

ILLINOIS POLLUTION CONTROL BOARD

Blake Leasing Company, LLC – Real Estate Series,	)	
as owner of Kirkland Quick Stop,	)	
	)	
Petitioner,	)	PCB No. 16-100
	)	(Water Well Setback Exception)
v.	)	
	)	
Illinois Environmental Protection Agency, Village	)	
of Kirkland, and Soo Line Railroad Company	)	
	)	
Respondents.	)	

NOTICE OF FILING

To: See Attached Certificate of Service

PLEASE TAKE NOTICE that on August 22, 2017, the Petitioner, Blake Leasing Company, LLC – Real Estate Series, as owner of Kirkland Quick Stop, filed the attached Motion to Modify Board Opinion in the above-captioned matter, a copy of which is attached hereto and served upon you.

Dated: August 22, 2017

Respectfully submitted,

On behalf of Blake Leasing Company, LLC –
Real Estate Series

/s/Charles F. Helsten

Charles F. Helsten
One of Its Attorneys

Charles F. Helsten
HINSHAW & CULBERTSON LLP
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CERTIFICATE OF SERVICE

I, Charles F. Helsten, an attorney, certify that I have served the foregoing Notice of Filing and attached Motion to Modify Board Opinion on the named parties below via email and by certified mail, return receipt requested, by 5:00 p.m. on August 22, 2017, by depositing the attached in the U.S. Mail at Rockford, Illinois, with proper postage or delivery charge prepaid.

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208 South LaSalle Street, Suite 814
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(Via Certified Mail Only)

/s/Charles F. Helsten

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MOTION TO MODIFY BOARD OPINION

NOW COMES, the Petitioner, Blake Leasing Company, LLC – Real Estate Series, as owner of Kirkland Quick Stop (“Blake Leasing”), by and through its attorneys, Hinshaw & Culbertson, LLP, and pursuant to 35 IL ADC Section 101.904, moves this Honorable Board to modify its Opinion and Order entered August 17, 2017 by correcting a clerical error contained therein, and, in support thereof, states as follows:

1. This Honorable Board entered an Opinion and Order on August 17, 2017, granting Blake Leasing Company, LLC – Real Estate Series’ Petition for Water Well Setback Exception pursuant to Section 14.2(d) of the Illinois Environmental Protection Act.

2. The Opinion and Order includes a reference to “Blake Leasing Company, LLC” as Petitioner when, in fact, the Petitioner herein is Blake Leasing Company, LLC – Real Estate Series (Blake Leasing Company, LLC is a separate legal entity, separately licensed and authorized to do business within the State of Illinois).

3. As Blake Leasing Company, LLC – Real Estate Series: (1) is the actual Petitioner in this matter, (2) is the owner/operator of the Site located at 411 West Main Street, Kirkland, Illinois which is the subject of this Opinion and Order, and (3) intends to accept the Opinion and Order, Blake Leasing Company, LLC – Real Estate Series respectfully requests that this Honorable Board modify/change any reference in the August 17, 2017 Opinion and Order from

“Blake Leasing Company, LLC” to “Blake Leasing Company, LLC – Real Estate Series,” and issue an order *nunc pro tunc* accordingly, and for such other relief as this Honorable Board deems appropriate.

Dated: August 22, 2017

Respectfully submitted,

On behalf of Blake Leasing Company, LLC –
Real Estate Series

/s/Charles F. Helsten

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One of Its Attorneys

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