

**GIS REGISTRY INFORMATION**

**SITE NAME:** Copps Food Center Store # 108 Gas Station  
**BRRTS #:** 03-08-514722 **FID # (if appropriate):** \_\_\_\_\_  
**COMMERCE # (if appropriate):** \_\_\_\_\_  
**CLOSURE DATE:** 10/16/2006  
**STREET ADDRESS:** 1919 E. Calumet Street  
**CITY:** Appleton

**SOURCE PROPERTY GPS COORDINATES** (meters in WTM91 projection): X= 649618 Y= 420194

**CONTAMINATED MEDIA:** Groundwater  Soil  Both

**OFF-SOURCE GW CONTAMINATION >ES:**  Yes  No

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

**GPS COORDINATES** (meters in WTM91 projection): X= \_\_\_\_\_ Y= \_\_\_\_\_

**OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):**  Yes  No

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

**GPS COORDINATES** (meters in WTM91 projection): X= \_\_\_\_\_ Y= \_\_\_\_\_

**CONTAMINATION IN RIGHT OF WAY:**  Yes  No

**DOCUMENTS NEEDED:**

- Closure Letter, and any conditional closure letter or denial letter issued
- Copy of any maintenance plan referenced in the final closure letter.
- Copy of (soil or land use) deed notice *if any required as a condition of closure*
- Copy of most recent deed, including legal description, for all affected properties
- Certified survey map or relevant portion of the recorded plat map (*if referenced in the legal description*) for all affected properties
- County Parcel ID number, *if used for county*, for all affected properties
- 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.
- 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.
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)**
- Tables of Latest Soil Analytical Results (no shading or cross-hatching)**
- 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.**
- GW: Table of water level elevations, with sampling dates, and free product noted if present**
- GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)**
- SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour**
- Geologic cross-sections, if required for SI.** (8.5x14" if paper copy)
- RP certified statement that legal descriptions are complete and accurate**
- Copies of off-source notification letters (if applicable)**
- Letter informing ROW owner of residual contamination (if applicable)**(public, highway or railroad ROW)



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Ave., P.O. Box 10448  
Green Bay, Wisconsin 54307-0448  
Telephone 920-662-5100  
FAX 920-662-5413  
TTY Access via relay - 711

October 16, 2006

Copps Corporation  
Attn: Mr. Richard Schultz  
2828 Wayne Street  
Stevens Point, WI 54481

SUBJECT: Final Case Closure By Closure Committee  
Copps Food Center Store # 108 Gas Station, 1919 E. Calumet St., Appleton, WI  
WDNR BRRTS Activity #: 03-08-514722

Dear Mr. Schultz:

On April 13, 2006, the Northeast Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. The case was conditionally approved for closure but while waiting for final closure documentation, soil contamination was discovered during the removal of three underground storage tanks from the property. The case was then routed through the Closure Committee for re-evaluation.

On October 11, 2006, the Closure Committee determined that you have complied with the requirements of closure (soil and groundwater GIS registration, monitoring well abandonment and waste disposal documentation submitted). Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry and you intend to construct or reconstruct a well, you will need Department approval. Department approval is required before construction or reconstruction of a well on a property listed on the GIS Registry, in accordance with s. NR 812.09(4)(w). To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

A limited quantity of contaminated soil may be present at the former location of the underground storage tanks (UST). The Department recommends that any impervious surface cover in the vicinity of the former UST location be properly maintained in order to minimize rainwater infiltration through any contaminated material. Any soil excavated in this area in the future should be sampled for the

contaminants of concern and handled properly

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (920) 662-5420.

Sincerely,



Keld B. Lauridsen  
Hydrogeologist  
Remediation & Redevelopment Program

cc: David Larsen, REI (electronic copy)  
Steve Winter, Calumet Village Partners,  
3315a North Ballard Road, Appleton, WI 54911

LOCALITY (If any)

187025

STATE BAR OF WISCONSIN - FORM 8  
WARRANTY DEED  
THIS SPACE RESERVED FOR RECORDING DATA

REGISTERED OFFICE  
COURT HOUSE

Booked to Book \_\_\_\_\_  
Page of \_\_\_\_\_  
\* 2-23-86  
Booked to Book \_\_\_\_\_  
Page of \_\_\_\_\_  
Booked to Book \_\_\_\_\_  
Page of \_\_\_\_\_  
2-23-86  
R.L.C.  
T.J.P.

Madison Real Estate Properties, a Wisc. General Partnership

conveys and warrants to Calumet Village Partners, a General Partnership consisting of 3AM Investments, a General Partnership and Scherwin Associates, a General Partnership

The following described real estate in Calumet County, State of Wisconsin:

Tax Map No.

A parcel of land being a part of lots 22, 23, and 24, Purdy Farm Plat, City of Appleton, Calumet County, Wisconsin which is more fully described as follows: Commencing at the SE corner of Lot 22, of said Purdy Farm Plat; thence S00°23'00"E, 87.00 feet along the East line of Lot 22 to the point of beginning; thence continuing S0°23'00"E, 40.00 feet along said East line; thence N89°34'00"W, 150.00 feet; thence S0°23'00"E, 239.04 feet along the West line of Lot 20 and its northerly extension, to the SW corner of said Lot 20; thence N89°34'00"W, 622.04 feet along the South line of Lots 22, and 23; thence N0°23'00"W, 349.04 feet; thence S89°34'00"E, 20.00 feet to the East line of Lot 24; thence S0°23'00"W, 150.00 feet along said East line to the NE corner of said Lot 24; thence S89°34'00"E, 827.34 feet along the North line of Lot 22; thence S0°23'00"E, 250.00 feet; thence S89°34'00"E, 254.70 feet to the East line of Lot 22; also being the point of beginning. Said parcel contains 7.22 acres of land more or less, this is not homestead property and is subject to all easements and restrictions of record.

Exception to warranties: municipal and zoning ordinances, taxes for 1985 and future years and all matters of record.

See attached maps

Dated this 29th day of December, 19 86

Gordon A. Rice (SEAL)  
Gordon A. Rice, General Partner  
Gregory A. Rice (SEAL)  
Gregory A. Rice, General Partner  
Randy J. Paul (SEAL)  
Randy J. Paul, General Partner  
Signatures authenticated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Donald D. Gay (SEAL)  
Donald D. Gay, General Partner  
Kenneth R. Walton (SEAL)  
Kenneth R. Walton, General Partner  
TRANSFER

ACKNOWLEDGMENT  
STATE OF WISCONSIN  
Date \_\_\_\_\_ County \_\_\_\_\_  
Personally came before me, this 29th day of December, 19 86, the above named Gordon A. Rice, Partner, Donald D. Gay, Partner, Gregory A. Rice, Partner and Kenneth R. Walton, Partner to me known to be the person(s) who executed the foregoing instrument and acknowledged the same to be their act and deed.  
Michelle A. Trencher  
Michelle A. Trencher  
Notary Public \_\_\_\_\_ Date \_\_\_\_\_ County \_\_\_\_\_  
My Commission is permanent (if not, state expiration date: MAY 8 1988)

TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, authorized by § 708.06, Wis. Stats.)  
The instrument was drafted by  
Randy J. Paul

(Signatures may be authenticated or acknowledged, both are not necessary.)  
The use of witnesses is optional.

Published by: PREFERRED TITLE SERVICE, INC.  
117 EAST WILSON  
MADISON, WISCONSIN 53761



ABSTRACTS / TITLE INSURANCE / EGRESS

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

**MEMORANDUM OF AMENDMENT TO TRIPLE NET LEASE**

TO THE PUBLIC:

Notice is hereby given that the property described on Exhibit "A" attached hereto which is subject to a Lease originally dated June 30, 1986 naming The Copps Corporation, a Wisconsin Corporation, as Lessee, and naming S & M Investments (since assigned to Calumet Village Partners), as Lessor, is subject to an Amendment described below.

By Amendment dated the same day as this Memorandum below the original Lease has been separated into two separate Leases, one Lease which applies to that parcel known as the "Gas Station Parcel" legally described on Exhibit "B" hereto, and the other Lease applying to that parcel described as the "Remainder Parcel" legally described on Exhibit "C" hereto. Said Amendment creates cross easements between the Gas Station Parcel and Remainder Parcel in paragraph 6 in said Amendment which is quoted below as follows:

**"CROSS EASEMENTS.** Lessor and Lessee are hereby granted mutual cross easement rights to benefit the Gas Station Parcel and to burden the Remainder Parcel for the following purposes:

- (a) For ingress and egress of pedestrian and vehicle traffic across all presently existing and future routes of travel to the curb cut access points of Calumet Street and Schaefer Street, subject to modifications, if any, made to such access points and routes of travel in the future on the Remainder Parcel.
- (b) For parking, in designated parking stalls, for employees and patrons either employed at or conducting business at the Gas Station Parcel during business hours of the business operated at the Gas Station Parcel.
- (c) For utilities, including but not limited to, gas, electrical, telephone, sewer, water, and other public utilities where presently located or where such utilities may be relocated in the future either above or below ground as reasonably necessary for providing services to the Gas Station Parcel at such locations in the future as will not unreasonably interfere with present or future occupancy and use of the Remainder Parcel.

J 3166 1 11

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALLEN, CALUMET COUNTY MICROFILM OPERATOR

Lessor and Lessee are hereby granted mutual cross easement rights benefitting of the Remainder Parcel and burdening the Gas Station Parcel as follows:

- (a) For ingress and egress of pedestrian and vehicle traffic across all presently existing and future routes of travel to the curb cut points of Calumet Street and Schaefer Street, subject to modifications, if any, made to such access points and routes of travel in the future on the Gas Station Parcel.
- (b) For parking, in designated parking stalls, for employees and patrons either employed at or conducting business at the Remainder Parcel during business hours of businesses operated at the Remainder Parcel.
- (c) For utilities, including but not limited to, gas, electrical, telephone, sewer, water, and other public utilities where presently located or where such utilities may be relocated in the future either above or below ground as reasonably necessary for providing services to the Remainder Parcel at such locations in the future as will not unreasonably interfere with present or future occupancy and use of the Gas Station Parcel."

The Memorandum contains other terms and conditions effecting the property during the term that the Lease contains in force and effect.

Dated this 20th day of August, 1996.

LESSEE:  
THE COPPS CORPORATION,

BY: John Weckerly V.P.  
Authorized Representative/Title  
John Weckerly - VP

BY: J. Thomas Sievwright Secretary  
Authorized Representative/Title  
J. Thomas Sievwright - Sec.

J 3466 | 12

Subscribed and sworn to by John Weckerly  
and J. Thomas Sierwright before me this 20<sup>th</sup> day of  
August, 1996.

Thomas Pies  
Notary Public  
State of Wisconsin  
My Commission expires is permanent.

LESSOR:  
CALUMET VILLAGE PARTNERS

BY: S. A. Winter  
Stephen A. Winter  
Managing General Partner

Subscribed and sworn to by Stephen A. Winter  
before me this 21st day of August, 1996.

Susan J. Th...  
Notary Public  
State of Wisconsin  
My Commission expires 09/09/98



This instrument drafted by:  
Charles D. Koehler  
HERRLING, CLARK, HARTZHEIM  
& SIDDALL, LTD.  
800 North Lynndale Drive  
Appleton, WI 54914  
(414) 739-7366

RETURN RECORDED DOCUMENT  
TO DRAFTER.

J 3466 I 13

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALLEN, CALUMET COUNTY MICROFILM OPERATOR

DESCRIPTION OF PARCEL A

A parcel of land being a part of Lots 22, 23, 24, Purdy Farm Plat, City of Appleton, Calumet County, Wisconsin which is more fully described as follows: Commencing at the SE corner of Lot 21, of said Purdy Farm Plat; Thence S00°21'46" E, 57.00 feet along the East line of Lot 22 to the point of beginning; Thence Continuing S00°21'46" E, 40.00 feet (recorded as S00°23'00" E) along said East line; Thence N89°29'26" W, 190.00 feet (recorded as N89°34'00" W); Thence S00°18'02" E, 238.88 feet (recorded as N00°23'00" W, 239.04 feet) along the West line of Lot 20 and it's Northerly extension, to the SW corner of said Lot 20; Thence N89°34'00" W, 621.49 feet (recorded as 622.04 feet) along the South line of Lots 22, and 23; Thence N00°18'32" W, 349.04 feet (recorded as N00°23'00" W); Thence S88°57'56" E, 20.00 feet (recorded as N89°34'00" W) to the East line of Lot 24; Thence N00°30'10" W, 180.00 feet (recorded as N00°23'00" W) along said East line to the NE corner of said Lot 24; Thence S89°34'00" E, 527.34 feet along the North line of Lot 22; Thence S00°28'09" E, 249.88 feet (recorded as S00°23'00" E, 250.00 feet); Thence S89°29'47" E, 264.06 feet (recorded as S89°34'00" E, 264.70 feet) to the East line of Lot 22, also being the point of beginning.

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALLEN, CALUMET COUNTY MICROFILM OPERATOR

J 3466 I 14

EXHIBIT A

LEGIBILITY IMPAIRED

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALLEN, CALUMET COUNTY MICROFILM OPERATOR

A Parcel of land being part of Lot 22, Purdy Farm Plat, City of Appleton, Calumet County, Wisconsin which is more fully described as follows: Commencing at the NE corner of Lot 24, of said Purdy Farm Plat; Thence S89°34'00"E, 527.34 feet along the North line of said Lot 22; Thence S36°09'17"W, 72.99 feet to the point of beginning; Thence N89°34'00"W, 40.61 feet; Thence S00°28'09"E, 126.21 feet; Thence S89°34'00"E, 40.61 feet; Thence N00°28'09"W, 126.21 feet to the point of beginning.

J 3466 I 15

EXHIBIT B

LEGIBILITY IMPAIRED

I CERTIFY THAT THIS DOCUMENT WAS MICROFILMED ACCORDING TO WI STATUTE 16.61(7). TAMI ALLEN, CALUMET COUNTY MICROFILM OPERATOR

DESCRIPTION OF PARCEL A

A parcel of land being a part of Lots 22, 23, 24, Purdy Farm Plat, City of Appleton, Calumet County, Wisconsin which is more fully described as follows: Commencing at the SE corner of Lot 21, of said Purdy Farm Plat; Thence S00°21'46"E, 57.00 feet along the East line of Lot 22 to the point of beginning; Thence Continuing S00°21'46"E, 40.00 feet (recorded as S00°23'00"E) along said East line; Thence N89°29'26"W, 190.00 feet (recorded as N89°34'00"W); Thence S00°18'02"E, 238.88 feet (recorded as N00°23'00"W, 239.04 feet) along the West line of Lot 20 and it's Northerly extension, to the SW corner of said Lot 20; Thence N89°34'00"W, 621.49 feet (recorded as 622.04 feet) along the South line of Lots 22, and 23; Thence N00°18'32"W, 349.04 feet (recorded as N00°23'00"W); Thence S88°57'56"E, 20.00 feet (recorded as N89°34'00"W) to the East line of Lot 24; Thence N00°30'10"W, 180.00 feet (recorded as N00°23'00"W) along said East line to the NE corner of said Lot 24; Thence S89°34'00"E, 527.34 feet along the North line of Lot 22; Thence S00°28'09"E, 249.88 feet (recorded as S00°23'00"E, 250.00 feet); Thence S89°29'47"E, 264.06 feet (recorded as S89°34'00"E, 264.70 feet) to the East line of Lot 22, also being the point of beginning. Less the following described parcel:

A Parcel of land being part of Lot 22, Purdy Farm Plat, City of Appleton, Calumet County, Wisconsin which is more fully described as follows: Commencing at the NE corner of Lot 24, of said Purdy Farm Plat; Thence S89°34'00"E, 527.34 feet along the North line of said Lot 22; Thence S36°09'17"W, 72.99 feet to the point of beginning; Thence N89°34'00"W, 40.61 feet; Thence S00°28'09"E, 126.21 feet; Thence S89°34'00"E, 40.61 feet; Thence N00°28'09"W, 126.21 feet to the point of beginning.

Said parcel contains 304,444 square feet or 6.99 acres more or less and is subject to all easements and restrictions of record.

260184

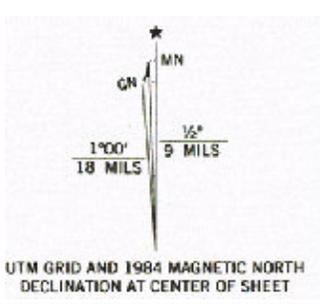
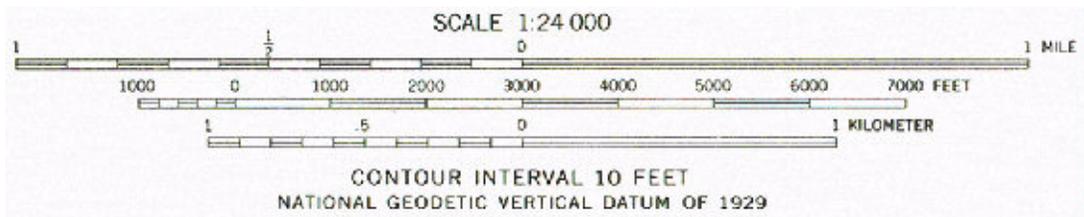
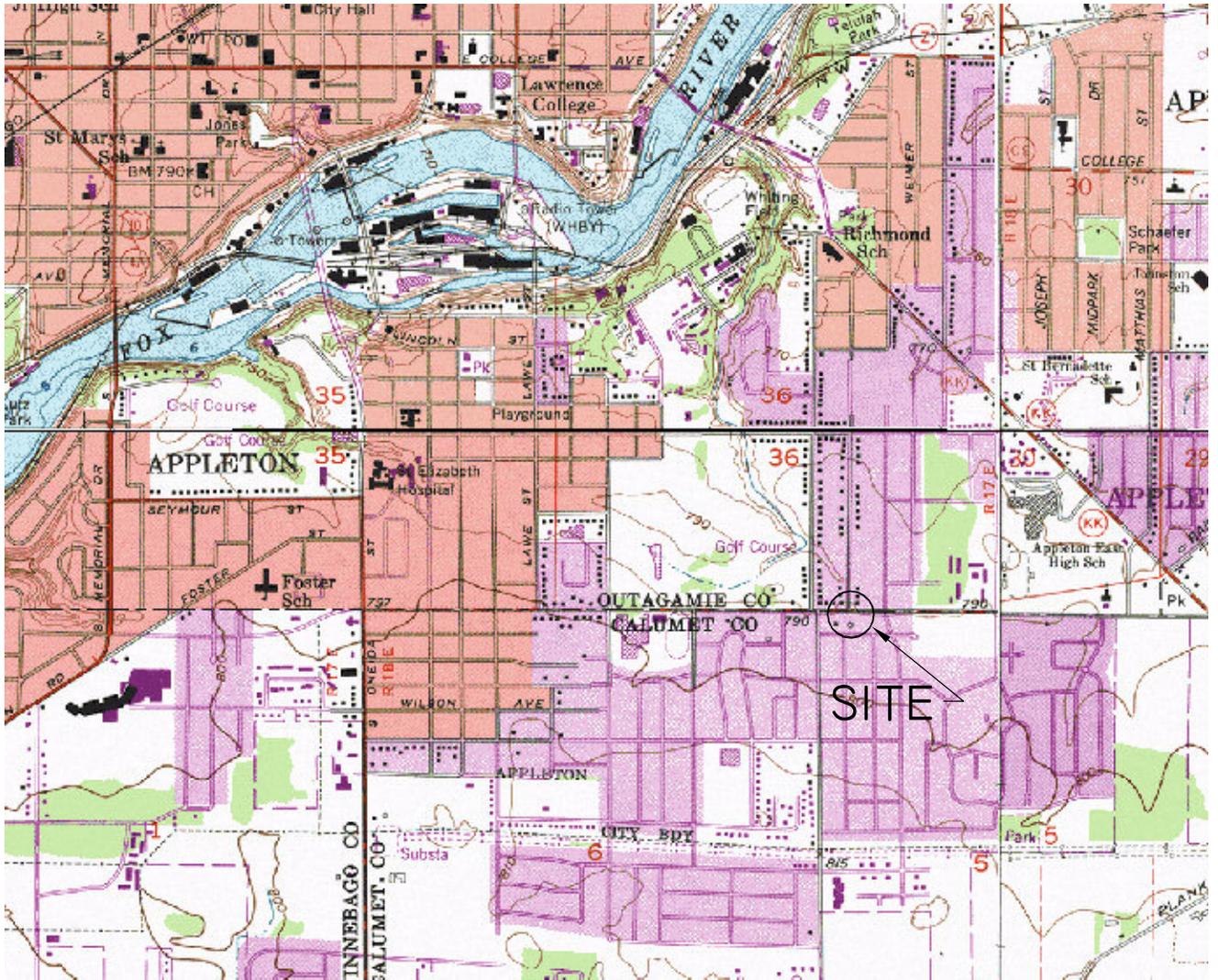
REGISTERS OFFICE  
CALUMET COUNTY WI

Received for Record 29  
Day of AUGUST A.D. 19 96  
2:00 P.M. and Recorded in  
Book 3466 Page 11-16  
Donna Schommer  
Pd 20.00 Register

J 3466 | 16

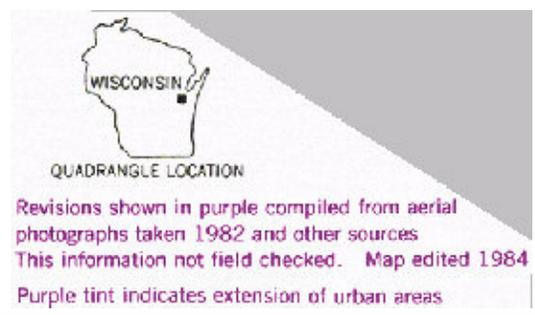
EXHIBIT C





**NEENAH, WIS.**  
NW/4 NEENAH 15' QUADRANGLE  
44088-B4-TF-024

1955  
PHOTOREVISED 1984  
DMA 3372 III NW—SERIES V861



COPPS FOOD CENTER, STORE #108—GAS STATION  
1919 E. CALUMET STREET  
APPLETON, WISCONSIN

FIGURE 1 : VICINITY MAP		
PROJECT NO.	DRAWN BY:	DATE:
3186	DDD	5/5/04



Copps Food Center, Store #108 - Gas Station  
Appleton, WI

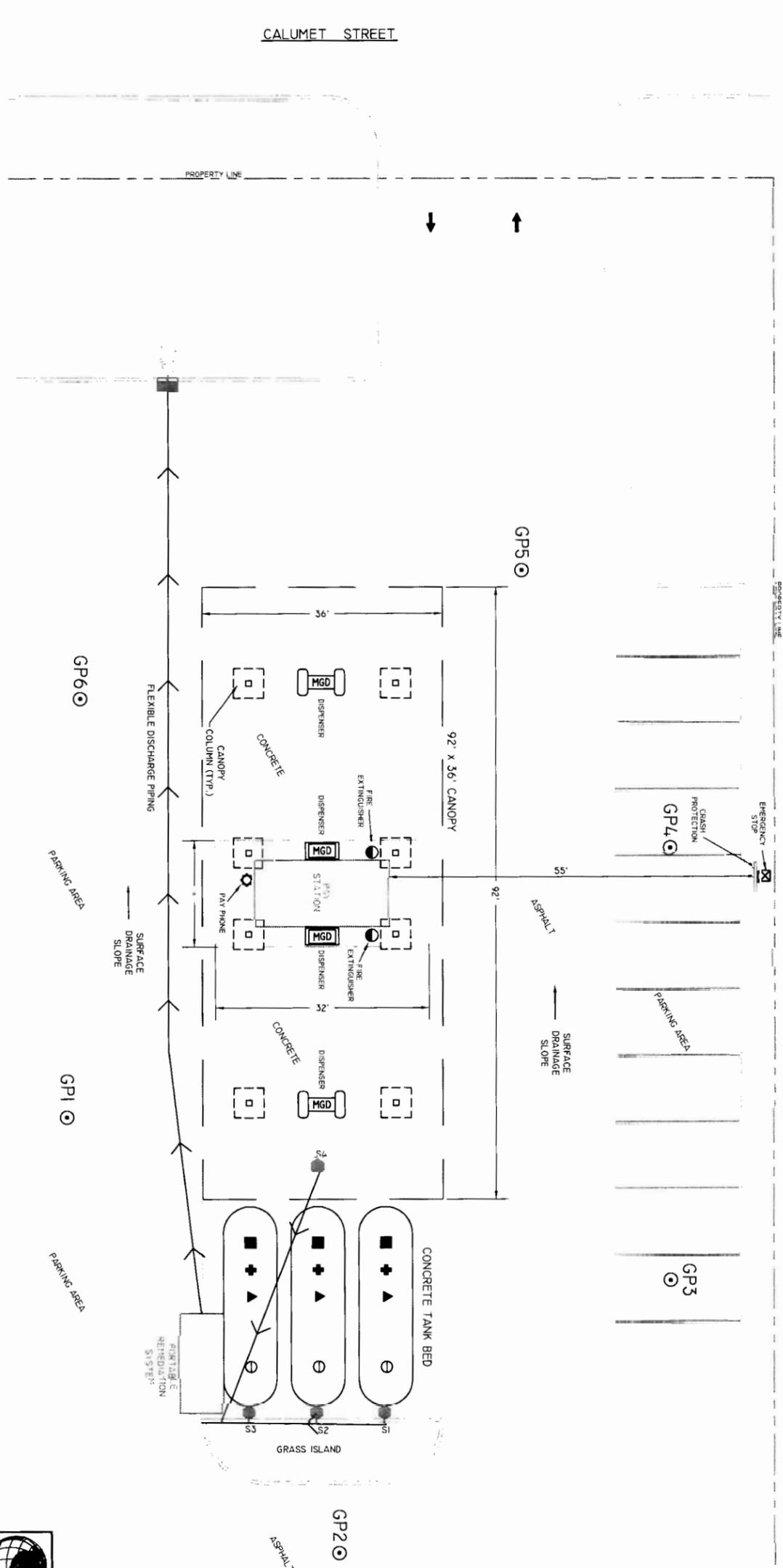
Figure 3 Aerial Photograph of Site  
REI Project Number: 3186

- GENERAL NOTES:**
- 1) TANKS - CONTAINMENT SOLUTIONS, 10,000 GAL. RFP
  - 2) PIPE - SINGLE WALL RFP WITH TCI SECONDARY - PLAN #94.08072
  - 3) SPILL CONTAINMENT - EBN 705
  - 4) OVERFILL - ALARM WITH ECCO 1500
  - 5) TANK MONITOR - EMCO - ECCO 1500
  - 6) LINE LEAK - EPICO LEAK SENSOR II
  - 7) EMERGENCY PHONE - (920) 730-2918
  - 8) VAPOR RECOVERY INSTALLED IN 1994, HASSTECH MODEL VCP 212A

**LEGEND**

0 20  
SCALE: 1" = 20'

- SUBMERSIBLE PUMP
- ▼ VENT
- ▲ ATG PROBE
- ⊖ FILL W/SPILL CONTAINMENT
- ⊕ KEY OPERATED EMERGENCY STOP
- ⊙ 40BC RATED FIRE EXTINGUISHER
- ⊙ PAY PHONE
- ⊙ OBSERVATION SUMP
- FLEXIBLE DISCHARGE PIPING
- ⊙ GEOPROBE LOCATION



**REI**

CIVIL & ENVIRONMENTAL  
ENGINEERING, SURVEYING

COPPS FOOD CENTER STORE #108-GAS STATION  
1919 E. CALUMET STREET  
APPLETON, WISCONSIN

**FIGURE 2 : SITE PLAN**

PROJECT No. 3186	DRAWN BY: DDD/TJR	DATE: 5/10/04
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**Table 1**  
**Summary of Groundwater Analytical Results**  
**Copps Food Center**  
**1919 East Calumet**  
**Appleton, WI**

Parameter	Sample Location			Investigation Samples			
				GP2	GP5	Sump 1	Sump 3
	ES	PAL	Date	11/21/2003	11/21/2003	11/21/2003	11/21/2003
Benzene	5	0.5	µg/l	< 0.41	< 0.41	14,000	8,800
Toluene	1,000	200	µg/l	< 0.67	< 0.67	40,000	21,000
Ethylbenzene	700	140	µg/l	< 0.54	< 0.54	3,100	1,600
Xylenes (mixed isomers)	10,000	1,000	µg/l	< 1.8	< 1.8	19,400	9,900
Methyl tert-Butyl Ether (MTBE)	60	12	µg/l	16	79	1,300	990
Trimethylbenzenes (mixed isomers)	480	96	µg/l	< 0.97	< 0.97	4,450	3,120
Naphthalene	40	8	µg/l	< 0.74	< 0.74	NA	NA
Trichloroethelene	5	0.5	µg/l	1.7	< 0.48	NA	NA

Parameter	Sample Location			Active Remediation Samples											
				10/16/2003	10/26/2003	3/8/2004	5/27/2004	6/23/2004	7/14/2004	8/18/2004	9/29/2004	10/27/2004	11/17/2004	12/8/2004	4/1/2005
	ES	PAL	Date												
Benzene	5	0.5	µg/l	3,200	580	3,800	6,300	6,300	6,700	4,500	3,300	2,900	1,900	660	180
Toluene	1,000	200	µg/l	5,900	490	15,000	19,000	19,000	18,000	7,600	4,900	5,700	7,200	1,400	680
Ethylbenzene	700	140	µg/l	950	120	1,500	2,500	240	2,300	1,800	1,400	1,500	1,600	700	760
Xylenes (mixed isomers)	10,000	1,000	µg/l	4,700	410	16,900	16,400	13,300	11,500	10,800	9,200	12,200	14,300	11,400	8,100
Methyl tert-Butyl Ether (MTBE)	60	12	µg/l	920	330	500	670	690	630	520	430	380	210	87	44
Trimethylbenzenes (mixed isomers)	480	96	µg/l	1,920	259	5,100	3,680	2,640	2,360	2,250	2,090	3,140	3,160	3,850	3,270
Naphthalene	40	8	µg/l	NA	NA	1,100	760	730	490	NA	390	500	480	360	340
Trichloroethelene	5	0.5	µg/l	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Parameter	Sample Location			Post-Remediation Samples						
				Sump 2	Sump 2	Sump 2	Sump 1	Sump 2	Sump 3	Sump 4
	ES	PAL	Date	5/4/2005	6/9/2005	7/21/2005	3/15/2006	3/15/2006	3/15/2006	3/15/2006
Benzene	5	0.5	µg/l	43	27	30	11	51	20	23
Toluene	1,000	200	µg/l	70	33	9.7*	3.1*	< 8.9	6.1*	8.7
Ethylbenzene	700	140	µg/l	310	140	88	3.8*	14*	6.9*	3.8
Xylenes (mixed isomers)	10,000	1,000	µg/l	6,600	5,100	2,670	185	759	424	182
Methyl tert-Butyl Ether (MTBE)	60	12	µg/l	31	26*	48	23	47	32	28
Trimethylbenzenes (mixed isomers)	480	96	µg/l	4,200	3,800	4,100	770	2,610	1,430	294
Naphthalene	40	8	µg/l	300	220	200	58	110	72	12
Trichloroethelene	5	0.5	µg/l	NA	NA	NA	NA	NA	NA	NA

**Notes:**

ES = NR140.10 Enforcement Standards

PAL = NR140.10 Preventive Action Limits

NA = Not Analyzed

\* = Estimated value, concentration between the Limit of Detection and the Limit of Quantitation

Enforcement Standard exceeded

**BOLD**

Preventive Action Limit exceeded

*Italics*

**Table 1  
Summary of Geoprobe Soil Sample Results  
Copp's Food Center  
1919 East Calumet  
Appleton, WI**

Parameter	RCL	COMM	Units	Location	GP1			GP2		GP3		GP4		GP5		GP6	
				Depth (ft)	2-4	10-12	15-16	2-4	10-12	2-4	10-12	2-4	10-12	2-4	6-8	2-4	10-12
		Table 1	PID		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>GRO</b>	100		mg/kg		< 3.0	< 3.0	< 3.2	< 3.2	< 3.0	< 3.0	< 2.8	< 3.0	< 2.9	< 3.0	< 2.9	< 2.9	< 3.0
<b>PVOC Parameters</b>																	
Benzene	5.5	8,500	µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25
Toluene	1,500	38,000	µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25
Ethylbenzene	2,900	4,600	µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25
Xylenes (mixed isomers)	4,100	42,000	µg/kg		< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 50
Methyl tert-Butyl Ether (MTBE)			µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25
1,3,5-Trimethylbenzene		11,000	µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25
1,2,4-Trimethylbenzene		83,000	µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25

**Notes:**

RCL = NR 720.09 Residual Contaminant Levels

NS = Not Sampled

RCL value exceeded

<b>BOLD</b>
<i>BOLD</i>

COMM Table 1 value exceeded

**Table 1**  
**Summary of Soil Analytical Results**  
**Copps Food Center**  
**1919 East Calumet**  
**Appleton, WI**

				Location	CSS#1	CSS#2	CSS#3	CSS#4	CSS#5	CSS#6	CSS#7	CSS#8
<b>Parameter</b>				Depth (ft)	12	13	13	12	12	12	12	13
		COMM		% Solids	82.4	80.2	77.0	77.1	77.6	78.4	78.5	77.4
	RCL	Table 1	Units	PID	2.7	3.8	2.8	1.1	2.2	0.7	0.4	0.6
<b>PVOC Parameters</b>												
Benzene	5.5	8,500	µg/kg		<b>660</b>	< 25	< 25	< 25	<b>280</b>	< 25	<b>320</b>	<b>75*</b>
Toluene	1,500	38,000	µg/kg		<b>1,800</b>	< 25	< 25	< 25	< 25	< 25	< 25	< 25
Ethylbenzene	2,900	4,600	µg/kg		240	< 25	< 25	< 25	< 25	< 25	< 25	< 25
Xylenes (mixed isomers)	4,100	42,000	µg/kg		1,090	140*	< 50	< 50	< 50	< 50	< 50	< 50
Methyl tert-Butyl Ether (MTBE)			µg/kg		< 25	54*	46*	42*	60*	47*	53*	56*
1,3,5-Trimethylbenzene		11,000	µg/kg		< 25	95	< 25	< 25	< 25	< 25	< 25	< 25
1,2,4-Trimethylbenzene		83,000	µg/kg		96	240	51*	< 25	< 25	< 25	< 25	65*

				Location	CSS#9	CSS#10	CSS#11	CSS#12	CSS#13	CSS#14	CSS#15	CSS#16
<b>Parameter</b>				Depth (ft)	13	2	2	2	2	3	3	3
		COMM		% Solids	76.7	83.8	80.6	85.0	87.3	84.4	85.3	85.2
	RCL	Table 1	Units	PID	0.9	5.8	2.1	1.9	2.6	3.8	2.1	1.6
<b>PVOC Parameters</b>												
Benzene	5.5	8,500	µg/kg		<b>350</b>	< 25	< 25	< 25	< 25	< 25	< 25	< 25
Toluene	1,500	38,000	µg/kg		150	< 25	< 25	< 25	< 25	< 25	< 25	30*
Ethylbenzene	2,900	4,600	µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25
Xylenes (mixed isomers)	4,100	42,000	µg/kg		< 50	< 50	< 50	< 50	< 50	< 50	< 50	< 50
Methyl tert-Butyl Ether (MTBE)			µg/kg		33*	< 25	< 25	< 25	< 25	< 25	< 25	< 25
1,3,5-Trimethylbenzene		11,000	µg/kg		< 25	< 25	< 25	< 25	< 25	< 25	< 25	< 25
1,2,4-Trimethylbenzene		83,000	µg/kg		55*	< 25	< 25	< 25	< 25	< 25	< 25	< 25

**Notes:**

RCL = NR 720.09 Residual Contaminant Levels

NS = Not Sampled

RCL value exceeded

<b>BOLD</b>
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COMM Table 1 value exceeded

<b><u>BOLD</u></b>
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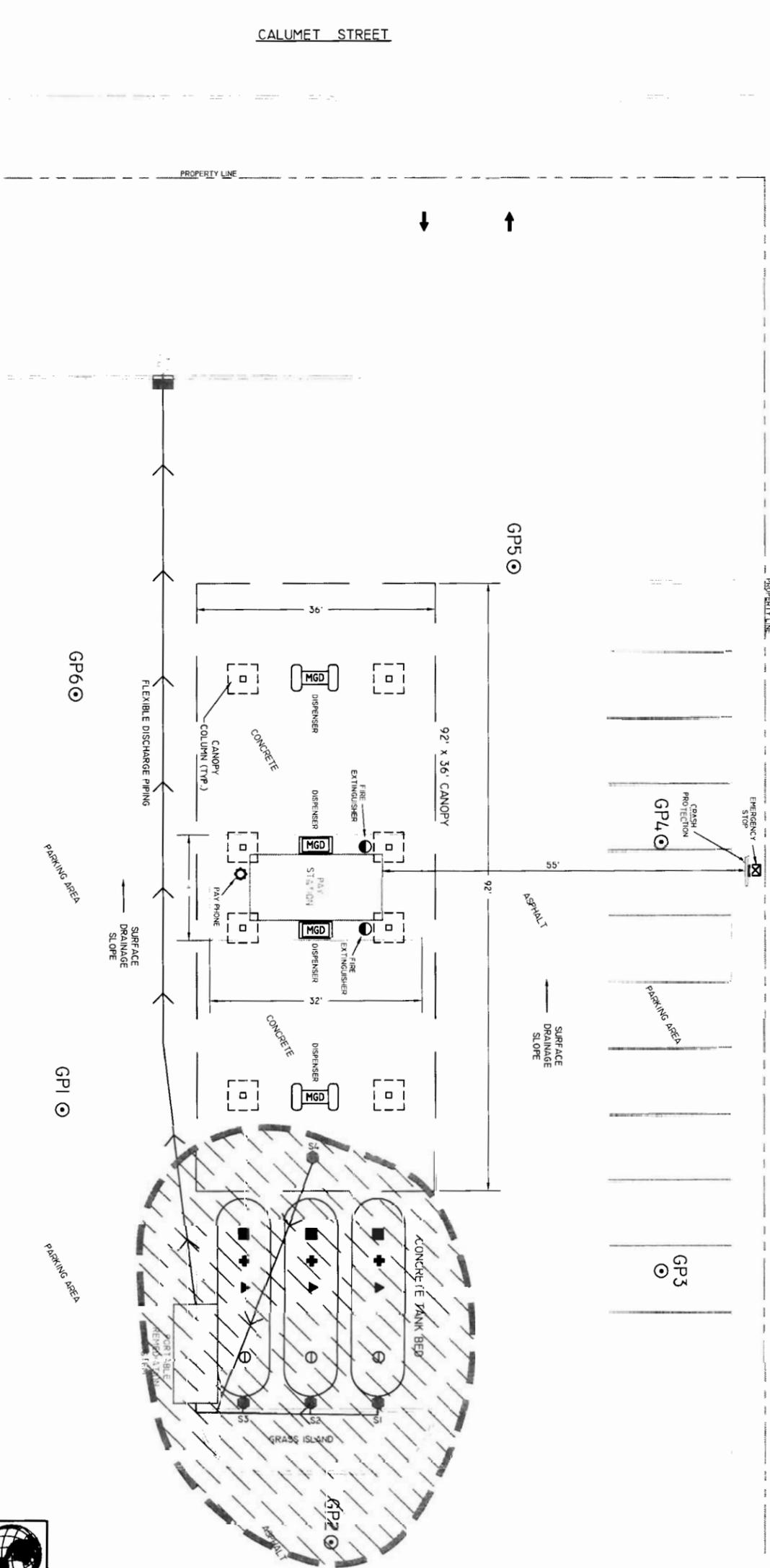
\* = Analytical result between Limit of Detection and Limit of Quantitation, should be considered an estimate.

- GENERAL NOTES:**
- 1) TANKS - CONTAINMENT SOLUTIONS, 10,000 GAL. FRP
  - 2) PIPE - SINGLE WALL FRP WITH TCI SECONDARY - PLAN #9408072
  - 3) SPILL CONTAINMENT - EBW 705
  - 4) OVERFILL - ALARM WITH ECCO 1500
  - 5) TANK MONITOR - EMCO - ECCO 1500
  - 6) LINE LEAK - EMCO LEAK SENSOR II
  - 7) EMERGENCY PHONE - (920) 730-2918
  - 8) VAPOR RECOVERY INSTALLED IN 1994, HASSTECH MODEL VCP 2/2A

**LEGEND**

0      20  
SCALE: 1" = 20'

- SUBMERSIBLE PUMP
- ⊕ VENT
- ▲ AIG PROBE
- ▣ FILL w/SPILL CONTAINMENT
- ⊗ KEY OPERATED EMERGENCY STOP
- ⊙ 40BC RATED FIRE EXTINGUISHER
- PAY PHONE
- OBSERVATION SUMP
- FLEXIBLE DISCHARGE PIPING
- GEOPROBE LOCATION
- ESTIMATED EXTENT OF GROUNDWATER CONTAMINATION



**RET**

CIVIL & ENVIRONMENTAL  
ENGINEERING, SURVEYING

CORPS FOOD CENTER STORE #108-GAS STATION  
1919 E. CALUMET STREET  
APPLETON, WISCONSIN

**FIGURE 7 : POST-REMEDIATION ESTIMATED EXTENT OF GROUNDWATER CONTAMINATION**

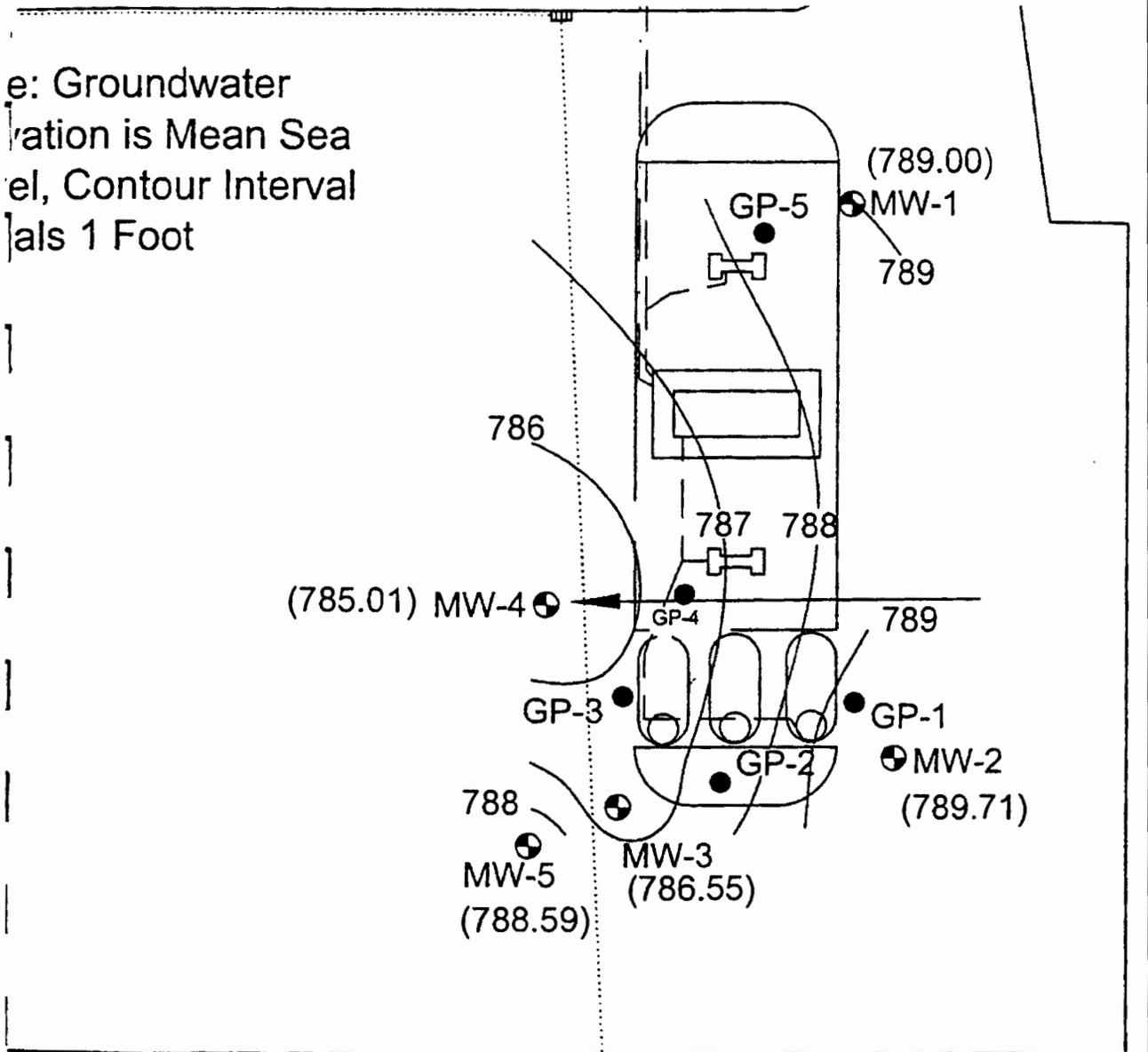
PROJECT No. 3186	DRAWN BY: TJR	DATE: 1/11/06
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**Table 2  
Depth to Water  
Copp's Food Center  
1919 East Calumet Street  
Appleton, WI**

**Depth to Water (feet)**

Date	S1	S2	S3
October 16, 2003	3.36	2.62	2.62
October 27, 2003		3.36	
October 28, 2003	4.08	3.59	
January 8, 2004		5.94	
March 8, 2004		2.00	
May 27, 2004		2.86	
June 22, 2004		5.12	
July 13, 2004		8.72	
August 18, 2004	dry	10.67	dry
September 28, 2004		10.56	
October 27, 2004		10.11	
November 17, 2004		10.50	
December 8, 2004		10.69	
March 30, 2005		6.56	
May 4, 2005		6.38	
June 9, 2005		6.59	
July 21, 2005		6.73	

e: Groundwater  
 ation is Mean Sea  
 el, Contour Interval  
 als 1 Foot



**Legend**

●-1 Soil Boring Location

●-3 Monitoring Well

— Property Boundary

← Groundwater Flow Direction

(787.26) Groundwater Elevation

781.0 Groundwater Contour

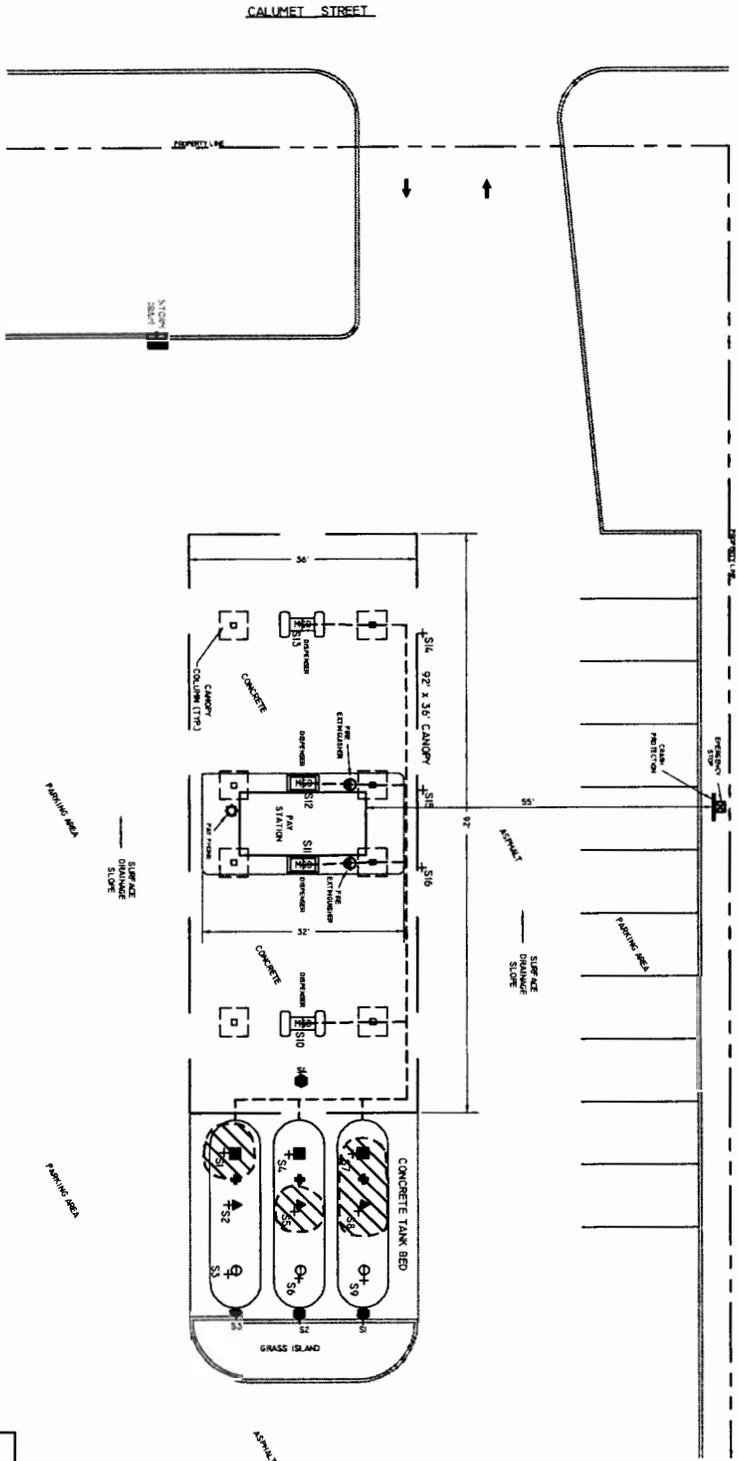
DRAWING FILE: J:\DRAFTING\3186COPPS\DWG\3186\_FIG6.DWG LAYOUT: LAYOUT1 PLOTTED: JAN 11, 2006 - 2:06PM PLOTTED BY: TMR

REI Engineering, INC.

COPPS FOOD CENTER, STORE #108-GAS STATION  
 1919 E. CALUMET STREET  
 APPLETON, WISCONSIN

FIGURE 6 : GROUNDWATER CONTOUR MAP

PROJECT NO.	3186	DRAWN BY:	TJR	DATE:	1/10/06
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**LEGEND**

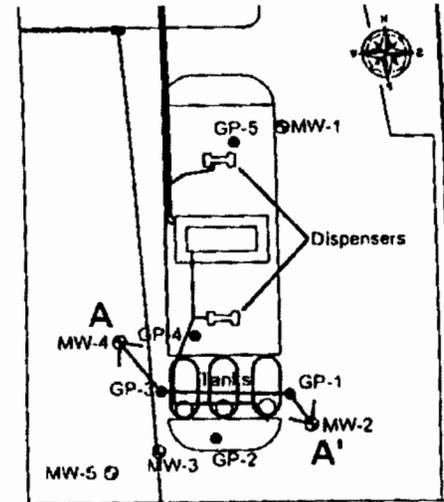
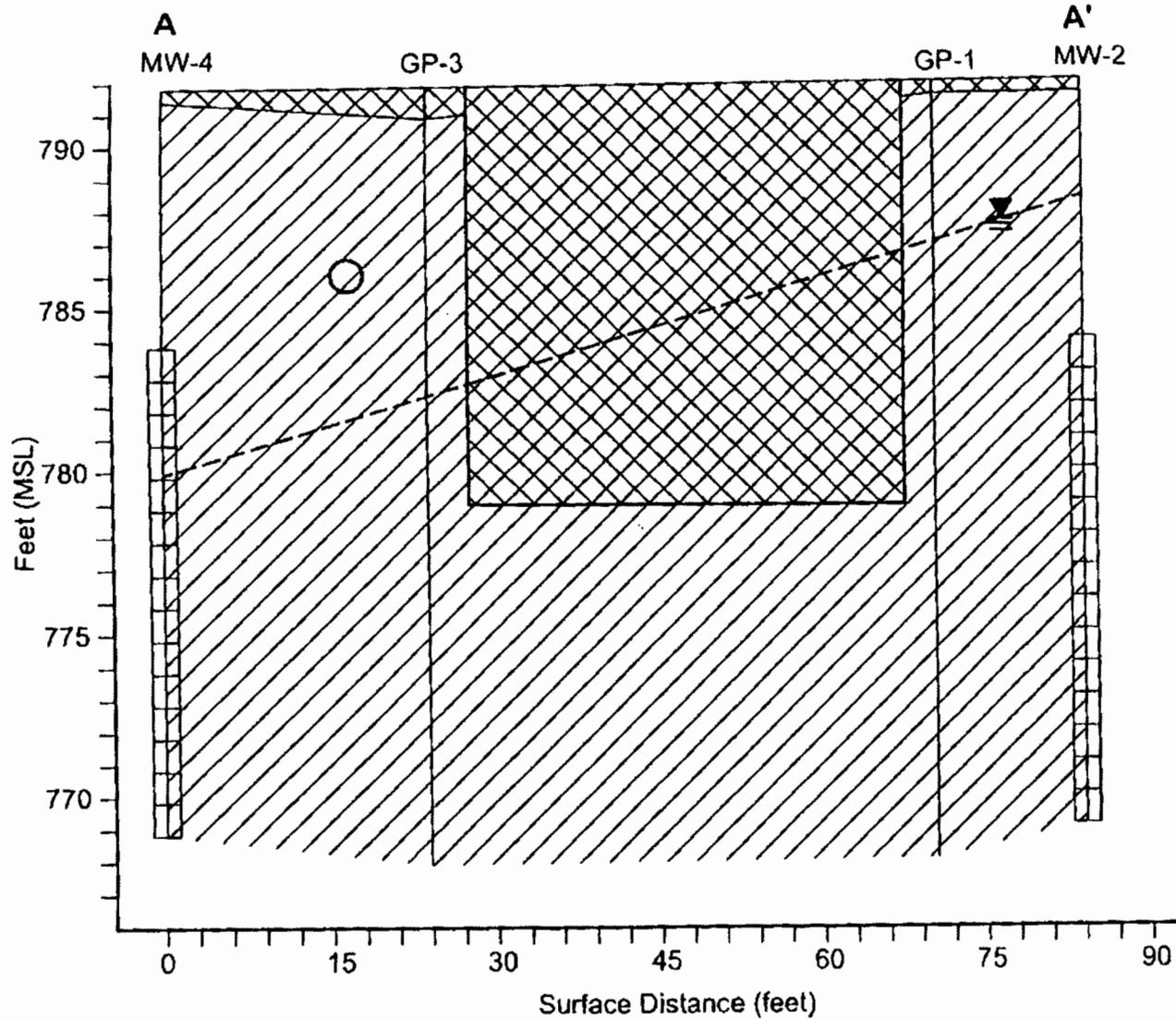
0 30  
 SCALE: 1" = 30'

- SUBMERSIBLE PUMP
- ▲ VENT
- ATG PROBE
- ⊙ FIL W/SPILL CONTAINMENT
- ⊕ KEY OPERATED EMERGENCY STOP
- ⊖ 409C RATED FIRE EXTINGUISHER
- ⊙ PAY PHONE
- ⊙ OBSERVATION SUMP
- ⊙ UST PIPING
- ⊕ CLOSURE ASSESSMENT SAMPLE
- ▨ AREA OF RESIDUAL SOIL CONTAMINATION

COPPS FOOD CENTER #108 - GAS STATION  
 1919 E. CALUMET STREET  
 APPELTON, WISCONSIN

FIGURE 3 : AREA OF RESIDUAL SOIL CONTAMINATION  
 PROJECT NO. 3186  
 DRAWN BY: TAW

DATE: 9/21/2006  
 REL Engineering, INC.



- Legend:**
-  Asphalt/Fill
  -  Clay, silty (CL)
  -  UST Basin  
(Pea Gravel Fill)
  -  Groundwater  
Elevation (02/06/02)
  -  15-inch Storm  
Sewer  
Line
  -  Screened Interval

DATE PLOTTED: 01/11/06

REI Engineering, INC.

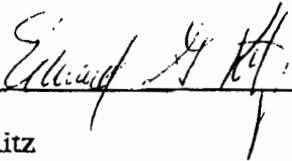
COPPS FOOD CENTER, STORE #108-GAS STATION  
 1919 E. CALUMET STREET  
 APPLETON, WISCONSIN

FIGURE 5 :GEOLOGIC CROSS SECTION

PROJECT NO.	3186	DRAWN BY:	TJR	DATE:	1/10/06
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**COPPS FOOD CENTER  
STORE #108 – GAS STATION  
1919 EAST CALUMET  
APPLETON, WISCONSIN  
BRRTS # 03-08-514722**

As the Responsible Party for the above-mentioned property, I certify that the legal description as described in the attached "Memorandum of Amendment to Triple Net Lease" for which Exhibit B specifically pertains to the legal description of the gas station parcel is complete and accurate to the best of my knowledge.

  
\_\_\_\_\_

Edward G. Kitz  
Group V.P – Legal Risk & Treasury  
Roundy's Supermarket, Inc.

1-16-06  
\_\_\_\_\_

Date

May 30, 2006

Calumet Village Partners  
Attn: Mr. Steve Winter  
3315a N. Ballard Road  
Appleton, WI 54911

Re: Copps Food Center  
Store #108 – Gas Station  
1919 East Calumet Street  
Appleton, Wisconsin  
BRRTS #03-08-514722

Dear Mr. Winter:

This letter is to inform you that the above referenced site is being submitted for closure to the Wisconsin Department of Natural Resources (WDNR). Petroleum related groundwater contamination has been identified on the subject property. The levels of petroleum related contamination in the groundwater adjacent to the petroleum underground storage tanks on the property are above the state groundwater enforcement standards found in chapter NR 140, Wisconsin Administrative Code.

However, the environmental consultant who has investigated this contamination has informed me that an engineered groundwater pump and treat system was utilized to remove the majority of the groundwater contamination. The residual groundwater contaminant plume is stable or receding and will naturally degrade over time. I believe that allowing natural attenuation to complete the cleanup at this site will meet the requirements for case closure that are found in Chapter NR 726 and Chapter COMM 46, Wisconsin Administrative Code, and I will be requesting that the WDNR accept natural attenuation as the final remedy for this site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken, other than the reliance on natural attenuation.

The WDNR will not review my closure request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact the Department to provide any technical information to the WDNR that is relevant to this closure request, you should mail that information to: *Keld Lauridsen, WDNR, 2984 Shawano Avenue, PO Box 10448, Green Bay, WI 54307-0448.*

If this case is closed, the area where the groundwater contamination exceeds Chapter NR 140 groundwater enforcement standards will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where soil and groundwater contamination above chapter NR 720 RCLs and NR 140 enforcement standards was found at the time that the case was closed. This GIS Registry will be available to the general public on the Department of Natural Resources' internet web site.

Once the WDNR makes a decision on my closure request, it will be documented in a letter. If the WDNR grants closure, you may obtain a copy of this letter from my consultant, by writing to the agency address given above, or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at [www.dnr.state.wi.us/org/at/et/geo/](http://www.dnr.state.wi.us/org/at/et/geo/). A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact my consultant – David Larsen at REI at 4080 North 20<sup>th</sup> Avenue, Wausau, WI 54401, (715) 675-9784, or Keld Lauridsen, WDNR, 2984 Shawano Avenue, Green Bay, WI 54307-0448 (902) 662-5420.

Sincerely,

Richard Schultz  
Roundy's Supermarkets, Inc.

CC: Keld Lauridsen, WDNR, 2984 Shawano Avenue, PO Box 10448, Green Bay, WI 54307-0448  
David Larsen, REI Engineering Inc., 4080 North 20<sup>th</sup> Avenue, Wausau, WI 54401