

REVISED
1:39 pm, Mar 06, 2014

**POST
CLOSURE**

Source Property Information

CLOSURE DATE: 10/24/2006

BRRTS #: 02-15-541982

FID #: 415164860

ACTIVITY NAME: PALMER JOHNSON INC

DATCP #:

PROPERTY ADDRESS: 61 Michigan St

PECFA#:

MUNICIPALITY: Sturgeon Bay

PARCEL ID #: 2811085030901C

*WTM COORDINATES:

WTM COORDINATES REPRESENT:

X: 727233 Y: 487717

Approximate Center Of Contaminant Source

** Coordinates are in
WTM83, NAD83 (1991)*

Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

CONTINUING OBLIGATIONS

Contaminated Media for Residual Contamination:

Groundwater Contamination > ES (236)

Soil Contamination > *RCL or **SSRCL (232)

Contamination in ROW

Contamination in ROW

Off-Source Contamination

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property Information,
Form 4400-246")*

*(note: for list of off-source properties
see "Impacted Off-Source Property Information,
Form 4400-246")*

Site Specific Obligations:

Soil: maintain industrial zoning (220)

Cover or Barrier (222)

*(note: soil contamination concentrations
between non-industrial and industrial levels)*

Direct Contact

Soil to GW Pathway

Structural Impediment (224)

Vapor Mitigation (226)

Site Specific Condition (228)

Maintain Liability Exemption (230)

*(note: local government unit or economic
development corporation was directed to
take a response action)*

Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? (234)

Yes No N/A

* Residual Contaminant Level

**Site Specific Residual Contaminant Level

BRRTS #: 02-15-541982

ACTIVITY NAME: PALMER JOHNSON INC

MAPS (continued)

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: 5 Title: Seasonal High Water Elevation

Figure #: Title:

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: Title:

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: 3 Title: Groundwater Contour 10/21/03

Figure #: Title:

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 11 x 17 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.
Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1-7 Title: Soil Analysis

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: 10 Title: Total Lead Groundwater Analysis

- Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: 11 Title: Groundwater Elevation

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: Title:

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-15-541982

ACTIVITY NAME: PALMER JOHNSON INC

NOTIFICATIONS

Source Property

Not Applicable

Letter To Current Source Property Owner: If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

Return Receipt/Signature Confirmation: Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

Not Applicable

Letter To "Off-Source" Property Owners: Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

Return Receipt/Signature Confirmation: Written proof of date on which confirmation was received for notifying any off-source property owner.

Deed of "Off-Source" Property: The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.

Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

Certified Survey Map: A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

Letter To "Governmental Unit/Right-Of-Way" Owners: Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

Number of "Governmental Unit/Right-Of-Way Owner" Letters:



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 24, 2006

SHT LLC
Attn: Sheilah Turner
4369 Bayshore Drive
Sturgeon Bay, WI 54235

Subject: Final Case Closure with Conditions Met
Palmer Johnson Inc., 61 Michigan Street, Sturgeon Bay, Wisconsin
WDNR BRRTS Activity # 02-15-541982

Dear Ms. Turner:

On June 8, 2005, the Department of Natural Resources Northeast Region (NER) 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. At that time the case was denied closure because a deed restriction had not yet been filed to address the remaining soil contamination. However on June 3, 2006, legislation was passed that eliminates the deed restriction requirement. Based on the correspondence and data provided, it appears that your case meets the requirements of ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. It is the Department's intent to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement and building caps that currently exist in the location shown on the attached map entitled "Palmer Johnson Sampling Locations Fig 2 (Exhibit B)" shall be maintained in compliance with the attached maintenance plan dated August 12, 2005 in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. The maintenance plan and inspection log are to be kept up-to-date and

the inspection log need only be submitted to the Department upon request. A copy of the cap maintenance plan can be found in the Department's regional files, or they can be viewed on the GIS Registry for this site, at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

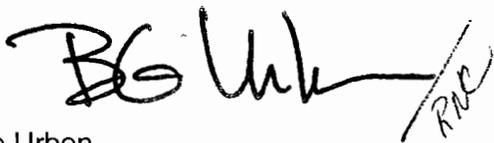
If soil in the specific locations described above is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The following activities are prohibited on any portion of the property where the pavement and building is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; or 6) construction or placement of a building or other structure.

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 because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. 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.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Jason Moeller at (920)-662-5492.

Sincerely,



Bruce Urben
Northeast Remediation & Redevelopment Team Supervisor

Enclosures: Cap Maintenance Plan (August 12, 2005) and Map

cc: James Caine, REL & Associates Inc., 4664 Golden Pond Ct., Oneida, WI 54155
Jason Moeller, WDNR Project Manager

POST
CLOSURE

DOC#: 777301



Document Number

DEED NOTICE

Recorded
JAN. 29, 2014 AT 10:46AM

CAREY PETERSILKA
REGISTER OF DEEDS
DOOR COUNTY, WI

Fee Amount Paid: \$30.00

In Re: Legal Description (See Attached Exhibit A)

STATE OF WISCONSIN)
) ss
COUNTY OF DOOR)

Mr. Peter H. Moede, being first duly sworn, on oath deposes and says:

1. That he is the owner of the above-described property.
2. That approval has been given by the Wisconsin Department of Natural Resources to terminate the previously recorded industrial land use restriction for the above-described property, as documented in the attached written determination letter issued by the Department on September 30, 2013, labeled Exhibit B.
3. That this affidavit is being recorded for the purpose of notifying prospective purchasers and other interested parties that the industrial land use restriction that was previously required by the Wisconsin Department of Natural Resources has been amended, as provided in Exhibit B. However, the pavement and building foundations that exist on the above-described property shall still be maintained in compliance with the Cap and Building Barrier Maintenance Plan dated August 12, 2005. A copy of the maintenance plan can be found at Haven Funds LLC., 61 Michigan Street, Sturgeon Bay, WI 54235. This case, Palmer Johnson Inc., BRRTS # 02-15-541982, was closed by the Department of Natural Resources Remediation & Redevelopment Program on October 24, 2006.

Recording Area

Name and Return Address:

Mr. Peter H. Moede
Haven Funds, LLC.
700 S. Water Street
Milwaukee, WI 53204

281-10-85030901C

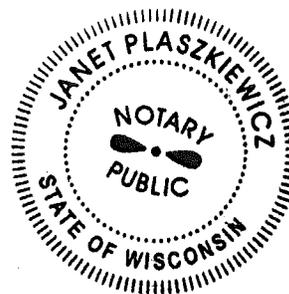
Parcel Identification Number (PIN)

Signature: *Peter H. Moede*

Printed Name: Peter H. Moede

Subscribed and sworn to before me
this 3 day of January, 2014.

Janet Plaszewicz
Notary Public, State of Wisconsin
My commission 12-7-2014



This document was drafted by the Wisconsin Department of Natural Resources.

EXHIBIT A

Parcel 281-10-85042101

Lots One (1) and Two (2) of Block Four (4) of the Assessor's Map of the City of Sturgeon Bay.

A tract of land, also being a portion of Nebraska Street, City of Sturgeon Bay, Door County, Wisconsin, more particularly described as follows: Beginning at an iron pin on the Northwestern corner of First Avenue and Nebraska Street; thence Southwesterly along the Northerly line of Nebraska Street 225 feet more or less, to the foot of Nebraska Street; thence Southeasterly along the foot of Nebraska Street 60 feet to the Southerly line of Nebraska Street; thence Northeasterly along the Southerly line of Nebraska Street 225 feet more or less, to an iron pin on the Southwesterly corner of First Avenue and Nebraska Street; thence Northwesterly along the Westerly line of First Avenue 60 feet to the point of beginning.

A tract of land in Block Four (4), Assessor's Map, City of Sturgeon Bay, Door County, Wisconsin, more particularly described as follows: Beginning at an iron pin on the Northwestern corner of First Avenue and Nebraska Street; thence Northwesterly along the Westerly line of First Avenue 25 feet; thence Southwesterly parallel to Nebraska Street a distance of 320 feet more or less, to a point 50 feet Northeastly of the dock face; thence Northwesterly parallel to and 50 feet from said dock face a distance of 165 feet to a point 10 feet Southeasterly of the Northerly line of Lot Nine (9), Block Four (4), Assessor's Map; thence Southwesterly parallel to the Northerly line of said Lot Nine (9), a distance of 50 feet to the dock face; thence Southeasterly along the dock face to the Southerly line of Nebraska Street extended; thence Northeasterly along the Southerly line of Nebraska Street extended to the foot of Nebraska Street; thence Northwesterly along the foot of Nebraska Street 60 feet to the Northerly line of Nebraska Street; thence Northeasterly along the Northerly line of Nebraska Street a distance of 225 feet more or less, to the point of beginning.

That part of Lots Eleven (11) and Twelve (12) in Block Four (4) of Graham's Plat, City of Sturgeon Bay, Door County, Wisconsin, described as follows: Beginning at a point where the line between Lots Ten (10) and Eleven (11) of Block Four (4), Graham's Plat, intersects the Southwesterly line of First Avenue; thence Southeasterly along the Northeasterly line of Lots Eleven (11) and Twelve (12) a distance of 75 feet; thence Southwesterly parallel to the Northwesterly line of Lot Twelve (12) and said Northwesterly line extended, to a point 50 feet distant from the face or edge of the City Dock; thence Northwesterly parallel to the face or edge of said City Dock and distant 50 feet therefrom to a point of intersection with the line between Lots Ten (10) and Eleven (11), Block Four (4), extended Southwesterly; thence Northeasterly along the line between Lots Ten (10) and Eleven (11), Block Four (4) to the place of beginning.

That part of Lots Nine (9) and Ten (10) in Block Four (4) of Graham's Plat, City of Sturgeon Bay, Door County, Wisconsin, described as follows: Beginning at a point where the line between Lots Eight (8) and Nine (9) intersect the Southwesterly line of Water Street; thence Southwesterly along said line between Lots Eight (8) and Nine (9) projected to the Southwesterly face of the City Dock; thence Southeasterly along the face of said dock a distance of 10 feet; thence Northeasterly, parallel to the aforesaid line between Lots Eight (8) and Nine (9), a distance of 50 feet; thence Southeasterly parallel to the face of City Dock to the point of intersection with the line between Lots Ten (10) and Eleven (11); thence Northeasterly along said line between Lots Ten (10) and Eleven (11) to the point of intersection with the Southwesterly line of Water Street; thence Northwesterly along the said line of Water Street to the point of beginning.

Lots Seven (7) and Eight (8), Block Four (4), according to the Assessor's Map of the City of Sturgeon Bay, excepting therefrom that portion thereof reserved for street and railroad right-of-way.

VOL 1079 PAGE 469

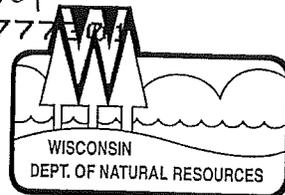
DOC#: 661568

VOL 966 PAGE 684

EXHIBIT A

Lots Nine (9) and Ten (10), Eleven (11) and Twelve (12), Block Three (3), Assessor's Plat, City of Sturgeon Bay, excepting the easterly 50 feet thereof and excepting the southerly 20 feet of the easterly 228 feet of Lot Twelve (12), Block Three (3) and also excepting any part of the scale house building that extends beyond the excepted 20 feet, with the right a privilege to enter upon Lot Twelve (12), Block Three (3), for the purpose of maintaining such building. The party of the First Part does not warranty title as to that portion of Lots Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Three (3), over which railroad tracks cross and the party of the second part takes those portions of Lots Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Three (3), subject to the right of another, if any, in such affected portions.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS any portion previously deeded to the City of Sturgeon Bay for street purposes, in particular South First Avenue, Nebraska Street and Oregon Street.



POST
CLOSURE

September 30, 2013

EXHIBIT B

SHT Holdings, LLC
Attn: Ms. Sheila H. Turner
4369 Bayshore Drive
Sturgeon Bay, WI 54235

Subject: Written Determination for Amending Requirement on Deed Restriction filed 11/22/2005
Palmer Johnson, Inc., 61 Michigan Street, Sturgeon Bay, WI
Parcel ID 281-10-85030901C
BRRTS # 02-15-541982

Dear Ms. Turner:

This letter is written in response to an inquiry submitted on your behalf by Mr. Don Gallo of Reinhart Boerner Van Deuren s.c. (Reinhart) about the industrial land use limitation required in the deed restriction filed on November 22, 2005 for the above referenced closed BRRTS site. This request was received via phone conversation with Mr. Don Gallo to the Wisconsin Department of Natural Resources (Department) on September 23, 2013.

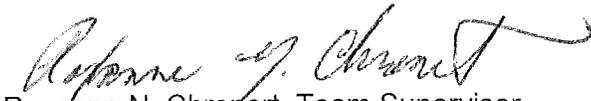
The final case closure letter dated October 24, 2006, states the case was closed under ch. NR 726, Wis. Admin. Code. This case was closed with conditions met pursuant to s. 292.12(2)(a), Wis. Stats, that the pavement and building caps that currently exist in the location shown on the map entitled "Palmer Johnson Sampling Locations Figure 2 (Exhibit B)" shall be maintained in compliance with the Maintenance Plan dated August 12, 2005. These documents are attached with the final case closure letter for reference. The final case closure letter does not state that land use is restricted to industrial; however, it is stated on the recorded deed restriction for the property. Upon further review of the case file, the following revisions were determined to be applicable to the deed restriction:

1. A Declaration of Restrictions (Restriction) was recorded in the office of the Register of Deeds for Door County, Wisconsin, on November 22, 2005, as Document No. 688661, which restrictions apply to property (the Property) owned by Sheila Turner, SHT Holdings, LLC in the City of Sturgeon Bay, Door County, Wisconsin.
2. The Restriction described above was required by the Department in conformance with s. NR 726.05(8)(a), Wis. Admin. Code, as a condition of granting case closure to the owner of the Property following cleanup of lead on the Property. Based on the site investigation, the lead release occurred in the area between the New York 40 Building and Old Construction Building from the sandblasting of lead paint during the process of refurbishing boats.
3. Subsequent to the recording of the Restriction and the inquiry about the industrial land use restriction made on your behalf by Mr. Don Gallo of Reinhart, it was determined that, after a case file review, the industrial land use restriction can be removed.

4. Therefore, the Department will draft the deed notice at a later date after issuance of this written determination to terminate the current industrial land use restriction.
5. The Restriction will remain in effect for and will still be binding for maintenance of the current pavement and building caps in compliance with the Cap and Building Barrier Maintenance Plan dated August 12, 2005, that was submitted to the Department by Karl Schules of Robert E Lee and Associates as required by s. NR 724.13(2), Wis. Admin. Code.

We appreciate your input and patience with this matter. If you have any questions regarding this written determination please contact Tauren Beggs at (920) 662-5178.

Sincerely,



Roxanne N. Chronert, Team Supervisor
Northeast Region Remediation & Redevelopment Program

cc: Don Gallo, Reinhart

Document Number

DEED RESTRICTION

DOC#: 688661



Recorded
NOV. 22, 2005 AT 08:39AM

CAREY PETERSILKA
REGISTER OF DEEDS
DOOR COUNTY, WI

Fee Amount Paid: \$21.00

Tract Indexed

Recording Area

Name and Return Address

Sheila Turner
SHT Holdings LLC.
~~4369 Bay Shore Drive~~ 601 Michie St
Sturgeon Bay, WI 54235

Declaration of Restrictions

In Re: See Attached Exhibit A, hereby made part of this document.

STATE OF WISCONSIN)
) ss
COUNTY OF DOOR)

WHEREAS, SHT Holdings, LLC, a Wisconsin Limited Liability Company is the owner of the above-described property.

281-10-85030901C
Parcel Identification Number (PIN)

WHEREAS, one or more lead discharges have occurred on this property, and as of September 1997, October 1997, and October 2001 when soil samples were collected on this property, lead-contaminated soil remained on this property at the following soil boring locations: SB-1, SB2, HA-4, HA-6, and GP-6. Soil contamination above levels identified in ch. NR720 Table 2 (industrial standards) Wis. Adm. Code remain in soil samples SB-1 with lead at 558 parts per million (ppm); SB-2 with lead at 1,320 ppm; HA-4 with lead at 805 ppm; HA-6 with lead at 572 ppm; and GP-6 with lead at 556 ppm.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the property at the present time.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

The most recent soil samples that were collected on this property, which were collected in September 1997, October 1997, and October 2001, contained lead in concentrations that exceeded ch. NR 720.11, Table 2 Wis. Adm. Code, soil standards. Therefore, the property described above may not be used or developed for a residential, commercial, agricultural or other non-industrial use, unless (at the time that the non-industrial use is proposed) an investigation is conducted, to determine the degree and extent of lead contamination that

remains on the property, and remedial action is taken as necessary to meet all applicable non-industrial soil cleanup standards.

The pavement and building foundation that existed on the above-described property in the location shown on the attached map, labeled Exhibit B on the date that this restriction was signed shall be maintained in compliance with the Cap and Building Barrier Maintenance Plan dated August 12, 2005, that was submitted to the Wisconsin Department of Natural Resources by Karl Schules of Robert E Lee and Associates as required by section NR 724.13 (2), Wis. Adm. Code (October 1999). A copy of the maintenance plan can be found at SHT Holdings, LLC, 61 Michigan Street, Sturgeon Bay WI 54235. The pavement and building foundation must be maintained in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. Nr 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil that remains on the property in the location or locations described above where there is residual contamination is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains and must be stored, treated and disposed in compliance with applicable statutes and rules.

In addition, the following activities are prohibited on any portion of the above-described property where pavement and building foundation is required, as shown on Exhibit B, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Replacement with another barrier; (2) Excavating or grading of the land surface; (3) Filling on capped or paved areas; (4) Plowing for agricultural cultivation; and (5) Construction or placement of a building or other structure in an area where pavement and building foundation is required.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the

Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document Jane Turner asserts that he or she is duly authorized to sign this document on behalf of SHT Holdings, LLC.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this _____ day of _____, 20_____.

Signature: Jane H. Turner

Printed Name: JANE H. TURNER

Title: sole member

Seal
Affixed

Subscribed and sworn to before me
this 17th day of November, 2005.

Sandra K. Brauer
Sandra K. Brauer
Notary Public, State of Wisconsin County of Door

My commission 12/9/07

This document was drafted by the Department of Natural Resources based on information obtained from Karl Schuldes of Robert E. Lee & Associates.

EXHIBIT A

Parcel 281-10-85042101

Lots One (1) and Two (2) of Block Four (4) of the Assessor's Map of the City of Sturgeon Bay.

A tract of land, also being a portion of Nebraska Street, City of Sturgeon Bay, Door County, Wisconsin, more particularly described as follows: Beginning at an iron pin on the Northwestern corner of First Avenue and Nebraska Street; thence Southwesterly along the Northerly line of Nebraska Street 225 feet more or less, to the foot of Nebraska Street; thence Southeasterly along the foot of Nebraska Street 60 feet to the Southerly line of Nebraska Street; thence Northeasterly along the Southerly line of Nebraska Street 225 feet more or less, to an iron pin on the Southwesterly corner of First Avenue and Nebraska Street; thence Northwesterly along the Westerly line of First Avenue 60 feet to the point of beginning.

A tract of land in Block Four (4), Assessor's Map, City of Sturgeon Bay, Door County, Wisconsin, more particularly described as follows: Beginning at an iron pin on the Northwestern corner of First Avenue and Nebraska Street; thence Northwesterly along the Westerly line of First Avenue 25 feet; thence Southwesterly parallel to Nebraska Street a distance of 320 feet more or less, to a point 50 feet Northeasterly of the dock face; thence Northwesterly parallel to and 50 feet from said dock face a distance of 165 feet to a point 10 feet Southeasterly of the Northerly line of Lot Nine (9), Block Four (4), Assessor's Map; thence Southwesterly parallel to the Northerly line of said Lot Nine (9), a distance of 50 feet to the dock face; thence Southeasterly along the dock face to the Southerly line of Nebraska Street extended; thence Northeasterly along the Southerly line of Nebraska Street extended to the foot of Nebraska Street; thence Northwesterly along the foot of Nebraska Street 60 feet to the Northerly line of Nebraska Street; thence Northeasterly along the Northerly line of Nebraska Street a distance of 225 feet more or less, to the point of beginning.

That part of Lots Eleven (11) and Twelve (12) in Block Four (4) of Graham's Plat, City of Sturgeon Bay, Door County, Wisconsin, described as follows: Beginning at a point where the line between Lots Ten (10) and Eleven (11) of Block Four (4), Graham's Plat, intersects the Southwesterly line of First Avenue; thence Southeasterly along the Northeasterly line of Lots Eleven (11) and Twelve (12) a distance of 75 feet; thence Southwesterly parallel to the Northwesterly line of Lot Twelve (12) and said Northwesterly line extended, to a point 50 feet distant from the face or edge of the City Dock; thence Northwesterly parallel to the face or edge of said City Dock and distant 50 feet therefrom to a point of intersection with the line between Lots Ten (10) and Eleven (11), Block Four (4), extended Southwesterly; thence Northeasterly along the line between Lots Ten (10) and Eleven (11), Block Four (4) to the place of beginning.

That part of Lots Nine (9) and Ten (10) in Block Four (4) of Graham's Plat, City of Sturgeon Bay, Door County, Wisconsin, described as follows: Beginning at a point where the line between Lots Eight (8) and Nine (9) intersect the Southwesterly line of Water Street; thence Southwesterly along said line between Lots Eight (8) and Nine (9) projected to the Southwesterly face of the City Dock; thence Southeasterly along the face of said dock a distance of 10 feet; thence Northeasterly, parallel to the aforesaid line between Lots Eight (8) and Nine (9), a distance of 50 feet; thence Southeasterly parallel to the face of City Dock to the point of intersection with the line between Lots Ten (10) and Eleven (11); thence Northeasterly along said line between Lots Ten (10) and Eleven (11) to the point of intersection with the Southwesterly line of Water Street; thence Northwesterly along the said line of Water Street to the point of beginning.

Lots Seven (7) and Eight (8), Block Four (4), according to the Assessor's Map of the City of Sturgeon Bay, excepting therefrom that portion thereof reserved for street and railroad right-of-way.

EXHIBIT A

Lots Nine (9) and Ten (10), Eleven (11) and Twelve (12), Block Three (3), Assessor's Plat, City of Sturgeon Bay, excepting the easterly 50 feet thereof and excepting the southerly 20 feet of the easterly 228 feet of Lot Twelve (12), Block Three (3) and also excepting any part of the scale house building that extends beyond the excepted 20 feet, with the right a privilege to enter upon Lot Twelve (12), Block Three (3), for the purpose of maintaining such building. The party of the First Part does not warranty title as to that portion of Lots Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Three (3), over which railroad tracks cross and the party of the second part takes those portions of Lots Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Three (3), subject to the right of another, if any, in such affected portions.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS any portion previously deeded to the City of Sturgeon Bay for street purposes, in particular South First Avenue, Nebraska Street and Oregon Street.

CAP AND BUILDING BARRIER MAINTENANCE PLAN

August 12, 2005

**Property Located at:
61 Michigan Street
Sturgeon Bay, Wisconsin**

WDNR BRRTS/Activity # 02-15-541982

LEGAL DESCRIPTION: See Exhibit A

Tax #: 281-10-85030901C

INTRODUCTION

This document is the Maintenance Plan for a pavement cover and building barrier at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing slab on grade building and other paved surfaces occupying the area over the contaminated groundwater plume or soil on-site. The contaminated soil is impacted by lead. The location of the paved surfaces and building to be maintained in accordance with this Maintenance Plan, as well as the impacted soil are identified in the attached map (Exhibit B).

COVER AND BUILDING BARRIER PURPOSE

The paved surfaces and the building foundation over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. These paved surfaces and building foundation also act as a partial filtration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in ch. NR 140, Wisconsin Administrative Code. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

ANNUAL INSPECTION

The paved surfaces and building foundation overlying the contaminated soil and as depicted in Exhibit B will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause exposure to underlying soils. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner and is included as Exhibit C, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be sent to the Wisconsin Department of Natural Resources ("WDNR") at least annually after every inspection, unless otherwise directed in the case closure letter.

MAINTENANCE ACTIVITIES

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate person protection equipment ("PPE"). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state, and federal law.

In the event the paved surfaces and/or the building overlying the soil are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the paved surfaces and/or the building, will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

AMENDMENT OR WITHDRAWAL OF MAINTENANCE PLAN

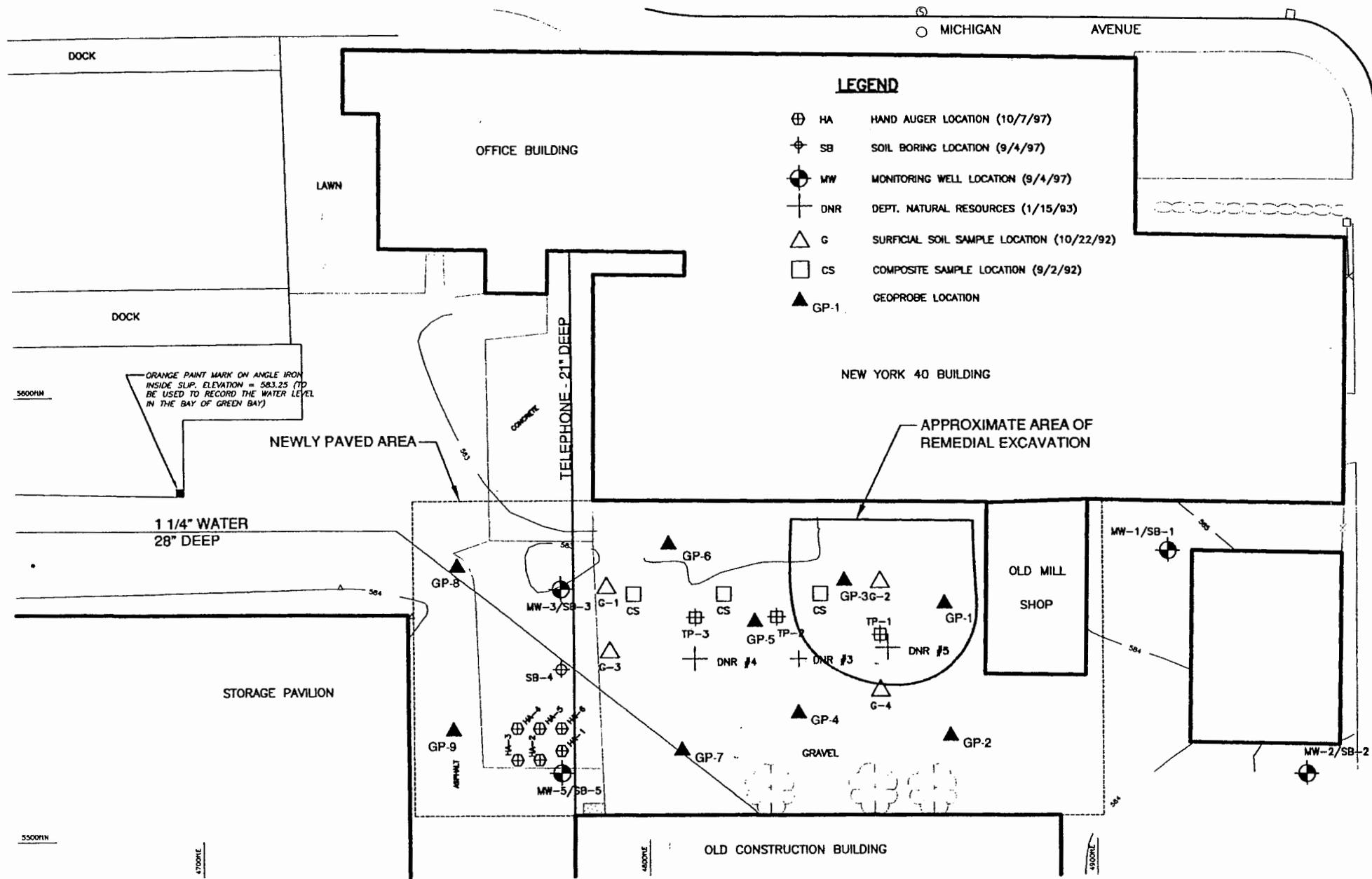
This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

Contact Information AUGUST 2005

Site Owner and Operator: SHT HOLDINGS, LLC
4369 BAYSHORE DRIVE
STURGEON BAY, WI 54235
920-743-9366

Consultant: KARL A. SCHULDES
4664 GOLDEN POND PARK COURT
ONEIDA, WI 54155
920-662-9641

WDNR: ROXANNE CHRONERT
P.O. BOX 10448
GREEN BAY, WI 54307-0948
920-662-5492



LEGEND

- ⊕ HA HAND AUGER LOCATION (10/7/97)
- ⊕ SB SOIL BORING LOCATION (9/4/97)
- ⊕ MW MONITORING WELL LOCATION (9/4/97)
- + DNR DEPT. NATURAL RESOURCES (1/15/93)
- △ G SURFICIAL SOIL SAMPLE LOCATION (10/22/92)
- CS COMPOSITE SAMPLE LOCATION (9/2/92)
- ▲ GP-1 GEOPROBE LOCATION

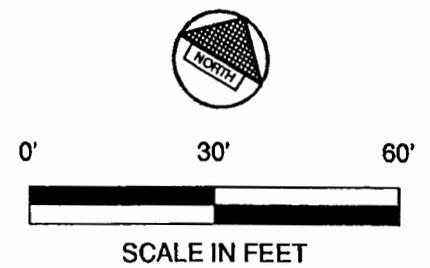


EXHIBIT B

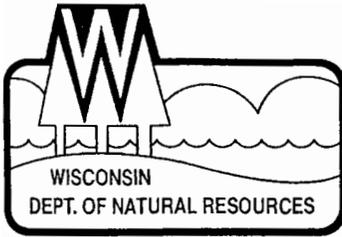
S. FIRST STREET

PALMER JOHNSON, INC.
 CITY OF STURGEON BAY
 DOOR COUNTY, WISCONSIN
 SAMPLING LOCATIONS
 FIGURE 2

EXHIBIT C

CAP INSPECTION LOG

Inspection Date	Inspector	Condition of Cap	Recommendations	Have Recommendations from previous inspection been implemented?



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

November 11, 2005

SHT LLC
Ms. Sheilah Turner
4369 Bayshore Drive
Sturgeon Bay WI 54235

Subject: Filing of Deed Restriction - Palmer Johnson Inc., 61 Michigan Street,
Sturgeon Bay, Wisconsin
WDNR BRRTS Activity # 02-15-541982

Dear Ms. Turner:

The Department has reviewed and approved the attached deed restriction for the above referenced property. Please have the attached deed restriction signed and recorded, as well as Exhibits A and B, with the Door County Register of Deeds. **You must submit a copy of the recorded document, with the recording information stamped on it, to me within 30 days of receiving the final, approved deed document from the Department.** Please be aware that if a deed restriction is recorded for the wrong property because of an inaccurate legal description or parcel identification number that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office.

The Department has reviewed and approved the maintenance plan submitted by Karl Schuldes.

The Department has received the monitoring well abandonment forms.

When a copy of the sign and filed deed restriction has been received by the Department 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://maps.dnr.state.wi.us/brrts>.

Note: case closure will be approved only if all the above requirements have been satisfied, including submitting the required documentation to the Department. **If these requirements have not been met your site will remain "open" and additional remedial actions may be necessary by you to eliminate the need for these requirements.**

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-662-5492.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roxanne Nelezen Chronert', written in a cursive style.

Roxanne Nelezen Chronert
Spill Coordinator - Hydrogeologist
Bureau for Remediation & Redevelopment

Enclosures:

Partially Drafted Deed Restriction
Example Maintenance Plan

cc: Karl Schuldes, REL & Associates

File



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

August 10, 2005

Palmer Johnson Inc
Mr. Tom Kuffel
61 Michigan Street
Sturgeon Bay WI 54235

Subject: Case Closure Denial for Filing of Deed Restriction, Submittal of a Cap Maintenance Plan, and Abandonment of Monitoring Wells
Palmer Johnson Inc., 61 Michigan Street, Sturgeon Bay, Wisconsin
WDNR BRRTS Activity # 02-15-541982

Dear Mr. Kuffel:

On June 8, 2005, the Northeast Region Closure Committee reviewed your request for closure of the case described above. The Northeast Region Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of your closure request, the closure committee has denied closure because additional requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure, and to request your written response within 60 days of receiving this letter.

Your site was denied closure because no deed restriction was provided, which is required in order to comply with state law and administrative codes. It appears your site has been adequately investigated and may be eligible for case closure if certain minimum closure requirements are met. Once you complete the tasks below, your site will be reconsidered for closure.

DEED RESTRICTION FOR CONTAMINATED SOIL

To close this site, the Department requires that a deed restriction be signed and recorded to address remaining soil contamination associated with the site. You can find a model deed restriction on our web site at <http://www.dnr.state.wi.us/org/aw/rr/technical/index.htm>. This section of our web site includes a link labeled "Institutional Controls Guidance," which leads to an electronic copy of PUB_RR_606, "Guidance on Case Close Out and the Requirements for Institutional Controls and VPLE Environmental Insurance." This guidance document includes a model deed restriction that you should use to satisfy this closure requirement. Other helpful information on deed restrictions may also be accessed on this web page

The purpose of a deed restriction at this site is to:

- (1) Limit the use of the contaminated property to industrial land uses.
- (2) maintain a surface barrier over the remaining soil contamination to:



- (a) prevent contamination from impacting human health through direct contact.
- (b) prevent contamination from impacting groundwater due to the infiltration of precipitation.

The Department has partially drafted and attached a hard copy draft deed restriction for your review (an electronic version has been e-mailed to your consultant Karl Schuldes). You will need to complete and submit a draft deed restriction to me for review and Department approval, before the deed document is signed and recorded. After the Department has reviewed and approved the draft document for completeness, you will need to sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by the Door County Register of Deeds. **Then you must submit a copy of the recorded document, with the recording information stamped on it, to me within 30 days of receiving the final, approved deed document from the Department.** Please be aware that if a deed restriction is recorded for the wrong property because of an inaccurate legal description or parcel identification number that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office.

MAINTENANCE PLAN

To close this site, the Department requires that the (i.e. concrete) cover at the site must be maintained to minimize direct contact concerns and for groundwater protection. The cover is to be maintained in accordance with a plan prepared and submitted to the Department pursuant to s. NR 724.13(2), Wis. Adm. Code. The maintenance plan should be submitted to me at the same time as the draft deed restriction for Department review and approval. An electronic version of an example cap maintenance plan has been e-mailed to your consultant Karl Schuldes.

MONITORING WELL ABANDONMENT

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to Roxanne Nelezen Chronert on Form 3300-5B found at www.dnr.state.wi.us/org/water/dwg/gw/ or provided by the Department of Natural Resources. **NOTE: MONITORING WELLS SHOULD BE ABANDONED ONLY IF ALL OTHER REQUIREMENTS OF CLOSURE ARE MET.**

When all the above requirements have been satisfied, please submit a letter, together with any required documentation, to let me know that applicable requirements have been met. 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://maps.dnr.state.wi.us/brrts>.

Note: case closure will be approved only if all the above requirements have been satisfied, including submitting the required documentation to the Department. **Please satisfy these requirements within 60 days of the date of this letter. If these requirements have not been met your site will remain "open" and additional remedial actions may be necessary by you to eliminate the need for these requirements.**

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-662-5488.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roxanne Nelezen Chronert', written in a cursive style.

Roxanne Nelezen Chronert
Spill Coordinator - Hydrogeologist
Bureau for Remediation & Redevelopment

Enclosures:
Final Deed Restriction

cc: Jim Caine, REL & Associates

STATE BAR OF WISCONSIN FORM 1 - 2000
WARRANTY DEED

Document Number

DOC#: 661568



Recorded
DEC. 23, 2003 AT 12:51PM

MARILYN JADIN
REGISTER OF DEEDS
DOOR COUNTY, WI

Fee Amount Paid: \$15.00

Tract Indexed

Recording Area

Name and Return Address

Marcia E. Facey, Esq.
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202

281-10-85030901C and 281-10-85040101

Parcel Identification Number (PIN)

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

This Deed, made between Sheila Haggerty Turner formerly known as Sheila Haggerty Kelsey

_____, Grantor,
and SHT Holdings, LLC, a Wisconsin limited liability company

_____, Grantee.
Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Door County, State of Wisconsin (the "Property") (if more space is needed, please attach addendum):

See Exhibit A attached hereto and incorporated herein by reference.

WHZ
[Signature]

FEE
77.25 (15s)
EXEMPT

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants and general taxes levied in 2003 and thereafter and will warrant and defend the same.

Dated this 18th day of December, 2003.

Sheila Haggerty Turner (SEAL)
* Sheila Haggerty Turner

_____, (SEAL)
* _____ (SEAL)
* _____

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____,

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Marcia E. Facey, Esq.

Quarles & Brady LLP

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

ACKNOWLEDGMENT

State of Wisconsin, _____)
_____) ss.

Door County.

Personally came before me this 18th day of December, 2003, the above named

Sheila Haggerty Turner

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

Standra K. Brauer
Notary Public, State of Wisconsin

My commission is permanent. (If not, state expiration date: _____)

my commission expires 12/9/07

*Names of persons signing in any capacity must be typed or printed below their signature.

EXHIBIT A

Lots One (1) and Two (2) of Block Four (4) of the Assessor's Map of the City of Sturgeon Bay.

A tract of land, also being a portion of Nebraska Street, City of Sturgeon Bay, Door County, Wisconsin, more particularly described as follows: Beginning at an iron pin on the Northwesterly corner of First Avenue and Nebraska Street; thence Southwesterly along the Northerly line of Nebraska Street 225 feet more or less, to the foot of Nebraska Street; thence Southeasterly along the foot of Nebraska Street 60 feet to the Southerly line of Nebraska Street; thence Northeasterly along the Southerly line of Nebraska Street 225 feet more or less, to an iron pin on the Southwesterly corner of First Avenue and Nebraska Street; thence Northwesterly along the Westerly line of First Avenue 60 feet to the point of beginning.

A tract of land in Block Four (4), Assessor's Map, City of Sturgeon Bay, Door County, Wisconsin, more particularly described as follows: Beginning at an iron pin on the Northwesterly corner of First Avenue and Nebraska Street; thence Northwesterly along the Westerly line of First Avenue 25 feet; thence Southwesterly parallel to Nebraska Street a distance of 320 feet more or less, to a point 50 feet Northeasterly of the dock face; thence Northwesterly parallel to and 50 feet from said dock face a distance of 165 feet to a point 10 feet Southeasterly of the Northerly line of Lot Nine (9), Block Four (4), Assessor's Map; thence Southwesterly parallel to the Northerly line of said Lot Nine (9), a distance of 50 feet to the dock face; thence Southeasterly along the dock face to the Southerly line of Nebraska Street extended; thence Northeasterly along the Southerly line of Nebraska Street extended to the foot of Nebraska Street; thence Northwesterly along the foot of Nebraska Street 60 feet to the Northerly line of Nebraska Street; thence Northeasterly along the Northerly line of Nebraska Street a distance of 225 feet more or less, to the point of beginning.

That part of Lots Eleven (11) and Twelve (12) in Block Four (4) of Graham's Plat, City of Sturgeon Bay, Door County, Wisconsin, described as follows: Beginning at a point where the line between Lots Ten (10) and Eleven (11) of Block Four (4), Graham's Plat, intersects the Southwesterly line of First Avenue; thence Southeasterly along the Northeasterly line of Lots Eleven (11) and Twelve (12) a distance of 75 feet; thence Southwesterly parallel to the Northwesterly line of Lot Twelve (12) and said Northwesterly line extended, to a point 50 feet distant from the face or edge of the City Dock; thence Northwesterly parallel to the face or edge of said City Dock and distant 50 feet therefrom to a point of intersection with the line between Lots Ten (10) and Eleven (11), Block Four (4), extended Southwesterly; thence Northeasterly along the line between Lots Ten (10) and Eleven (11), Block Four (4) to the place of beginning.

That part of Lots Nine (9) and Ten (10) in Block Four (4) of Graham's Plat, City of Sturgeon Bay, Door County, Wisconsin, described as follows: Beginning at a point where the line between Lots Eight (8) and Nine (9) intersect the Southwesterly line of Water Street; thence Southwesterly along said line between Lots Eight (8) and Nine (9) projected to the Southwesterly face of the City Dock; thence Southeasterly along the face of said dock a distance of 10 feet; thence Northeasterly, parallel to the aforesaid line between Lots Eight (8) and Nine (9), a distance of 50 feet; thence Southeasterly parallel to the face of City Dock to the point of intersection with the line between Lots Ten (10) and Eleven (11); thence Northeasterly along said line between Lots Ten (10) and Eleven (11) to the point of intersection with the Southwesterly line of Water Street; thence Northwesterly along the said line of Water Street to the point of beginning.

Lots Seven (7) and Eight (8), Block Four (4), according to the Assessor's Map of the City of Sturgeon Bay, excepting therefrom that portion thereof reserved for street and railroad right-of-way.

EXHIBIT A

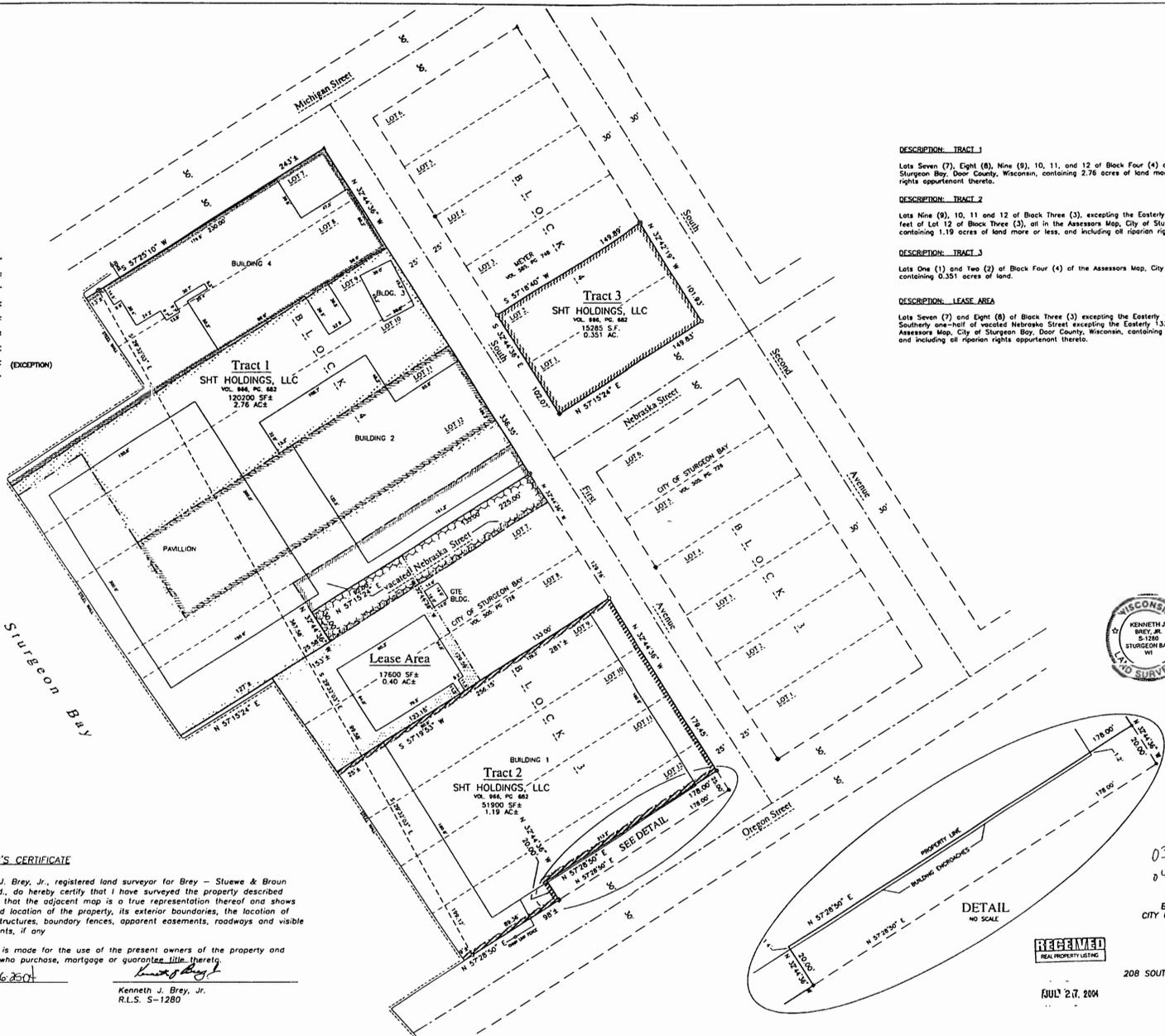
Lots Nine (9) and Ten (10), Eleven (11) and Twelve (12), Block Three (3), Assessor's Plat, City of Sturgeon Bay, excepting the easterly 50 feet thereof and excepting the southerly 20 feet of the easterly 228 feet of Lot Twelve (12), Block Three (3) and also excepting any part of the scale house building that extends beyond the excepted 20 feet, with the right a privilege to enter upon Lot Twelve (12), Block Three (3), for the purpose of maintaining such building. The party of the First Part does not warranty title as to that portion of Lots Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Three (3), over which railroad tracks cross and the party of the second part takes those portions of Lots Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Three (3), subject to the right of another, if any, in such affected portions.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS any portion previously deeded to the City of Sturgeon Bay for street purposes, in particular South First Avenue, Nebraska Street and Oregon Street.

VOL. 866, PG. 683
PARAGRAPH

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

LEASE AREA



DESCRIPTION - TRACT 1

Lots Seven (7), Eight (8), Nine (9), 10, 11, and 12 of Block Four (4) of the Assessors Map, City of Sturgeon Bay, Door County, Wisconsin, containing 2.76 acres or less, and including all riparian rights appurtenant thereto.

DESCRIPTION - TRACT 2

Lots Nine (9), 10, 11 and 12 of Block Three (3), excepting the Easterly 178.00 feet of the Southerly 20.00 feet of Lot 12 of Block Three (3), all in the Assessors Map, City of Sturgeon Bay, Door County, Wisconsin, containing 1.19 acres of land more or less, and including all riparian rights appurtenant thereto.

DESCRIPTION - TRACT 3

Lots One (1) and Two (2) of Block Four (4) of the Assessors Map, City of Sturgeon Bay, Door County, Wisconsin, containing 0.351 acres of land.

DESCRIPTION - LEASE AREA

Lots Seven (7) and Eight (8) of Block Three (3) excepting the Easterly 133.00 feet thereof, and the Southerly one-half of vacated Nebraska Street excepting the Easterly 133.00 feet thereof, all in the Assessors Map, City of Sturgeon Bay, Door County, Wisconsin, containing 0.40 acres of land more or less, and including all riparian rights appurtenant thereto.

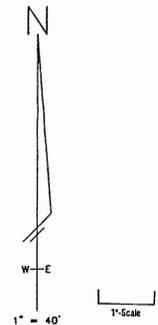
SURVEYOR'S CERTIFICATE

I, Kenneth J. Brey, Jr., registered land surveyor for Brey - Stuewe & Braun Surveys, Ltd., do hereby certify that I have surveyed the property described hereon and that the adjacent map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures, boundary fences, apparent easements, roadways and visible encroachments, if any.

This survey is made for the use of the present owners of the property and also those who purchase, mortgage or guarantee title thereto.

Dated 6/25/04

Kenneth J. Brey, Jr.
R.L.S. S-1280



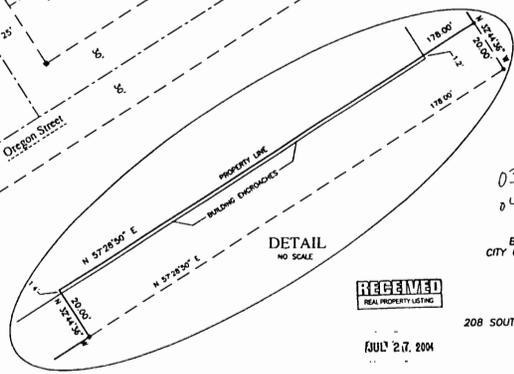
LEGEND

- = DOOR COUNTY MONUMENT
- = EXISTING IRON PIPE
- = EXISTING NAIL
- = EXISTING RE-ROD
- = SET NAIL
- = 1" x 24" IRON PIPE SET WEIGHING 1.13 LBS. PER LINEAL FOOT
- = CHISELED "X" IN PAVEMENT

030901C
040101

RECEIVED
REAL PROPERTY LISTING
JULY 27, 2004

RECEIVED
REAL PROPERTY LISTING
JULY 27, 2004



11/10/04 13:25:04

ASSESSMENT INQUIRY
2811085030901C R 2004

INQ091

W 61 MICHIGAN ST
SHT HOLDINGS, LLC
MAIL TO:
SHT HOLDINGS
LLC

Geo.Loc: 15 281 4 27 26 07 1 01 000

Parcel #

0711

LEGAL DESCRIPTION

07 27 26 AC 3.65
ASSESSOR'S MAP LOTS 9-12 EX
SELY20' OF ELY178' L12 BK3
&LOTS 7-12 BLK 4 & N1/2 VAC
ST W 1ST AVE REC'D 133/311.
V 133 P 311 DEED QCD
V 161 P 338 DEED
MORE LEGAL AVAILABLE

BILL NO:

COMMENTS

CURRENT TAX ASSESSMENT				
CODE	ACRES	LAND	IMPROVE	TOTAL
L2	3.87	646500	1686500	2333000

TOTALS 3.87 646500 1686500 2333000

F3-Exit F5-Owners F7-Tax Detail F8-Legal F9-Directory F10-Survey Index
 F11-Districts F12-Previous Screen F17-Fire#
 F21-Geo Location F6-Vol/Page Detail

November 24, 2004

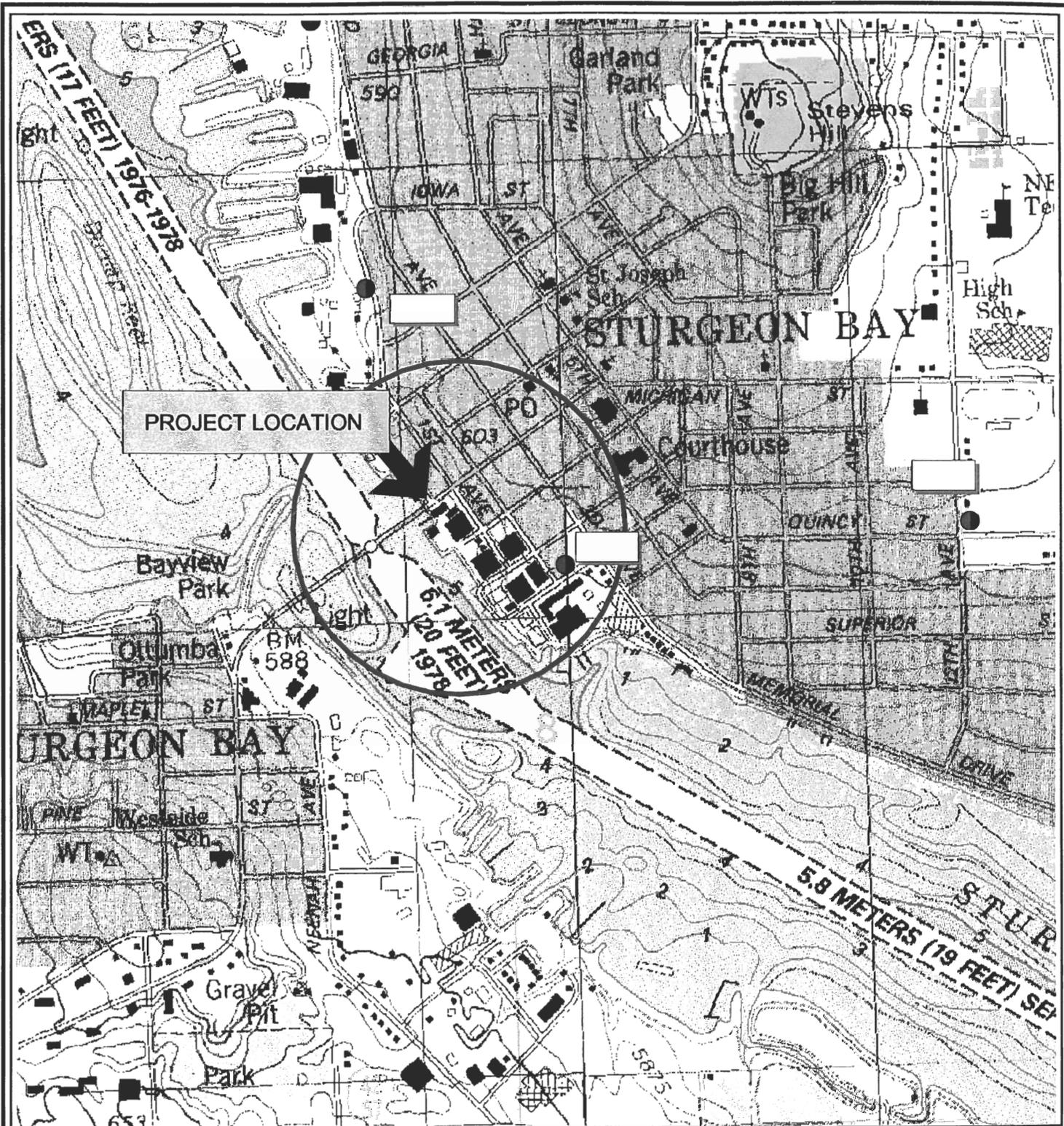
To whom it may concern:

I, the undersigned, on behalf of SHT, LLC, located at 61 Michigan Street in the City of Sturgeon Bay, confirm with this letter that the attached legal description is complete and accurate, and refers to the property that is referred to by WDNR FID# 415164860.

Sincerely,
ROBERT E. LEE & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Karl A. Schuldes". The signature is written in a cursive style with a large initial "K".

Karl A. Schuldes
Environmental Scientist II

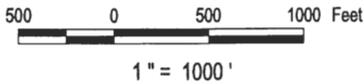


PROJECT LOCATION

6.1 METERS
(20 FEET)
1978

5.8 METERS (19 FEET) SE

1200' Site Buffer



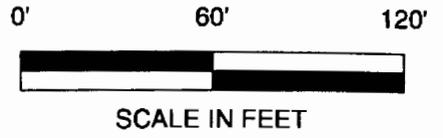
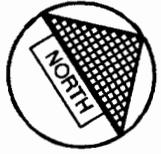
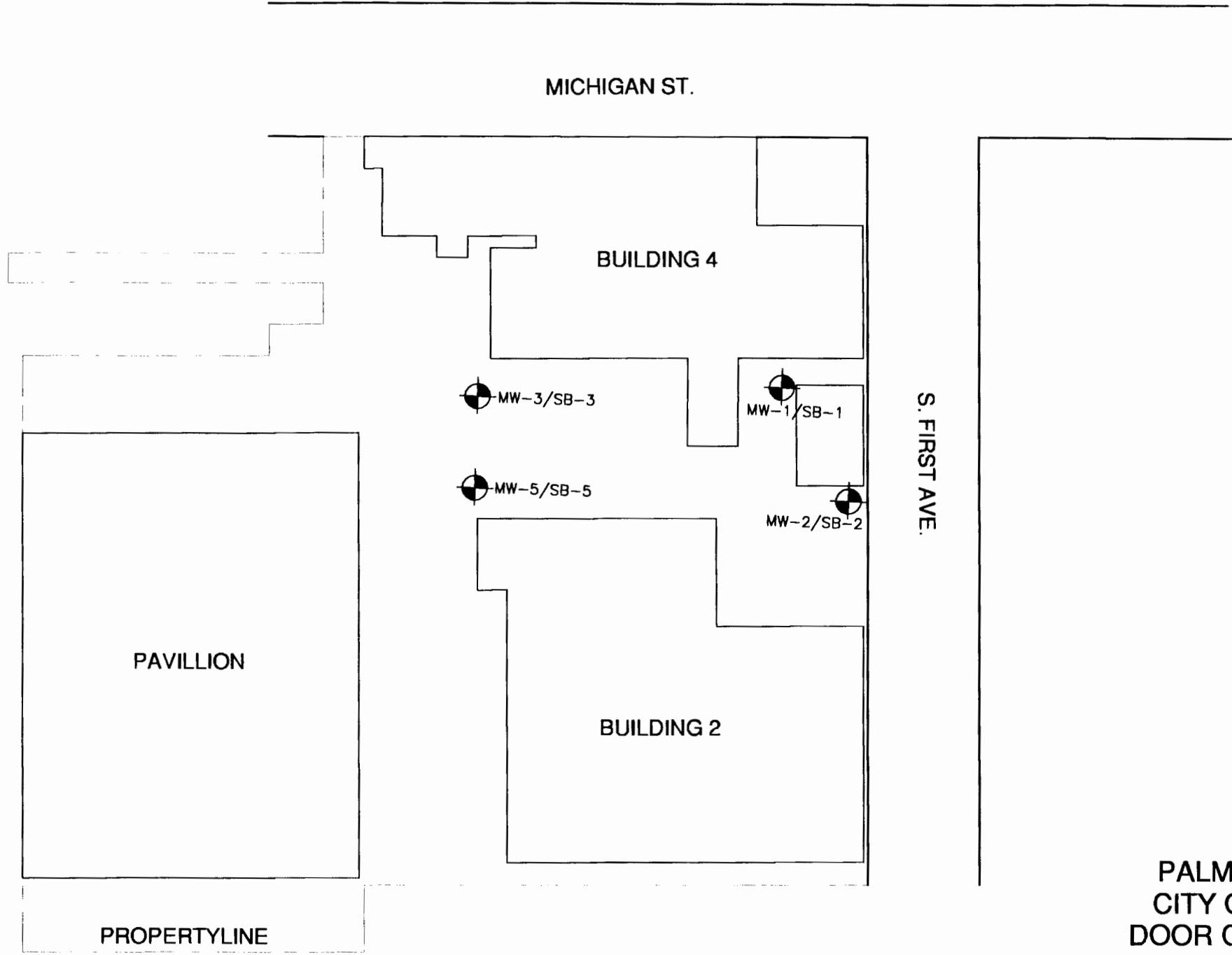
Data Sources:
Public Wells: Wisconsin DNR
Digital Raster Graphic (DRG): Wisconsin DNR
Well Locations are Approximate

QUADRANGLES SHOWN:
STURGEON BAY EAST; STURGEON BAY WEST

FIGURE 1

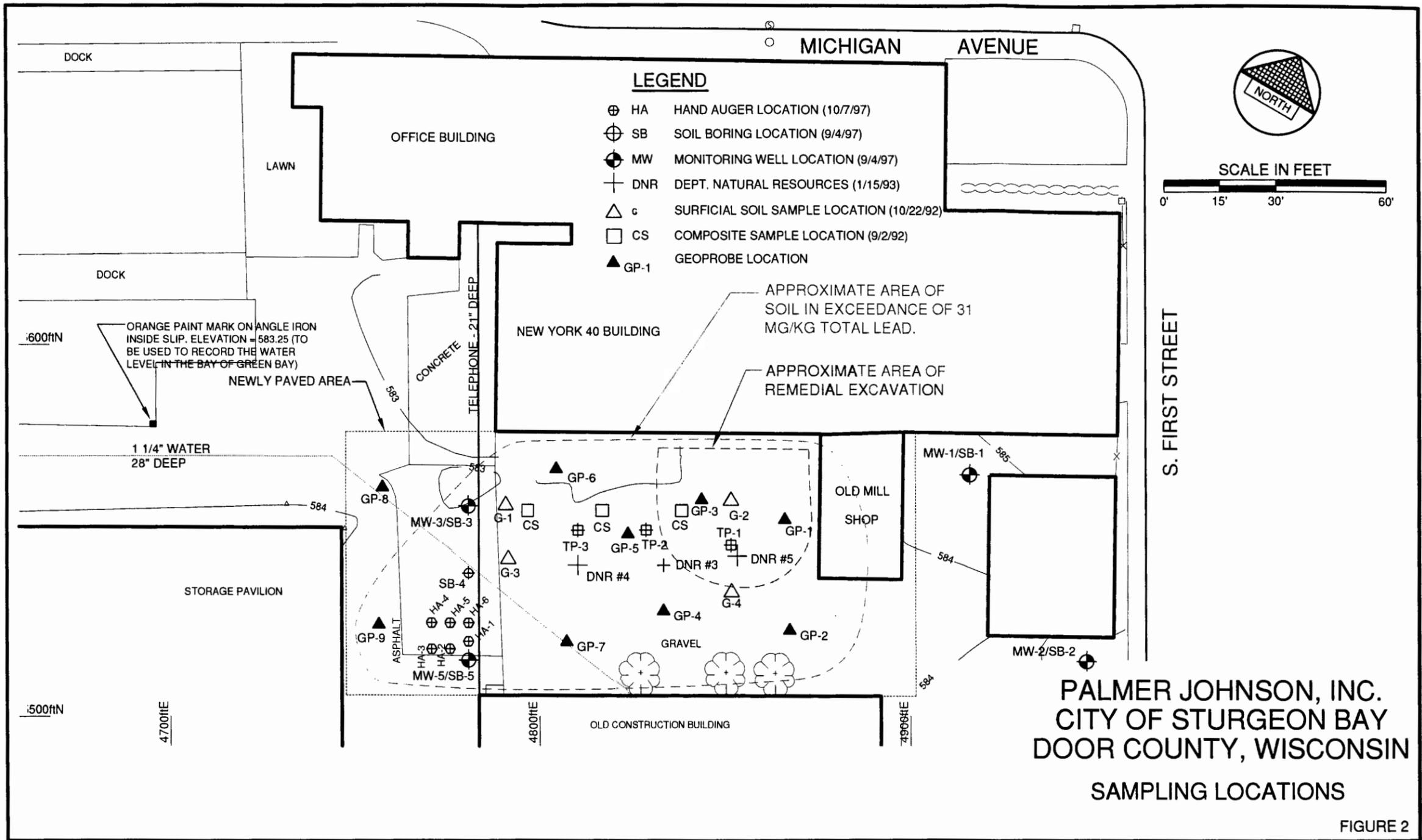
Palmer Johnson, Inc.
61 Michigan Street
STURGEON BAY, WISCONSIN

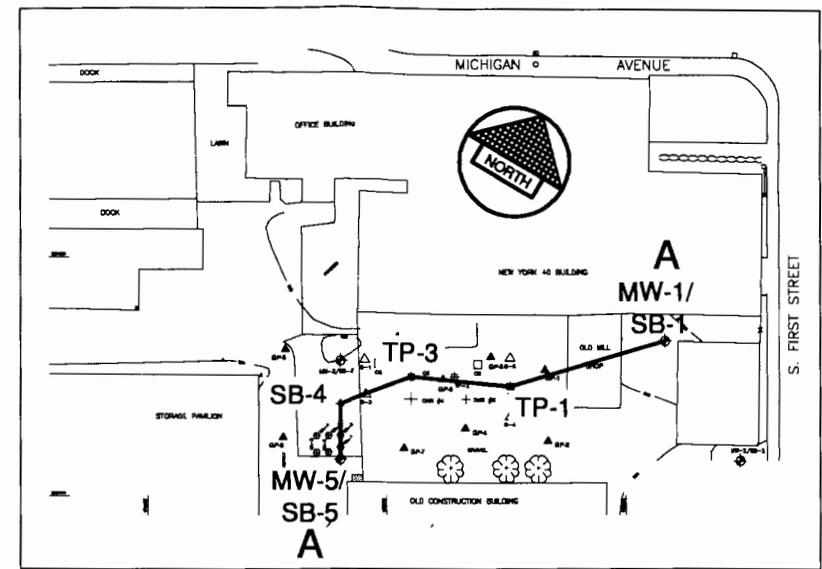
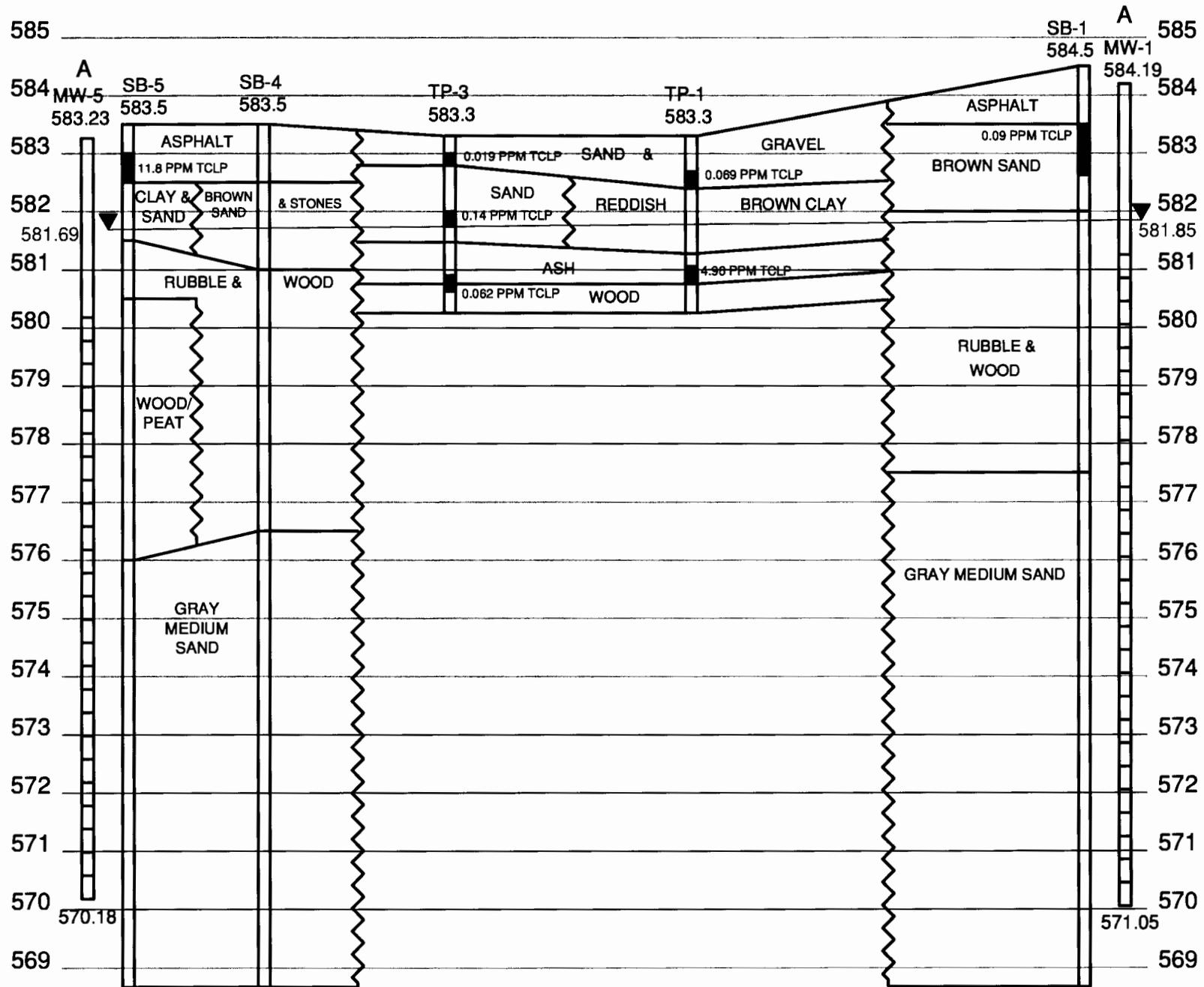




PALMER JOHNSON, INC.
CITY OF STURGEON BAY
DOOR COUNTY, WISCONSIN
PROPERTY

FIGURE 6





SCALE

VERTICAL 1" = 2'
 HORIZONTAL 1" = 20'

LEGEND

▼ GROUNDWATER LEVEL

PALMER JOHNSON, INC.
CITY OF STURGEON BAY
DOOR COUNTY, WISCONSIN

SEASONAL HIGH WATER ELEVATION
06/09/98

FIGURE 5

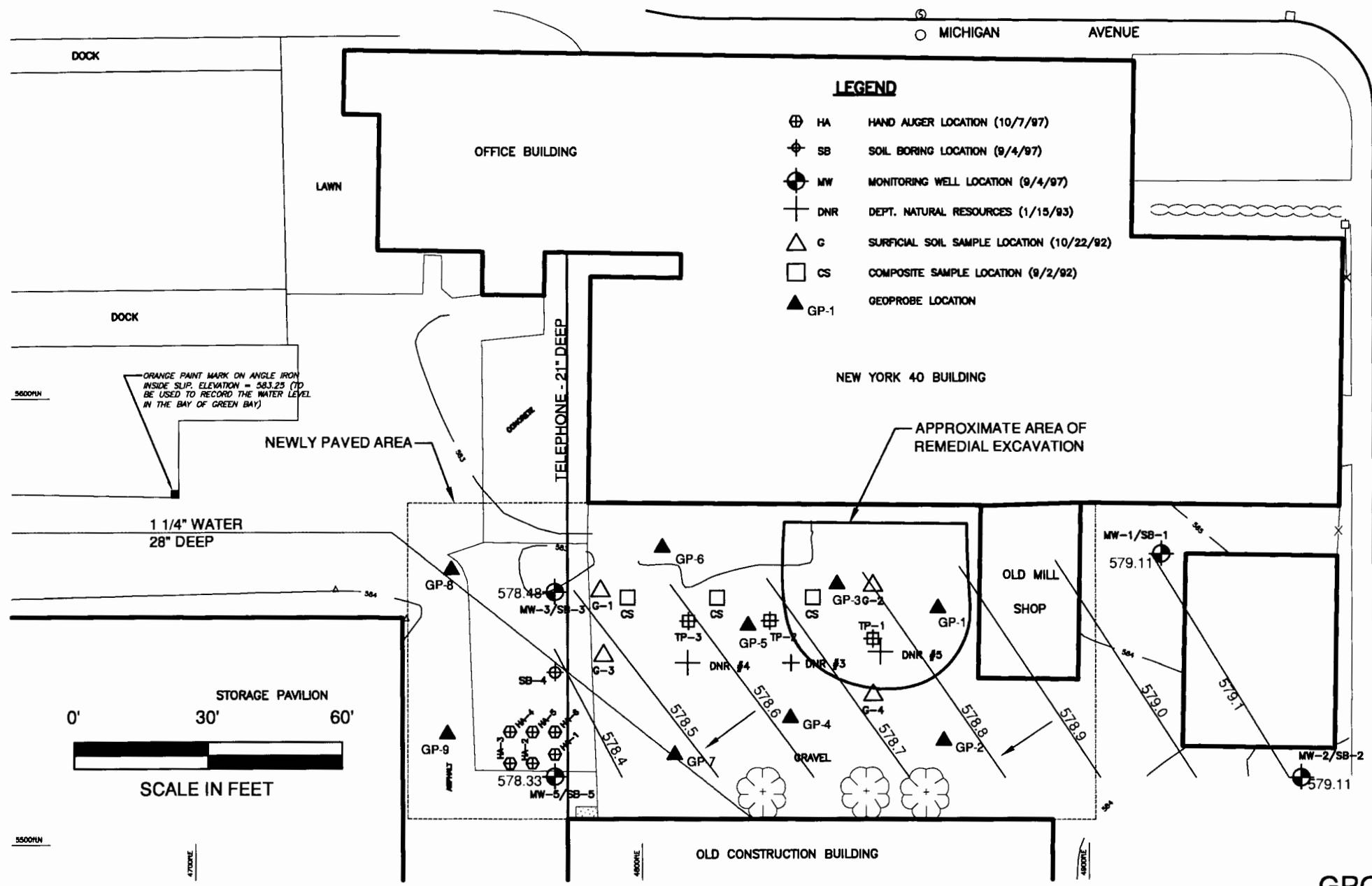


Table 1
TCLP-Lead Values
September 23, 1992

Test Pit	Thickness	Soil Description	Sample Number	TCLP-Lead, mg/l
Test Pit 1	0-4"	Clean gravel-brown	NS	NS
	4-10"	Gravel w/black fine sand	S-1	.069
	10-24"	Red brown clay/ash	NS	NS
	24-30"	Ash	S-2	4.96
	30-36"	Sawdust/wood	S-3	.397
Test Pit 2	0-4"	Clean gravel	NS	NS
	4-12"	Cinders	S-1	3.51
	12-16"	Clean sand	S-2	1.07
	16-24"	Fill, bricks, sand, gravel	S-3	<7
	24-36"	Wood debris, wet	NS	NS
Test Pit 3	0-2"	Clean gravel	NS	NS
	2-6"	Dark sand w/gravel	S-1	.019
	6-12"	Clean sand	NS	NS
	12-20"	Brown coarse sand	S-2	.14
	20-30"	Ash, wet	S-3	.062
	30-36"	Wood debris, wet	NS	NS

Table 2
TCLP-Lead Values
October 22, 1992

Sample Number	Location	TCLP-Lead, mg/l
G1	NW corner of excavation	8.41
G2	NE corner of excavation	450.0
G3	SW corner of excavation	130.0
G4	SE corner of excavation	20.0

Table 3
DNR, TCLP-Lead Values
January 15, 1993

Sample Number	Location	TCLP-Lead, mg/l
DNR #1	SW corner of dumpster	26.0
DNR #2	NE corner of dumpster	55.0
DNR #3	42'W and 36'S of building	6.4
DNR #4	66'W and 36'S of building	2.0
DNR #5	24'W and 33'S of building	3.2

Table 4
Soil Analysis
September 4, 1997

Sample No. & Depth	Total Lead (mg/kg)	TCLP Lead (ug/L)
SB1 (1-2')	558.0	90.0 (p)
SB1 (2-3')	24.0	NA
SB2 (2-3')	1,320.0	3,340.0
SB2 (3-4')	<1.7	NA
SB3 (4-12")	75.0	NA
SB3 (1-2')	66.0	NA
SB3 (2-3')	282.0	190
SB4 (4-12")	2.8	NA
SB4 (1-2')	2.9	NA
SB5 (4-12")	329.0	11,800.0
SB5 (1-2')	46.0	NA
SB5 (2-3')	55.0	NA

NA = Not analyzed

(p) = The reported result is less than the practical quantitation limit (PQL).

Table 5
Hand Auger Soil Analysis
October 10, 1997

Sample No. & Depth	Total Lead (mg/kg)	SPLP Lead (ug/l)
HA-1 (4"-1')	52	N/A
HA-1 (1-2')	193	N/A
HA-2 (4"-1')	372	N/A
HA-2 (1-2')	417	N/A
HA-3 (4"-1')	483	N/A
HA-3 (1-2')	199	N/A
HA-4 (4"-1')	165	N/A
HA-4 (1-2')	805	<29.0
HA-5 (4"-1')	260	N/A
HA-5 (1-2')	179	N/A
HA-6 (4"-1')	572	<29.0
HA-6 (1-2')	372	N/A

Table 6
Palmer Johnson Soil Analysis
October 18, 2001

	Sample I.D.	Total Lead (mg/kg)	TCLP Lead (µg/L)
GP-1	(0-0.5')	242	9930
	(0.5-1.5')	79	742
	(1.5-3.0')	58	<36
GP-2	(0-0.5')	23	93
	(0.5-1.5')	311	146
	(1.5-3.0')	86	<36
GP-3	(0-0.5')	3290	287000
	(0.5-1.5')	411	1050
	(1.5-3.0')	182	175
GP-4	(0-0.5')	55	83
	(0.5-1.5')	224	309
	(1.5-3.0')	18	398
GP-5	(0-0.5')	70	1210
	(0.5-1.5')	465	1910
	(1.5-3.0')	34	<36
GP-6	(0-0.5')	18	960
	(0.5-1.5')	556	37
	(1.5-3.0')	426	46
GP-7	(0-0.5')	64	292
	(0.5-1.5')	73	346
	(1.5-3.0')	40	89
GP-8	(0-0.5')	20	<36
	(0.5-1.5')	<1.9	<36
	(1.5-3.0')	5.9	<36
GP-9	(0-0.5')	32	<36
	(0.5-1.5')	32	<36
	(1.5-3.0')	380	1070

Table 7
Bail Down Test Results
February 25, 2002

	MW-1	MW-2	MW-3	MW-5
Permeability (cm/sec)	3.10E-05	2.90E-04	4.26E-05	9.64E-05

Table 8
VOC Groundwater Analysis

Parameter (ug/l)	ES	PAL	MW-1				MW-2			
Sampling Dates			10/14/97	6/9/98	3/8/99	3/3/00	10/14/97	6/9/98	3/8/99	3/3/00
cis-1,2-Dichloroethene	70	7	0.44(p)	NA	NA	0.86	ND	NA	NA	0.67
Ethylbenzene	700	140	0.65	NA	NA	<0.13	0.53(p)	NA	NA	<0.13
Naphthalene	40	8	ND	NA	NA	<0.082	ND	NA	NA	<0.82
Toluene	1,000	200	1.32	NA	NA	<0.11	1.11	NA	NA	<0.11
Trimethylbenzenes	480	96	1.84(p)	NA	NA	<0.12	1.65(p)	NA	NA	<0.12
Total Xylene	10,000	1,000	3.79	NA	NA	<0.3	3.15	NA	NA	<0.3

Table 9

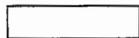
Parameter (ug/l)	ES	PAL	MW-3				MW-5			
Sampling Dates			10/14/97	6/9/98	3/8/99	3/3/00	10/14/97	6/9/98	3/8/99	3/3/00
cis-1,2-Dichloroethene	70	7	ND	NA	NA	<0.19	ND	NA	NA	<0.19
Ethylbenzene	700	140	ND	NA	NA	<0.13	0.5(p)	NA	NA	<0.13
Naphthalene	40	8	ND	NA	NA	<0.082	6.4	NA	NA	0.3
Toluene	1,000	200	0.5(p)	NA	NA	<0.11	0.9(p)	NA	NA	<0.11
Trimethylbenzenes	480	96	0.9(p)	NA	NA	<0.12	1.6(p)	NA	NA	<0.12
Total Xylene	10,000	1,000	1.8(p)	NA	NA	<0.3	2.6	NA	NA	<0.3

Note: Only those compounds that were detected are included in the table.

ND = No Detection

NA = Not Analyzed

(p) = Reported result is less than the Practical Quantitation Limit (PQL)



PAL Exceedance



ES Exceedance

**Table 10
Total Lead Groundwater Analysis**

Well I.D.	µg/L																
	10/14/97	6/9/98	3/8/99	3/3/00	7/20/00	10/27/00	1/18/01	4/20/01	7/26/01	10/3/01	1/15/02	4/18/02	7/17/02	10/2/02	1/23/03	7/9/03	10/21/03
MW-1	<1	<0.73	<0.73	7.6	7.3	3.7	5.4	4.2	4.3	<0.73	1.7	0.89	1.2	0.11	1.9	2.7	<1.0
MW-2	<1.0	<0.73	0.90(p)	<0.73	3.9	3.8	4.0	2.6	6.5	<0.73	1.2	1.7	<0.66	0.090	1.4	2.6	<1.0
MW-3	4.0	<0.73	<0.73	2.0	57	99	84	61	<0.73	<0.73	2.1	21	0.71	0.24	11	7.3	1.1
MW-5	27.0	0.90	1.7	1.4	56	56	63	32	<0.73	<0.73	5.3	11	0.93	0.11	6.4	5.7	<1.0

2.4 PAL Exceedance (1.5 µg/L)

 ES Exceedance (15 µg/L)

**Table 11
Groundwater Elevations**

Well	PVC Elev.	10/3/01		1/15/02		4/18/02		7/17/02	
		H ₂ O Depth	H ₂ O Elev.	H ₂ O Depth	H ₂ O Elev.	H ₂ O Depth	H ₂ O Elev.	H ₂ O Depth	H ₂ O Elev.
MW-1	584.19	4.63	579.56	5.00	579.19	2.50	581.69	4.15	580.04
MW-2	585.66	6.17	579.49	6.53	579.13	6.03	579.63	5.72	579.94
MW-3	582.91	3.84	579.07	4.95	577.96	3.72	579.19	3.70	579.21
MW-5	583.23	4.34	578.89	4.37	578.86	2.20	581.03	4.17	579.06

Well	PVC Elev.	10/2/02		1/23/02		7/9/03		10/21/03	
		H ₂ O Depth	H ₂ O Elev.	H ₂ O Depth	H ₂ O Elev.	H ₂ O Depth	H ₂ O Elev.	H ₂ O Depth	H ₂ O Elev.
MW-1	584.19	4.29	579.90	5.74	578.45	4.76	579.43	5.08	579.11
MW-2	585.66	5.76	579.90	7.25	578.41	6.25	579.41	6.55	579.11
MW-3	582.91	3.43	579.48	5.10	577.81	3.97	578.94	4.43	578.48
MW-5	583.23	3.95	579.28	5.51	577.72	4.43	578.80	4.90	578.33