

## GIS REGISTRY INFORMATION

|  |  |  |                                       |
|--|--|--|---------------------------------------|
| <b>SITE NAME:</b>  | Heritage Square-f/k/a De Pere Redevelopment II |  |                                       |
| <b>BRRTS #:</b>  | 03-05-000131                                   | <b>FID #</b>                             |                                       |
| <b>COMMERCE #</b><br>(if appropriate):   | 54115-2509-01                                  | (if appropriate):                        |                                       |
| <b>CLOSURE DATE:</b>   | March 20, 2006                                 |  |                                       |
| <b>STREET ADDRESS:</b>   | 301 N. Broadway                                |  |                                       |
| <b>CITY:</b>   | De Pere  |  |                                       |
| <b>SOURCE PROPERTY GPS COORDINATES</b><br>(meters in WTM91 projection):  | X = 674261                                     | Y = 443860                               |                                       |
| <b>CONTAMINATED MEDIA:</b>   | Groundwater <input type="checkbox"/>           | Soil <input checked="" type="checkbox"/> | Both <input type="checkbox"/>         |
| <b>OFF-SOURCE GW CONTAMINATION &gt;ES:</b>   | Yes <input type="checkbox"/>                   | No <input type="checkbox"/>              | X <input checked="" type="checkbox"/> |
| • IF YES, STREET ADDRESS:  |  |  |                                       |
| • GPS COORDINATES<br>(meters in WTM91 projection):   |  |  |                                       |
|  | X =  | Y =                                      |                                       |
| <b>OFF-SOURCE SOIL CONTAMINATION</b><br>>Generic or Site-Specific RCL (SSRCL):   | Yes <input type="checkbox"/>                   | No <input type="checkbox"/>              | X <input checked="" type="checkbox"/> |
| • IF YES, STREET ADDRESS 1:  |  |  |                                       |
| • GPS COORDINATES<br>(meters in WTM91 projection):   |  |  |                                       |
|  | X =  | Y =                                      |                                       |
| <b>CONTAMINATION IN RIGHT OF WAY:</b>  | Yes <input type="checkbox"/>                   | No <input type="checkbox"/>              | X <input checked="" type="checkbox"/> |
| <b><u>DOCUMENTS NEEDED</u></b>   |  |  |                                       |
| Closure Letter, and any conditional closure letter issued or denial letter issued.   |  |  | X                                     |
| Copy of most recent deed, including legal description, for all affected properties   |  |  | X                                     |
| Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties   |  |  | X                                     |
| County Parcel ID number, if used for county, for all affected properties   |  |  | X                                     |
| Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.   |  |  | X                                     |
| Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs. |  |  | X                                     |
| Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)   |  |  | NA                                    |
| Tables of Latest Soil Analytical Results (no shading or cross-hatching)  |  |  | X                                     |
| Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.   |  |  | NA                                    |
| GW: Table of water level elevations, with sampling dates, and free product noted if present  |  |  | NA                                    |
| GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)  |  |  | NA                                    |
| SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour  |  |  | X                                     |
| Geologic cross-sections, if required for SI. (8.5x14" if paper copy)   |  |  | NA                                    |
| RP certified statement that legal descriptions are complete and accurate.  |  |  | X                                     |
| Copies of off-source notification letters (if applicable)  |  |  | NA                                    |
| Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)  |  |  | NA                                    |
| Copy of (soil or land use) deed restriction (s) or deed notice if any required as a condition of closure   |  |  | NA                                    |
| Copy of any maintenance plan referenced in the deed restriction  |  |  | NA                                    |



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
2129 Jackson Street  
Oshkosh, Wisconsin 54901-1805  
TDD #: (608) 264-8777  
Fax #: (920) 424-0217  
Jim Doyle, Governor  
Mary P. Burke, Secretary

March 20, 2006

Mr. Rob Straebel  
Nicolet Real Estate & Investment Corp.  
200 S. Washington Street, Suite 305  
Green Bay, WI 54301-4200

**RE: Final Closure**

**Commerce # 54115-2509-01**      **WDNR BRRTS # 03-05-000131**  
Heritage Square-f/k/a De Pere Redevelopment II, 301 N. Broadway, De Pere

Dear Mr. Straebel:

The Wisconsin Department of Commerce (Commerce) has received all items required as conditions for closure of the site referenced above. This case is now listed as "closed" on the Commerce database and will be included on the Wisconsin Department of Natural Resources (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil contamination. It is in your best interest to keep all documentation related to the environmental activities that were conducted.

If residual contamination is encountered in the future, it must be managed in accordance with all applicable state and federal regulations. If it is determined that any remaining contamination poses a threat, the case may be reopened and further investigation or remediation may be required.

Thank you for your efforts to bring this case to closure. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 303-5410.

Sincerely,

A handwritten signature in black ink that reads "Beth A. Erdman". The signature is written in a cursive, flowing style.

Beth A. Erdman  
Hydrogeologist  
Site Review Section

cc: Robert Mottl-STC Consultants, Ltd.  
Bill Patzke-City of De Pere  
Case File



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Fax #: (920) 424-0217  
Jim Doyle, Governor  
Mary P. Burke, Secretary

January 20, 2006

Mr. Rob Straebel  
Nicolet Real Estate & Investment Corp.  
200 S. Washington Street, Suite 305  
Green Bay, WI 54301-4200

RE: **Conditional Case Closure**

**Commerce # 54115-2509-01**                      **WDNR BRRTS # 03-05-000131**  
Heritage Square-f/k/a De Pere Redevelopment II, 301 N. Broadway, De Pere

Dear Mr. Straebel:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, STS Consultants, Ltd., for the site referenced above. It is understood that residual soil contamination remains on-site. Commerce has determined that this site does not pose a significant threat to the environment and human health. No further investigation or remedial action is necessary.

**The following conditions must be satisfied to obtain final closure:**

- Documentation of abandonment (WDNR Abandonment Form 3300-5B) of monitoring wells MW-1 through MW-4.

This letter serves as your written notice of "no further action." Timely filing of your final PECFA claim (if applicable) is encouraged. If your claim is not received within 120 days of the date of this letter, interest costs incurred after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 303-5410.

Sincerely,

Beth A. Erdman  
Hydrogeologist  
Site Review Section

cc: Robert Mottl-STS Consultants, Ltd.  
Bill Patzke-City of De Pere  
Case File

DOCUMENT NO

1116802

WARRANTY DEED
STATE BAR OF WISCONSIN FORM 2 - 1962
J 11724 I 13

THIS SPACE RESERVED FOR RECORDING DATA

REGISTER OF DEEDS
BROWN COUNTY

1987 MAR 24 PM 3 18

CATHY WILLIQUETTE BREUNG
REGISTER OF DEEDS

The Redevelopment Authority of the City of De Pere, Wisconsin, a municipal corporation created and existing pursuant to Section 66.431, Wisconsin Statutes,

conveys and warrants to Nicolet Real Estate and Investment Corporation, a Wisconsin corporation,

RETURN TO W. R. Bodart
700 Morley Road
Box 10454
Green Bay, WI 54307

the following described real estate is BROWN County, State of Wisconsin:

Tax Parcel No: RD-756, 758, 759, 761, 762, 763 and 764

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block 12;

Also the whole of the vacated alley in said Block Twelve (12);

Also any and all interest in the proposed vacation of the East One-half (E 1/2) of Front Street lying westerly of Lots Seven (7) through Twelve (12), inclusive, Block Twelve (12);

All according to the recorded Plat of De Pere (commonly known as Original Plat of De Pere), in the City of De Pere, East side of Fox River, Brown County, Wisconsin.

Tax exempt pursuant to Wis. Stat. 77.25(2) and Wis. Adm. Code, Section TAX 15.05(2).

This is not homestead property. (In) (In not)

Exception to warranties: Easement and restrictions of record, special assessments in an amount not to exceed \$55,590.00, which are assumed by Grantee.

Dated this 24th day of MARCH

REDEVELOPMENT AUTHORITY OF THE CITY OF DE PERE

(SEAL) By:

Donald E. Clancy, Jr., Vice Chairman

Robert J. Mettner, Secretary

AUTHENTICATION

Signature(s) of Donald E. Clancy, Jr., Vice Chairman, and Robert J. Mettner, Secretary

authenticated this 24th day of March, 1987

Richard J. Dietz
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not authorized by § 766.04, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Attorney Richard J. Dietz

De Pere, Wisconsin

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

County

Personally came before me this day of 1987 the above named

to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public County, Wis. My Commission is permanent (if not, state expiration date: 1987)

\*Names of those signing in any capacity should be typed or printed below their signatures.



1349611

REGISTER'S OFFICE  
Brown Co. Wis.  
Received for record the 11<sup>th</sup>  
day of June A.D. 1993  
at 5:31 o'clock P.M.  
and recorded in Vol. 29 of  
Certified Survey Maps on Page 103  
*Kathy Wellguth*  
Register of Deeds

STATE OF WISCONSIN )  
BROWN COUNTY ) SS

Personally came before me this 11th day of June, 1993, <sup>1400</sup>  
the above named Thomas M. Olejniczak, Chairman, Redevelopment  
Authority of the City of De Pere, Wisconsin, and William Bodart,  
President, Nicolet Real Estate and Investment Corporation, to me  
known to be the persons and officers who executed the foregoing  
instrument and acknowledge that they executed the same as such  
officers as the deed of such corporation by its authority.

*[Signature]*  
Notary Public, Brown County, Wisconsin  
My Commission expires: 3/31/96

RESTRICTIVE COVENANTS

1. The land on all lot lines of all lots shall be graded by the subdivider and maintained by the abutting property owners to provide for the adequate drainage of surface water.
2. Owners of all lots shall grade areas abutting streets to conform to the established sidewalk grade elevation and shall maintain the grade elevation for future sidewalks.
3. The land in the rear and the sides of all lots shall not be graded in such a manner as to interfere with the drainage of storm water.

NOTE: "GRANT OF EASEMENT"

There is hereby granted jointly to the City of De Pere, Wisconsin, a municipal corporation, Wisconsin Public Service Corporation and the Wisconsin Telephone Company, both public utilities, and their successors and assigns, a perpetual right-of-way over and across and an easement in all lands designated herein as "utility easements" for purposes of construction, installation and maintenance of water distribution systems, sanitary and storm sewers, gas and electric distribution systems, telephone systems and cable television systems. No habitable structures or accessory buildings shall be constructed within or upon said easements. This easement shall be perpetual.

Approved for the City Plan Commission of the City of De Pere, Brown County, Wisconsin, this 25th day of May, 1993.

*[Signature]*  
William R. Patzke  
Director of Public Works Planning

CERTIFICATE OF THE DE PERE CITY CLERK

As the duly appointed City Clerk for the City of De Pere, I hereby certify that the records in my office show no unpaid special assessments affecting any of the lands included in this Certified Survey Map. Signed this 10<sup>th</sup> day of June, 1993.

*[Signature]*  
David Minten  
City Clerk, De Pere

SURVEYOR'S CERTIFICATE

I, Dennis E. Reim, Registered Land Surveyor, do hereby certify that by the order and under the direction of the City of De Pere, I have surveyed, divided and mapped all of Lots 1-12 and the vacated alley in Block 12, Plat of De Pere, City of De Pere, Brown County, Wisconsin, described as follows:

Commencing at the meander corner on the Northerly line of Private Claim 32, East Side of Fox River, said point located at the intersection of the West right-of-way line of Front Street and the Northerly line of Private Claim 32, E.S.F.R.; thence S00°31'55"E along the said West line of Front Street, a distance of 332.15 feet; thence N89°13'20"E along the South line of Cass Street extended, a distance of 60.01 feet to the Northwest corner of said Block 12, Plat of De Pere, and being the Point of Beginning; thence continuing N89°13'20"E along the South line of Cass Street, a distance of 253.56 feet to the Northeast corner of said Block 12; thence S00°33'47"E along the West line of Broadway Street, a distance of 361.25 feet to the Southeast corner of said Block 12; thence S89°28'05"W along the North line of William Street, a distance of 253.76 feet to the Southwest corner of said Block 12; thence N00°31'55"W along the East line of Front Street, a distance of 360.16 feet to the Point of Beginning...containing 2.10 acres or 91,499 square feet of land more or less.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and that I have complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision ordinances of the City of De Pere in surveying and mapping of the same.

Dated this 4<sup>th</sup> day of MAY, 1993.

Dennis E. Reim  
Dennis E. Reim, RLS #1590  
ROBERT E. LEE & ASSOCIATES, INC.



OWNER'S CERTIFICATE

As owners, we the undersigned hereby certify that we caused the land described on this plat to be surveyed, divided, mapped, and dedicated as represented on the plat. We also certify that this plat is required by S-236.12 to be submitted to the following for approval or objection: City of De Pere.

REDEVELOPMENT AUTHORITY OF THE  
CITY OF DE PERE

NICOLET REAL ESTATE AND  
INVESTMENT CORPORATION

Thomas M. Olejniczak  
By Thomas M. Olejniczak, Chairman

William Bodart  
By William Bodart, President

Attest: Theodore Penn  
Theodore Penn, Secretary

Stewart L. Stiles  
Stewart L. Stiles, Chairman  
Stephen

1349611

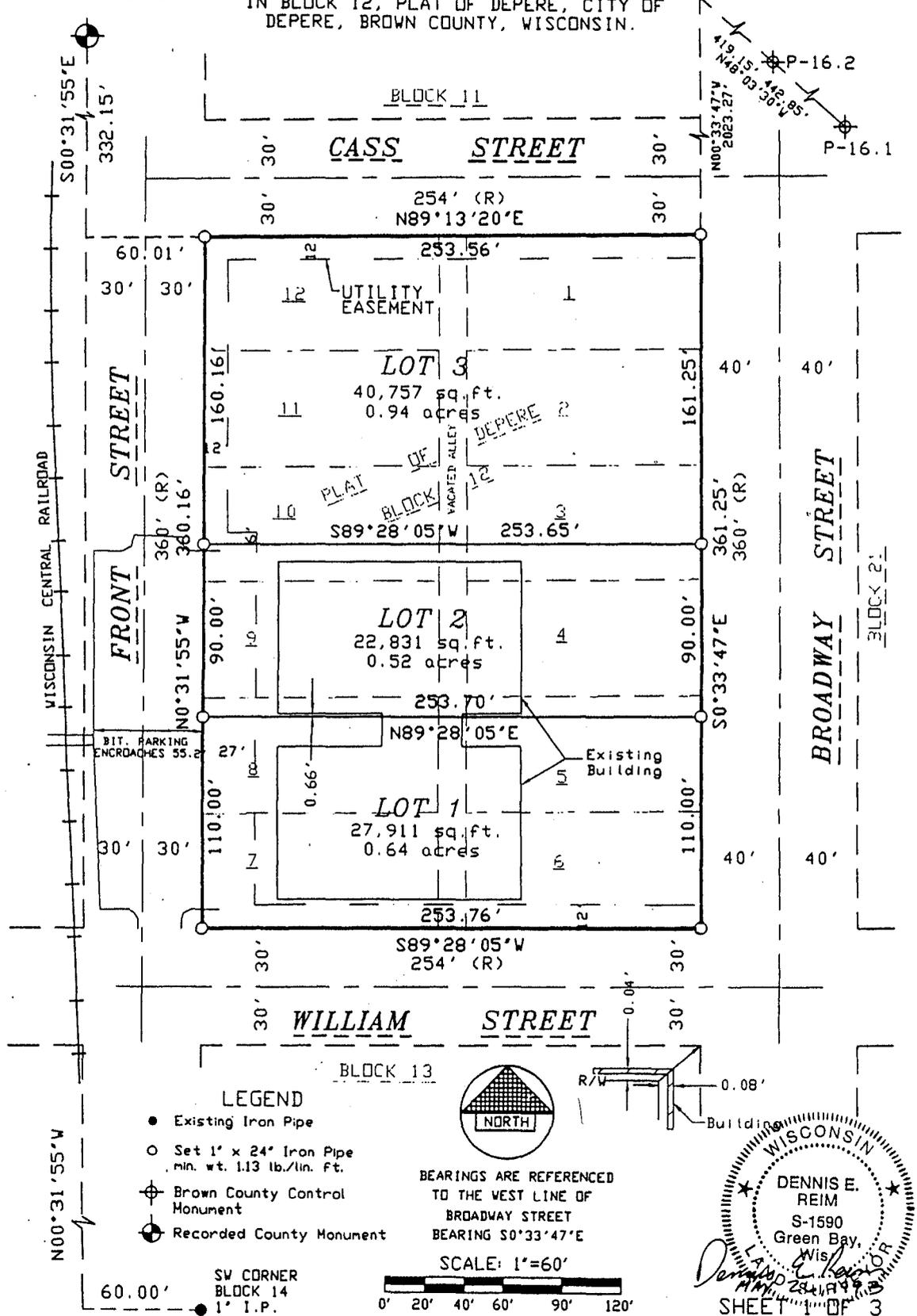
4540

MEANDER CORNER  
4"x4" CONCRETE  
MONUMENT W/BRASS CAP

# CERTIFIED SURVEY MAP

ALL OF LOTS 1-12 AND THE VACATED ALLEY  
IN BLOCK 12, PLAT OF DEPERE, CITY OF  
DEPERE, BROWN COUNTY, WISCONSIN.

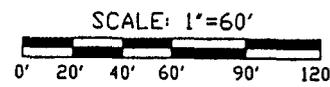
JOB NO. 404147  
DRAWN: JRW  
MAP NO. BROAD



- LEGEND**
- Existing Iron Pipe
  - Set 1" x 24" Iron Pipe  
min. wt. 1.13 lb./lin. Ft.
  - ⊕ Brown County Control Monument
  - ⊙ Recorded County Monument

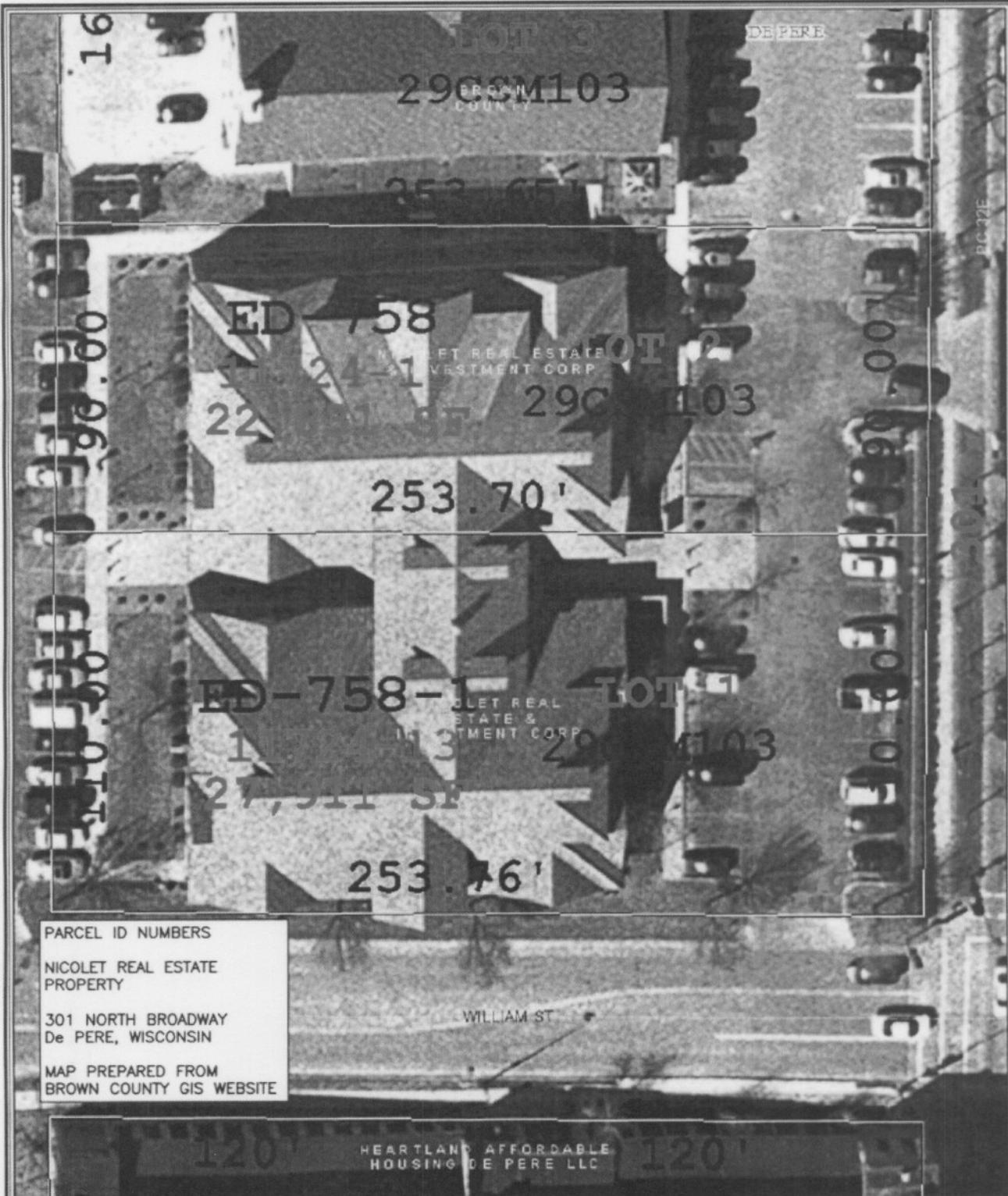


BEARINGS ARE REFERENCED  
TO THE WEST LINE OF  
BROADWAY STREET  
BEARING S0°33'47"E



WISCONSIN  
DENNIS E. REIM  
S-1590  
Green Bay,  
Wis.  
REGISTERED SURVEYOR  
MAY 28 1995  
SHEET 1 OF 3

SW CORNER  
BLOCK 14  
1" I.P.



PARCEL ID NUMBERS  
 NICOLET REAL ESTATE  
 PROPERTY  
 301 NORTH BROADWAY  
 De PERE, WISCONSIN  
 MAP PREPARED FROM  
 BROWN COUNTY GIS WEBSITE

Part of Brown County Wisconsin

Aerial Photo date - ground resolution  
 April 2005 - 6 inch

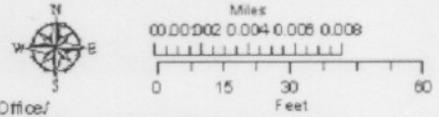
A map symbol legend is available at:  
[www.co.brown.wi.us/land\\_information\\_office/IMS](http://www.co.brown.wi.us/land_information_office/IMS)

*This map is intended for advisory purposes only. It is based on sources believed to be reliable, but Brown County distributes this information on an "AS IS" basis. No warranties are implied.*

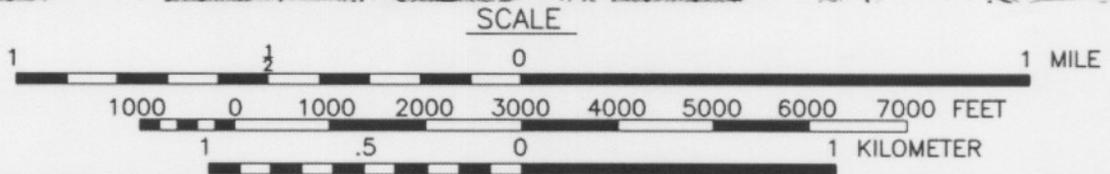
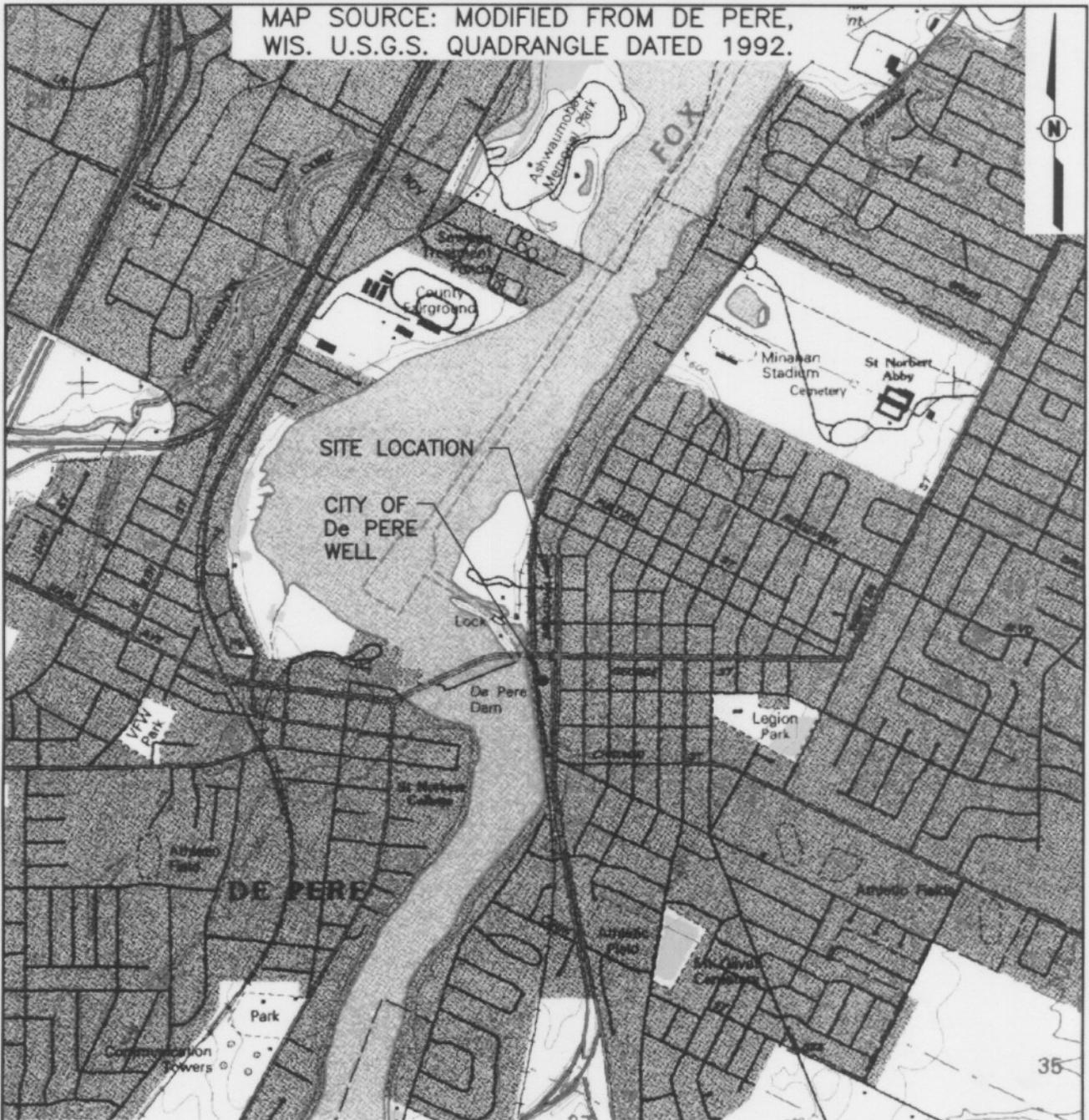
Map created on-line with "GIS interactive mapping": [www.co.brown.wi.us/Land\\_Information\\_Office/](http://www.co.brown.wi.us/Land_Information_Office/)

GIS map compiled by the Brown County Land Information Office (LIO). Data sources include the LIO group, Survey Planning, Treasurer, Land Conservation, U.S. Registrar of Deeds and other de paribus.

This map was created using GIS "layers" from various dates and sources. Some layers such as parcels are updated often, while other layers like aerial photos may be older. Please check the help/metadata for details.



MAP SOURCE: MODIFIED FROM DE PERE,  
WIS. U.S.G.S. QUADRANGLE DATED 1992.



X:\PROJECTS\428369EA\Dwg\G428369EA\_Site\_Location\_Map\_Fig1.dwg: 12/7/2005 2:40:05 PM; REINCE, JERRY M.

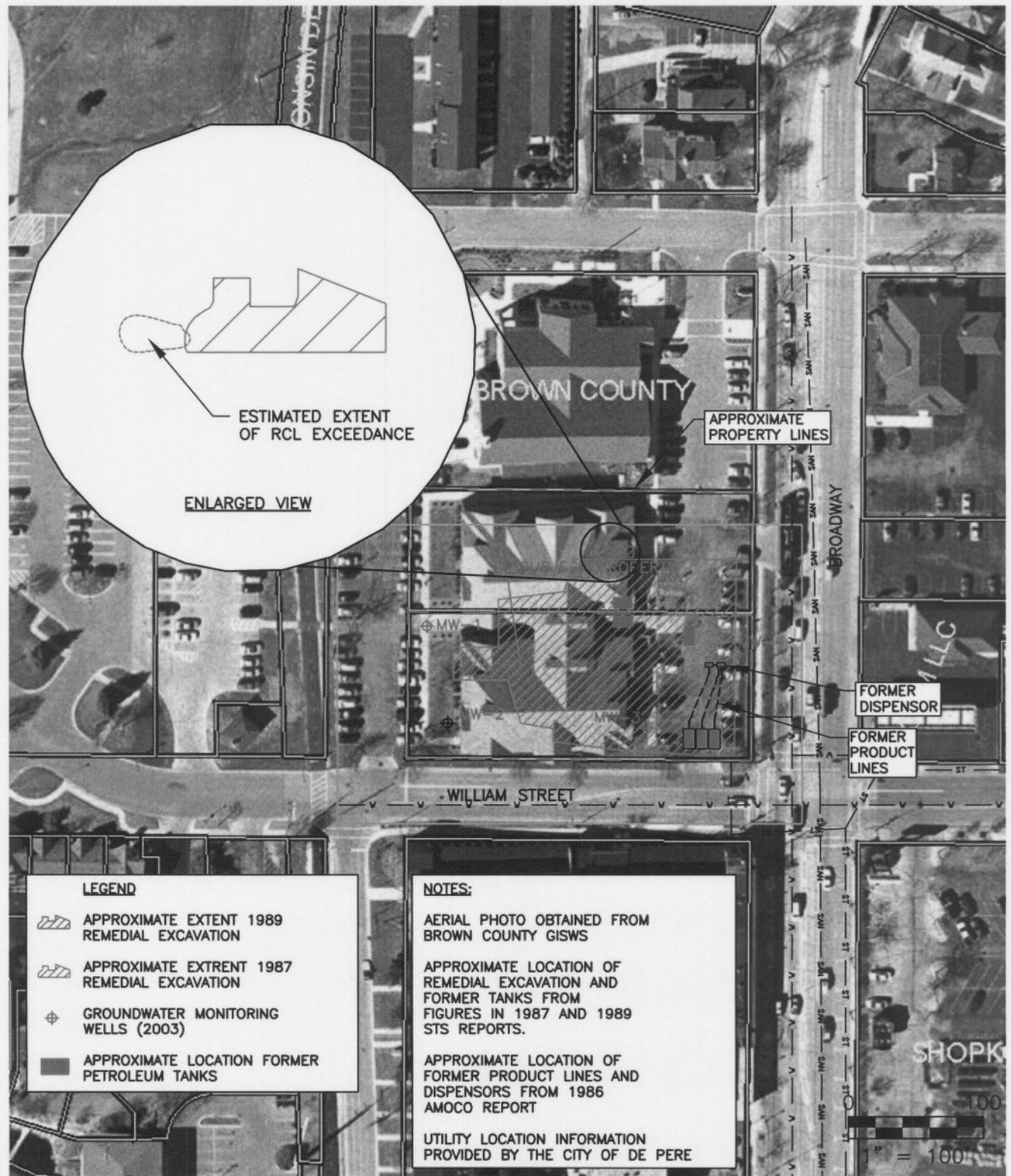


**STS CONSULTANTS**  
1035 Kepler Drive  
Green Bay, WI 54311  
920-468-1978  
www.stsconsultants.com  
Copyright ©2005, By: STS Consultants, Ltd.

SITE LOCATION MAP  
NICOLET REAL ESTATE PROPERTY  
301 NORTH BROADWAY  
DE PERE, WISCONSIN  
GROUNDWATER MONITORING WELL LOCATION DIAGRAM

|                |                |
|----------------|----------------|
| Drawn :        | JMR 12/01/2005 |
| Checked :      | RJM 12/01/2005 |
| Approved :     |                |
| PROJECT NUMBER | 4-28369EA      |
| FIGURE NUMBER  | 1              |

X:\PROJECTS\428369EA\Dwg\jmrG428369EA\_Site\_Diagram\_Fig2.dwg: 1/6/2006 10:02:00 AM; REINCE, JERRY M.



- LEGEND**
- APPROXIMATE EXTENT 1989 REMEDIAL EXCAVATION
  - APPROXIMATE EXTENT 1987 REMEDIAL EXCAVATION
  - GROUNDWATER MONITORING WELLS (2003)
  - APPROXIMATE LOCATION FORMER PETROLEUM TANKS

**NOTES:**

AERIAL PHOTO OBTAINED FROM BROWN COUNTY GISWS

APPROXIMATE LOCATION OF REMEDIAL EXCAVATION AND FORMER TANKS FROM FIGURES IN 1987 AND 1989 STS REPORTS.

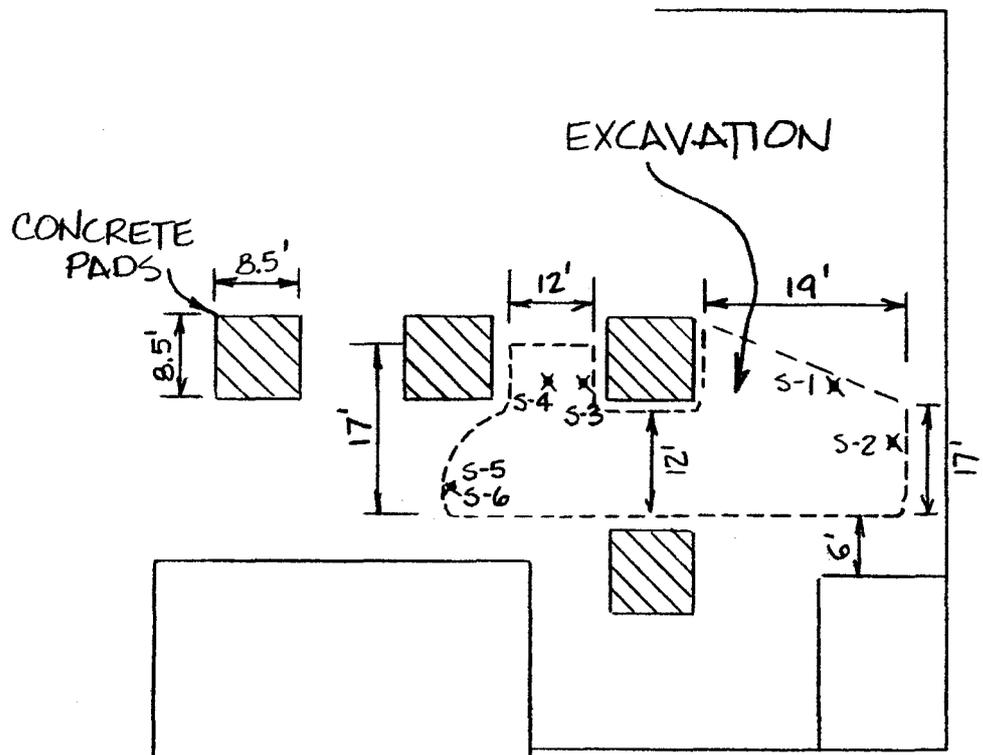
APPROXIMATE LOCATION OF FORMER PRODUCT LINES AND DISPENSORS FROM 1986 AMOCO REPORT

UTILITY LOCATION INFORMATION PROVIDED BY THE CITY OF DE PERE

**STS CONSULTANTS**  
 1035 Kepler Drive  
 Green Bay, WI 54311  
 920-468-1978  
 www.stsconsultants.com  
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**SITE DIAGRAM**  
**NICOLET REAL ESTATE PROPERTY**  
**301 NORTH BROADWAY**  
**DE PERE, WISCONSIN**  
**GROUNDWATER MONITORING WELL LOCATION DIAGRAM**

|                |                |
|----------------|----------------|
| Drawn :        | JMR 01/06/2006 |
| Checked:       | RJM 01/06/2006 |
| Approved:      |                |
| PROJECT NUMBER | 4-28369EA      |
| FIGURE NUMBER  | 2              |



MEDICAL BUILDING



PROJECT/CLIENT  
**SITE DIAGRAM**  
**CONTAMINATED SOIL REMOVAL**  
**HERITAGE SQUARE BUILDING**  
**DE PERE, WISCONSIN**

|                 |          |              |
|-----------------|----------|--------------|
| DRAWN BY        | JJT      | 1-16-89      |
| CHECKED BY      |          |              |
| APPROVED BY     |          |              |
| SCALE           | NO SCALE | FIGURE NO. 3 |
| STS DRAWING NO. | 16656 XF |              |

TABLE 1

ANALYTICAL RESULTS - CONTAMINATED SOIL REMOVAL

HERITAGE SQUARE ADDITION

DE PERE, WISCONSIN

STS PROJECT NO. 16656XF

| <u>Sample</u> | <u>Location</u> | <u>Depth</u> | <u>Soil Type</u> | <u>Benzene</u> | <u>Toluene</u> | <u>Ethyl Benzene</u> | <u>Xylene</u> |
|---------------|-----------------|--------------|------------------|----------------|----------------|----------------------|---------------|
| S-1           | Wall            | 2 ft.        | Silty Clay       | <10            | <10            | <15                  | <12           |
| S-2           | Wall            | 3 ft.        | Silty Clay       | <10            | <10            | <15                  | <12           |
| S-3           | Wall            | 2 ft.        | Silty Clay       | NT             | NT             | NT                   | NT            |
| S-4           | Floor           | 4 ft.        | Silty Clay       | <10            | <10            | <15                  | <12           |
| S-5           | Wall            | 8 ft.        | Sandy Silt       | 957            | 356            | <100                 | 11,600        |
| S-6           | Wall            | 4 ft.        | Silty Clay       | <10            | <10            | <15                  | <12           |

Notes: All results in  $\mu\text{g}/\text{kg}$  dry wt.  
NT = Sample collected but not analyzed.

STATEMENT OF PROPERTY LEGAL DESCRIPTION

As required by s.NR726.05(3) of the Wisconsin Administrative Code, I am providing this signed statement that to the best of my knowledge the legal descriptions that are attached to this statement are complete and accurate for the Nicolet Real Estate & Investment Corporation property located at 301 North Broadway Street, DePere, Wisconsin.

x [Signature]  
(Signature)

Date DEC 15, 2005

ROBERT G STRAEBEL  
(Name)

TREASURER  
(Title)

Nicolet Real Estate & Investment Corp.  
(Company)