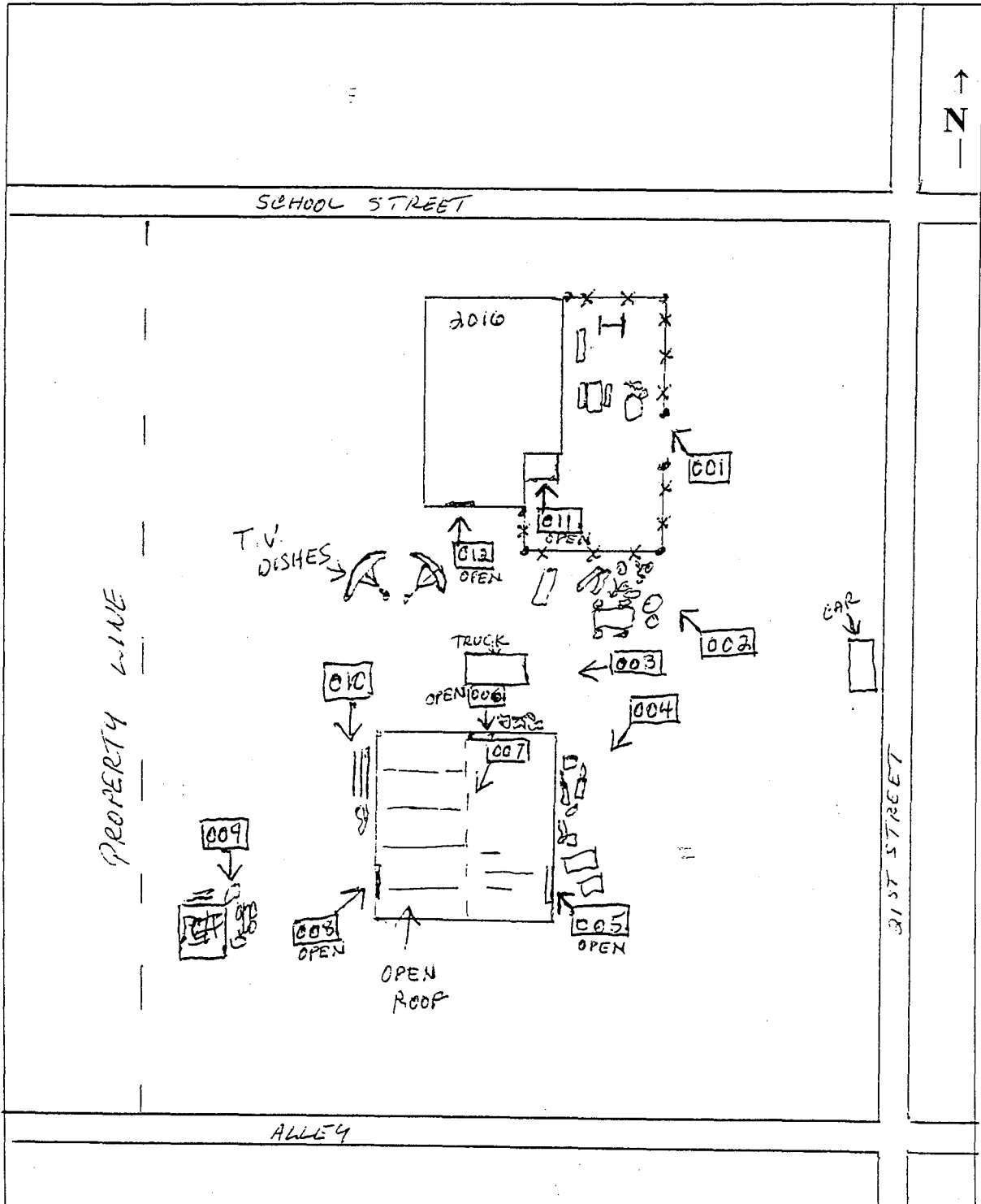
On June 17, 2003 I spoke with Attorney Steven Cullison of the Cullison & Vanderver Law Office. Mr. Cullison is the Attorney for Schram City. Mr. Cullison said that he has sent Mr. Pease several letters on behalf of Schram City regarding the condition of the property. Mr. Pease has not responded to these letters. This has been an ongoing problem for about the past 5 years. Mr. Cullison then added that he would provide me with copies of the letters he has sent to Mr. Pease concerning this matter. Copies of these letters will be included in this inspection report.

cc: DLPC/Division File  
DLPC/FOS-Springfield Region



# OPEN DUMP SITESKETCH

LPC#	1350605003
Site Name	Schram City/Pease, Luie & Mary
Location	2016 School Street, Schram City, Illinois

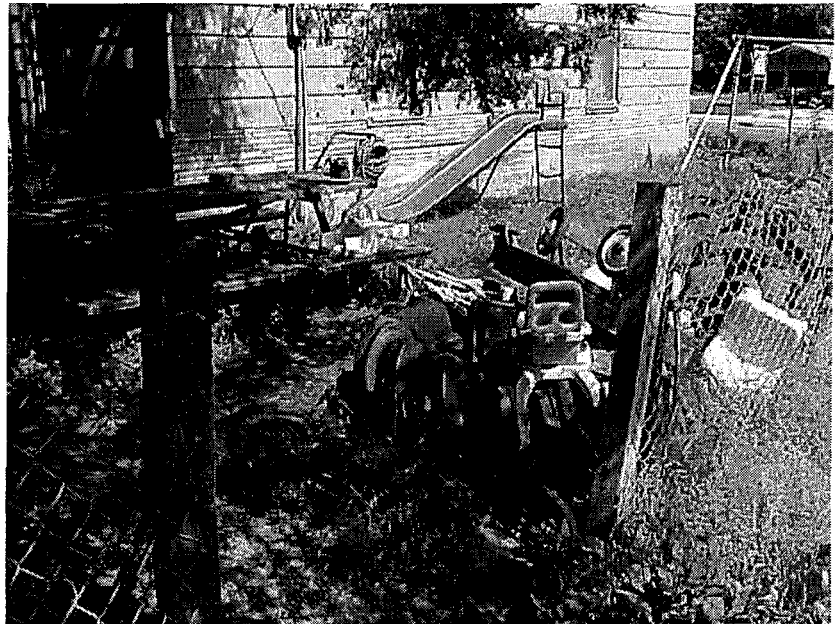




LPC # 1350605003 - Montgomery County  
Schram City/Pease, Luie & Mary  
FOS File

### DIGITAL PHOTOGRAPHS

**DATE:** June 16, 2003  
**TIME:** 9:59 a.m.  
**DIRECTION:** northwest  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-001  
**COMMENTS:** Toys.



**DATE:** June 16, 2003  
**TIME:** 10:00 a.m.  
**DIRECTION:** northwest  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-002  
**COMMENTS:** Lawnmowers, fuel  
containers, scrap metal, bicycle parts.

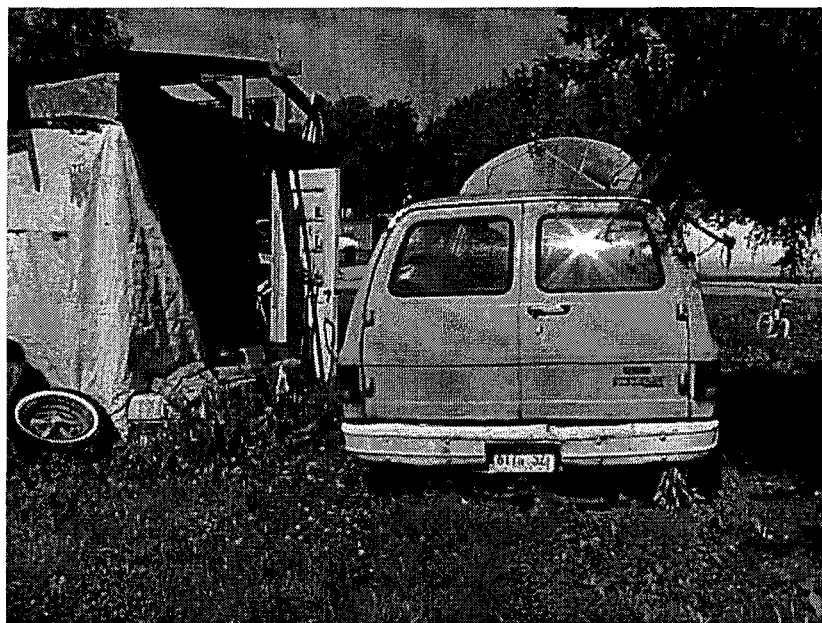




LPC # 1350605003 - Montgomery County  
Schram City/Pease, Luie & Mary  
FOS File

### DIGITAL PHOTOGRAPHS

**DATE:** June 16, 2003  
**TIME:** 10:01 a.m.  
**DIRECTION:** west  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-003  
**COMMENTS:** Abandon vehicle.



**DATE:** June 16, 2003  
**TIME:** 10:02 a.m.  
**DIRECTION:** southwest  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-004  
**COMMENTS:** Dimensional lumber, junk  
lawnmowers, scrap.

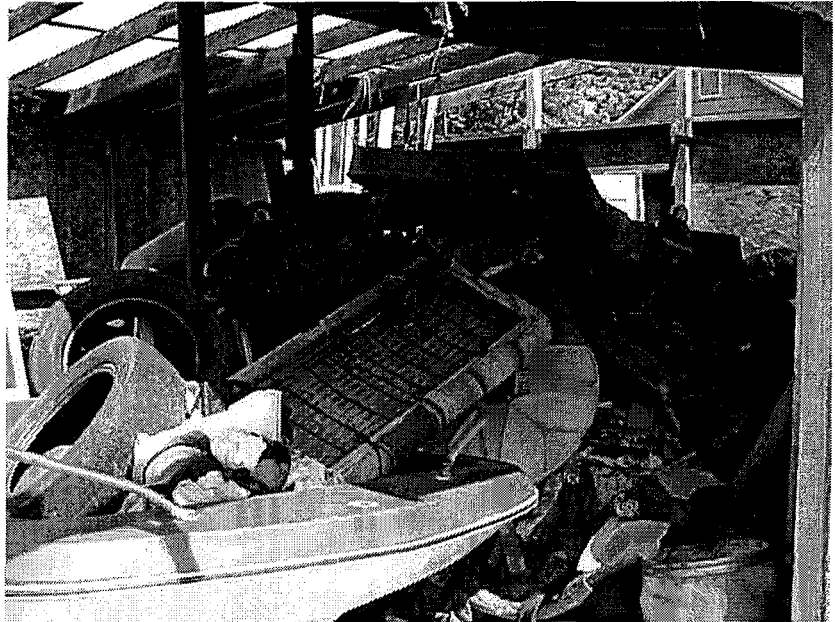




LPC # 1350605003 - Montgomery County  
Schram City/Pease, Luie & Mary  
FOS File

### DIGITAL PHOTOGRAPHS

**DATE:** June 16, 2003  
**TIME:** 10:03 a.m.  
**DIRECTION:** northwest  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-005  
**COMMENTS:** Structure filled with  
waste.



**DATE:** June 16, 2003  
**TIME:** 10:05 a.m.  
**DIRECTION:** south  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-006  
**COMMENTS:** Structure filled with  
waste.

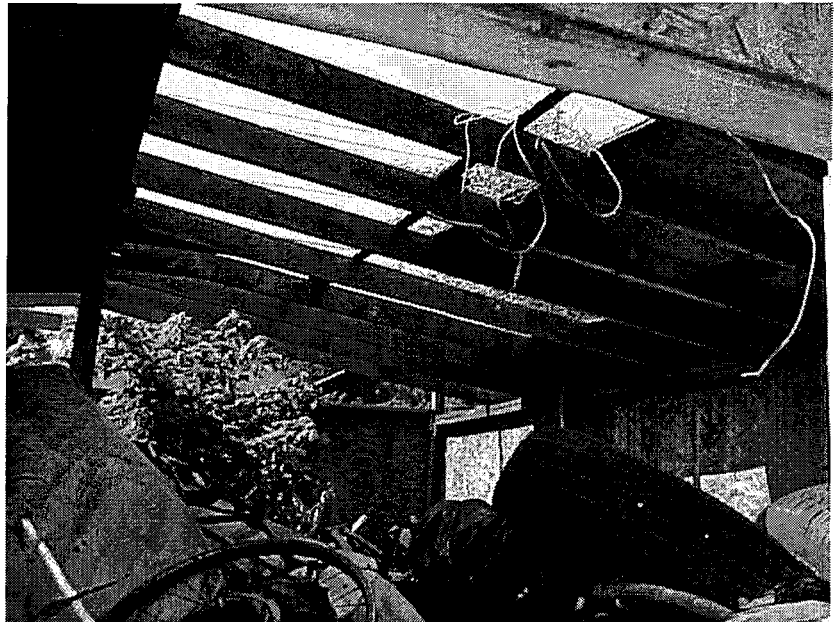




LPC # 1350605003 - Montgomery County  
Schram City/Pease, Luie & Mary  
FOS File

### DIGITAL PHOTOGRAPHS

**DATE:** June 16, 2003  
**TIME:** 10:06 a.m.  
**DIRECTION:** south  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-007  
**COMMENTS:** Opening in roof of  
structure.



**DATE:** June 16, 2003  
**TIME:** 10:07 a.m.  
**DIRECTION:** northeast  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-008  
**COMMENTS:** Opening in side of  
structure.





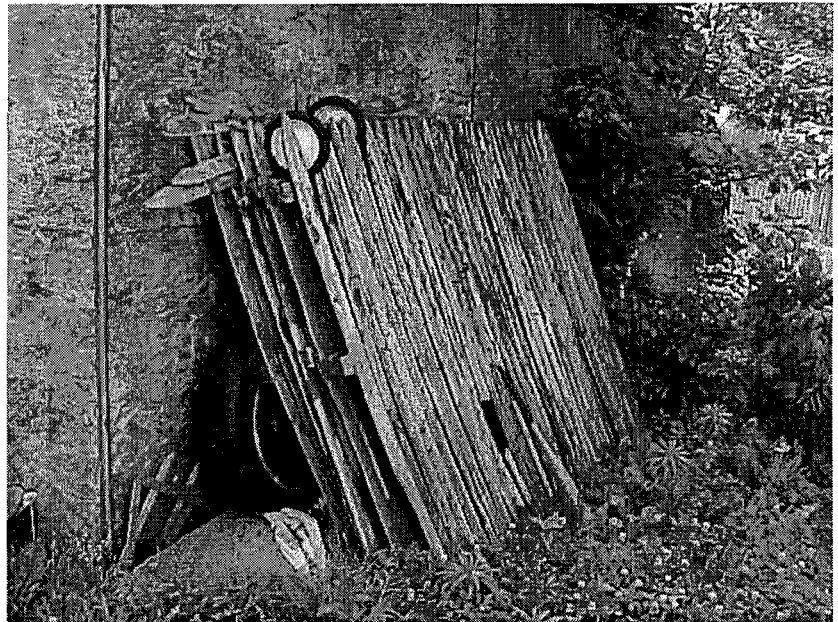
LPC # 1350605003 - Montgomery County  
Schram City/Pease, Luie & Mary  
FOS File

### DIGITAL PHOTOGRAPHS

**DATE:** June 16, 2003  
**TIME:** 10:07 a.m.  
**DIRECTION:** south  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-009  
**COMMENTS:** Junk lawnmower & scrap.



**DATE:** June 16, 2003  
**TIME:** 10:08 a.m.  
**DIRECTION:** southeast  
**PHOTO by:** Bill Gonet  
**PHOTO FILE NAME:**  
1350605003~06162003-010  
**COMMENTS:** Sections of deteriorated  
wood fence & tire.





LPC # 1350605003 - Montgomery County  
Schram City/Pease, Luie & Mary  
FOS File

### DIGITAL PHOTOGRAPHS

**DATE:** June 16, 2003

**TIME:** 10:10 a.m.

**DIRECTION:** north

**PHOTO by:** Bill Gonet

**PHOTO FILE NAME:**

1350605003~06162003-011

**COMMENTS:** Open basement filled  
with water.



**DATE:** June 16, 2003

**TIME:** 10:15 a.m.

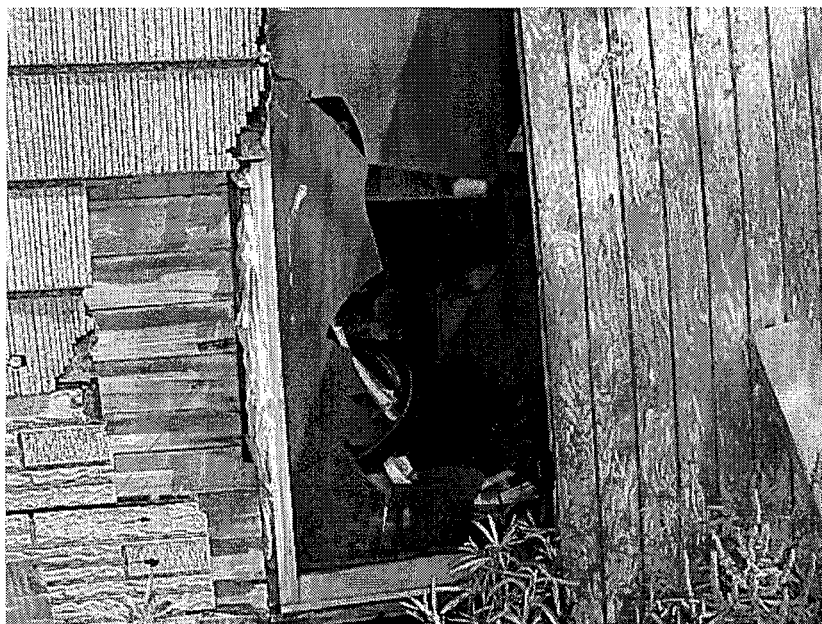
**DIRECTION:** north

**PHOTO by:** Bill Gonet

**PHOTO FILE NAME:**

1350605003~06162003-012

**COMMENTS:** Opening in side of house.





# CULLISON & VANDEVER LAW OFFICE



405 S. Main St.  
P.O. Box 188  
Hillsboro, IL 62049  
(217) 532-5432  
FAX: (217) 532-6431

Stephen R. Cullison  
Attorney at Law

Ralph A. Vandever  
(1917-2000)

*June 19, 2003*

*Bill Gonet  
Montgomery County Health Department  
P.O. Box 122  
Hillsboro, IL 62049*

*RE: Luie Pease Property in Schram City*

*Dear Mr. Gonet:*

*Enclosed please find copies of the following involving the Luie Pease property located on School Street in the Village of Schram City:*

- A. Notice to Abate Nuisance dated May 21, 1997.*
- B. Notice to Abate Nuisance dated October 1998.*
- C. Notice to Abate Nuisance dated March 23, 2001.*
- D. Notice to Abate Nuisance dated February 4, 2002.*
- E. Notice to Abate Nuisance dated June 7, 2002.*
- F. Supervision Order entered in July 1997 in Case No. 97-OV-52 imposing fine upon Luie Pease and ordering him to clean up property.*

*I believe there was actually a further notice to abate nuisance sent to Luie Pease a few months ago but I am unable to locate a copy of it at this time.*

*It has been a continuous battle for the Village to try to get Luie Pease to clean up his property over the last approximately six*



years. I hope that your Department and the Illinois EPA might have more success.

Sincerely,

  
Stephen R. Cullison

SRC: lg ☺

Pc: Michael Rhoades



NOTICE and ORDER

TO REMOVE or ABATE NUISANCE

To: Luie Pease  
2016 School Street (S.C.), P.O. Box 285  
Hillsboro, IL 62049

The Village Board of Schram City has declared that a nuisance exists upon your property located at 2016 School Street in the Village of Schram City, Montgomery County, Illinois, pursuant to the Village Ordinance No. 285, Section(s) 1.02(b). You are hereby ordered to remove or abate such notice within 10 days. If you fail to do so within the time specified herein the Village may proceed to remove such nuisance and take legal action against you to recover the cost of such removal. You may also be liable for fines of not less than \$25.00 nor more than \$500.00 per day for as long as such nuisance continues. The nuisance existing upon your property is further described as: accumulation of junk, rubbish, debris or parts thereof.

Dated: June 7 2002

By: Stephen A. Carlson  
Village Attorney

Served upon the above this the 7<sup>th</sup> day of June 2002, by First Class U.S. Mail.



COPY

NOTICE and ORDER

TO REMOVE or ABATE NUISANCE

To: Luie Pease  
2016 School Street (S.C.), P.O. Box 285  
Hillsboro, IL 62049

The Village Board of Schram City has declared that a nuisance exists upon your property located at 2016 School Street in the Village of Schram City, Montgomery County, Illinois, pursuant to the Village Ordinance No. 285, Section(s) 1.02(b). You are hereby ordered to remove or abate such notice within 10 days. If you fail to do so within the time specified herein the Village may proceed to remove such nuisance and take legal action against you to recover the cost of such removal. You may also be liable for fines of not less than \$25.00 nor more than \$500.00 per day for as long as such nuisance continues. The nuisance existing upon your property is further described as: accumulation of junk, rubbish, debris or parts thereof.

Dated: February 4 2002

By: Stephen P. Culleton  
Village Attorney

Served upon the above this the 4<sup>th</sup> day of February 2002, by  
First Class U.S. Mail.



NOTICE AND ORDER

TO REMOVE OR ABATE ORDINANCE VIOLATION

To: Luie Pease  
2016 School St. (SC)  
Hillsboro, IL 62049

The Village Board of Schram City has declared that a nuisance exists upon your property located at 2016 School St. in the Village of Schram City, Montgomery County, Illinois, pursuant to the Village Ordinance No. 285, Section(s) 1.02 (b) (12). You are hereby ordered to remove or abate such nuisance within 10 days. If you fail to do so within the time specified herein the Village may proceed to remove such nuisance and take legal action against you to recover the cost of such removal. You may also be liable for fines of not less than \$25.00 nor more than \$500.00 per day for as long as such nuisance continues. The nuisance existing upon your property is further described as: accumulation of junk, rubbish, or dead trees.

Dated: March 23, 2001

By: \_\_\_\_\_  
Village Attorney

Served upon the above this the 23rd day of March 2001, by  
First Class Mail.



NOTICE and ORDER

TO REMOVE or ABATE NUISANCE

To: Luie Pease  
2016 School St. (SC)  
Hillsboro, IL 62049

The Village Board of Schram City has declared that a nuisance exists upon your property located at 2016 School St. in the Village of Schram City, Montgomery County, Illinois, pursuant to the Village Ordinance No. 285, Section(s) 1.02 (b)(3). You are hereby ordered to remove or abate such notice within 10 days. If you fail to do so within the time specified herein the Village may proceed to remove such nuisance and take legal action against you to recover the cost of such removal. You may also be liable for fines of not less than \$25.00 nor more than \$500.00 per day for as long as such nuisance continues. The nuisance existing upon your property is further described as: Accumulation of junk, trash and debris.

Dated: October , 1998.

By: \_\_\_\_\_  
Village Attorney

Served upon the above this the \_\_\_\_ day of October 1998, by  
First Class U.S. Mail.



NOTICE and ORDER

TO REMOVE or ABATE NUISANCE

To: Luie Pease  
P.O. Box 285  
Hillsboro, IL 62049

The Village Board of Schram City has declared that a nuisance exists upon your property located at 2016 School Street in the Village of Schram City, Montgomery County, Illinois, pursuant to the Village Ordinance No. 285, Section(s) 1.02 (b). You are hereby ordered to remove or abate such notice within 10 days. If you fail to do so within the time specified herein the Village may proceed to remove such nuisance and take legal action against you to recover the cost of such removal. You may also be liable for fines of not less than \$25.00 nor more than \$500.00 per day for as long as such nuisance continues. The nuisance existing upon your property is further described as: accumulation of junk, rubbish, debris or parts thereof.

Dated: May 21, 1997.

By Stephen R. Gilliam  
Village Attorney

Served upon the above this the 21<sup>st</sup> day of May 1997, by First Class Mail.



COPY

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT  
MONTGOMERY COUNTY, ILLINOIS

THE VILLAGE OF SCHRAM CITY, ILLINOIS, )  
A MUNICIPAL CORPORATION, )

Plaintiff, )

vs. )

No. 97-OV-52

LUIE PEASE, )

Defendant. )

SUPERVISION ORDER

The Defendant, Luie Pease, having entered a plea of guilty to the Ordinance Violation charge herein, and the Court being of the opinion that:

1. The offender is not likely to commit further crimes or offenses.
2. The Defendant and the public would be best served if Defendant did not receive a criminal record.
3. An Order of Supervision is more appropriate than a sentence otherwise permitted by law.

IT IS THEREFORE ORDERED THAT THE DEFENDANT Luie Pease, is hereby placed on supervision for a period of 6 months during which time Defendant shall keep the following conditions:

1. Defendant shall pay a fine of \$75.00 plus all Court cost, including Clerk's fees and Sheriff's fees, by August 28, 1997.
2. Defendant shall not violate any laws or ordinances of the State of Illinois or any political subdivision of any State.
3. Defendant shall keep the Clerk of the Court advised of his current residential address and shall report to the Court whenever notice is sent by U.S. Mail to the last reported address.
4. Defendant shall remove from the premises which are the subject matter of this case, being 2016 School Street (S.C.), Hillsboro, Montgomery County, Illinois all accumulations of junk, rubbish, debris or parts thereof which would constitute a Nuisance Violation.
5. If the fine and Court cost are not paid in this matter by August 28, 1997 at 9:00 o'clock A.M. the Defendant shall

FILED

JUL 25 1997

DANIEL B. BILLINGTON  
Circuit Court Clerk  
4th Judicial Circuit



appear in Court on August 28, 1997 at 9:00 o'clock A.M.  
to explain why such conditions of this Supervision Order  
have not been met.

Enter: \_\_\_\_\_, 1997.

\_\_\_\_\_  
Dennis M. Huber, Judge



Time: 08:37 AM  
Vers: 3.08.04

Op Message:

Date Recorded \_\_\_\_\_  
 Book \_\_\_\_\_ Page \_\_\_\_\_  
 Half Page \_\_\_\_\_

Str Nbr/Dir/Name 2016 SCHOOL ST

City - State      HILLSBORO      IL

Zip Code 620490000

Name/Address Change 02/19/1998

Class 0040      Prev. Class 0040      User Code 04003      Owner Code

BOR Enterprise

Legal Description	Legal Desc. Change
-------------------	--------------------

Drainage Ditch..

1 LOT 1 BLK 18

Home N/A.....

2 HARDEBECK SUB DIV

Lending Code...

3  
4 8-3-2419

Optname NM/AD...

4 8-3-2419  
5 17-07-136-008

SCAFHE. TIF.

S T O O R

Sold Tax Sale...

Exemptions: Homestead/Vet      Equalized      2170    Eq. Flag 1    V.O.E.

1 V.O.E.

Improvement

Exemption Date

Hmstd. Days 365

[illegible]

° SH F4 - Taxes Paid Screen

° F1 - Home N/A Screen PG UP - Previous Screen

- Cancel

PG DN. - Assessment Screen    SH F7 - Print Screen    - Exit Program °

[illegible]

246/49



246-50

353723

National Bank,  
A National Banking Corporation

By: R. Michael Ryan  
R. Michael Ryan,  
Executive Vice-President

ATTEST: Tim Clark  
Tim Clark, Senior Vice-President

(CORPORATE SEAL)

Grantees:  
Luie W. Pease and Mary Pease  
2016 School St.  
Hillsboro, IL 62049

STATE OF ILLINOIS        )  
                                  ) SS  
MONTGOMERY COUNTY        )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, do hereby certify that R. Michael Ryan, personally known to me to be the Executive Vice-President of National Bank and Tim Clark, personally known to me to be the Senior Vice-President of said Corporation, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Executive Vice-President and Senior Vice-President they signed, sealed and delivered the said instrument of writing as Executive Vice-President and as Senior Vice-President of said Corporation and caused the seal of said Corporation to be affixed thereto pursuant to authority given by the Board of Directors of said Corporation as their free and voluntary act and as the free and voluntary act and deed of said Corporation for the uses and purposes herein set forth.

Given under my hand and Notary Seal this the 26th day of January, 1996.

Patt A. Laughlin  
Notary Public



NB  
12-3



200200004371  
Filed for Record in  
MONTGOMERY COUNTY, IL  
SANDY LEITHEISER  
07-24-2002 02:29 pm.  
NOTE FUECL 15.00  
OR Book 790 Page 44 - 45

Instrument Book Page  
200200004371 OR 790 44

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT  
MONTGOMERY COUNTY, ILLINOIS

NATIONAL BANK,	)	
A National Banking Association,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	No. 02-CH- <u>37</u>
	)	
LUIS W. PEASE,	)	
MARY L. PEASE,	)	
UNKNOWN OWNERS AND NON-RECORD	)	
CLAIMANTS,	)	
Defendants.	)	

NOTICE OF FORECLOSURE  
(LIS PENDENS)

The undersigned certifies that the above entitled mortgage foreclosure action was filed on the 22nd day of July, 2002 and is now pending.

1. The names of all Plaintiff's and the case number are identified above.
2. The court in which said action was brought is identified above.
3. The names of the titleholders of record are: Luis W. Pease and Mary L. Pease
4. A legal description of the real estate sufficient to identify it with a reasonable certainty is as follows:



Lot One (1) in Block Eighteen (18) in Hardebeck's Subdivision being a part of the North Half (N ½) of the Northwest Quarter (NW ¼) of Section Seven (7), Township Eight (8) North, Range Three (3) West of the Third Principal Meridian, situated in the corporate limit of Schram City, Montgomery County, Illinois.

5. A common address or description of the location of the real estate is as follows:

2016 School St. (SC)  
Hillsboro, IL 62049

6. An identification of the mortgage sought to be foreclosed is as follows:

- A. Name of Mortgagors: Luie W. Pease and Mary L. Pease
- B. Name of Mortgagee: National Bank
- C. Date of mortgage: June 12, 2000
- D. Date of recording: June 23, 2000
- E. County where recorded: Montgomery County, Illinois
- F. Recording document identification: Montgomery County Recorder's book 587 at page 279 as document # 385130

National Bank, a National  
Banking Association,  
Plaintiff

By: Stephen R. Cullison  
Stephen R. Cullison,  
Its attorney

Prepared by:  
Stephen R. Cullison  
Cullison & Vandever Law Office  
405 S. Main St., P.O. Box 188  
Hillsboro, IL 62049  
(217) 532-5432  
Registration No. 00555592