

ILLINOIS POLLUTION CONTROL BOARD
September 6, 1973

ENVIRONMENTAL PROTECTION AGENCY,

Complainant,

v.

AJAX SAND AND GRAVEL, INC., an)
Illinois corporation, HARRIS TRUST)
& SAVINGS BANK, as Trustee under)
Trust #31605 and WESTERN NATIONAL)
BANK OF CICERO, a National Bank) PCB 73-322
Corporation, as Trustee under its)
Trust #3513, GARY-WHEATON BANK,)
as Trustee under Trust #1176,)
)
Respondents.)

ORDER OF THE BOARD (by Mr. Seaman)

On August 23, 1973, Harris Trust & Savings Bank filed a Motion to Dismiss, accompanied by affidavit praying to be dismissed as a Respondent in the captioned cause. Harris states that the only right, title or interest it has in or to the real estate referred to in the complaint herein as of the dates of occurrences alleged in said complaint was that of Trustee holding naked legal title under and pursuant to the terms of the Trust Agreement creating said Trust.

Harris further states that it has no right or authority to manage, operate or control the subject real estate, nor has it done so at any time as the right to management, operation and control vests solely in the beneficiaries of said Trust.

Harris Trust & Savings Bank is hereby dismissed as a Respondent in the captioned cause.

IT IS SO ORDERED.

Mr. Odell abstains.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 6th day of September 1973, by a vote of 3 to 0.

Christian L. Moffett