

GIS REGISTRY INFORMATION

SITE NAME: Cotton St Property

BRRTS #: 02-20-364228 **FID # (if appropriate):** _____

COMMERCE # (if appropriate): _____

CLOSURE DATE: 12/18/2006

STREET ADDRESS: 226 W Cotton St

CITY: Fond du Lac

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 644264 Y= 369414

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 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 **FDL# 15-17-10-24-762**
- 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 (Lead across site from fill)
- 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

Oshkosh Service Center
625 E. CTY Y, Suite 700
Oshkosh, Wisconsin 54901-9731
Telephone 920-424-3050
FAX 920-424-4404

December 18, 2006

Laura Miller
120 Schnitzler Drive
Theresa, WI 53091

SUBJECT: Final Case Closure with Land Use Limitations
Cotton Street Property, 226 W Cotton St., Fond du Lac, WI
WDNR BRRTS Activity #02-20-364228

Dear Ms. Miller:

On March 31, 2006, the Northeast Regional 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 eliminated the deed restriction requirement. On December 18, 2006 the well abandonment documentation was received so 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 you or 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.

The most recent soil samples that were collected on this property, which were collected on December 3, 2002 at sample points MW-1, MW-2, MW-3 and GP-1, contained lead in concentrations that exceeded NR 720.11, Table 2, Wis. Adm. Code, soil standards. Therefore, pursuant to s. 292.12(2)(c), Wis. Stats., 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. 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.

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>.

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 Casey Jones at 920-303-5424.

Sincerely,

A handwritten signature in black ink, appearing to read "B.G. Urben", with a stylized flourish at the end.

Bruce G. Urben
Northeast Region Remediation & Redevelopment Team Supervisor

cc: Matt Oberhofer, Shaw
Jennifer Easterly, WDNR Project Manager



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Oshkosh Service Center
625 E. CTY Y, Suite 700
Oshkosh, Wisconsin 54901-9731
Telephone 920-424-3050
FAX 920-424-4404

June 8, 2006

Ms. Laura Miller
120 Schnitzler Drive
Theresa, WI 53091

Subject: Case Closure Denial—GIS Registry Requirement not met
Cotton Street Property, 226 W Cotton St., Fond du Lac, Wisconsin
WDNR BRRTS Activity # 02-20-364228

Dear Ms. Miller:

On March 31, 2006 the Northeast Regional Closure Committee reviewed your request for closure of the case described above. The Northeast Regional 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.

It appears your site has been investigated and remediated to the extent necessary and practical under existing conditions, 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.

GIS REGISTRY PACKET AND FEE NEEDED

Since the site closed using industrial standards, it needs to be listed on the soil GIS Registry due to lead impacts above residential standards at GP1, MW1, MW2 and MW3. Please submit the \$200 soil GIS Registry fee and GIS Registry packet.

PURGE WATER, WASTE AND SOIL PILE REMOVAL

Any remaining monitoring well purge water, waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Once that work is completed, please send appropriate documentation regarding the treatment or disposal of the remaining purge water, waste and/or soil piles.

MONITORING WELL ABANDONMENT

Petroleum impacts detected in MW3 have been determined to come from an off-site source to the south. The Department recommends the Responsible Party of this site work out a site access/well ownership agreement with you regarding future sampling of monitoring wells on your property. Those wells not used for the offsite site investigation need to be abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to Casey Jones on Form 3300-5B found at www.dnr.state.wi.us/org/water/dwg/gw/ or provided by the Department of Natural Resources.

OFFSITE EXEMPTION

The Department has determined the petroleum impacts in MW3 are from an offsite source. If you wish to apply for an offsite exemption letter to clarify that you are not responsible for remediating these impacts, please fill out Form 4400-201, "Offsite Liability Exemption Application," along with the \$500 application fee.

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.

Note: Case closure will be approved only if all the above requirements have been satisfied, including submitting the required documentation to the Department. The GIS Registry packet and \$200 fee should be submitted now. The other requirements should be met 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 920-303-5424.

Sincerely,



Casey L. Jones
Hydrogeologist
Remediation & Redevelopment Program

Electronic copy: Matt Oberhofer, Shaw
Jennifer Easterly, WDNR Project Manager

Paper copy: David Borsuk, Mark One/Sadoff

STATE BAR OF WISCONSIN FORM 1 - 1998
WARRANTY DEED

DOC# 758295

Document Number

Recorded
OCT. 07, 2002 AT 03:45PM

This Deed, made between Wealth Investments, LLC,
a Wisconsin limited liability company

Sally Barbeau

and K Tee, LLC, a Wisconsin limited liability company Grantor.

SALLY BARBEAU
REGISTER OF DEEDS
FOND DU LAC COUNTY
Fee Amount: \$11.00
Transfer fee: \$509.70

Grantee.
Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Fond du Lac County, State of Wisconsin (the "Property"):

Name and Return Address
K Tee, LLC
W3547 Hillside Circle
Malone, WI 53049

FDL 15 17 10 24 762

Parcel Identification Number (PIN)

This is not homestead property.
 (is not)

The North One Hundred Eighty-Four (184) feet of Lot Forty-Eight (48) and the North One Hundred Eighty-Four (184) feet of the West Thirty-Two (32) feet of Lot Forty-Nine (49) in Block Seven (7) of the Original Plat of the City of Fond du Lac, Fond du Lac County, Wisconsin.

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 easements and restrictions of record and applicable building and zoning ordinances

Dated this 30th day of September, 2002

Wealth Investments, LLC

(SEAL)

By: *Laura Miller* (SEAL)

(SEAL)

(SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) _____

State of Wisconsin, } ss

authenticated this _____ day of _____

Fond du Lac County, }
Personally came before me this 30th day of
September 2002, the above named

Laura Miller

TITLE: MEMBER STATE BAR OF WISCONSIN

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

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

THIS INSTRUMENT WAS DRAFTED BY

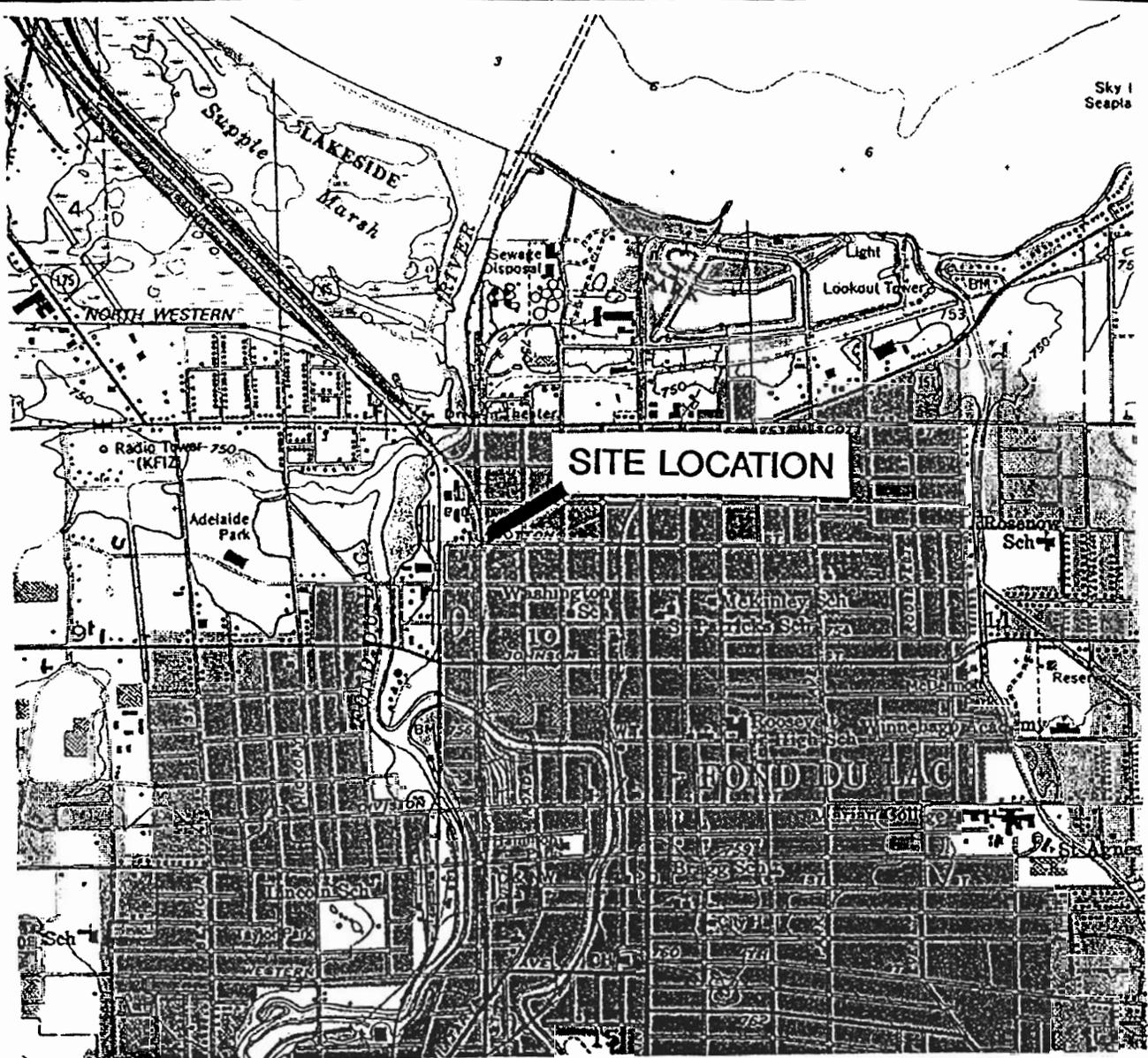
Attorney Kathryn M. Bullon

Louise Schneider

Notary Public, State of Wisconsin
My commission is permanent. (If not, state expiration date:
12-11-2005)

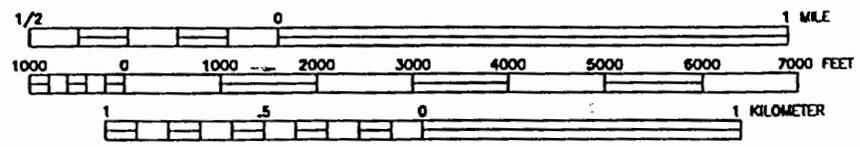
(Signatures may be authenticated or acknowledged. Both are not necessary.)

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



(USGS [1955] 1985)
FOND DU LAC QUADRANGLE

SCALE
1:24000



CONTOUR INTERVAL 10 FEET



ENVIROGEN

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane
Green Bay, Wisconsin 54304

SITE LOCATION MAP

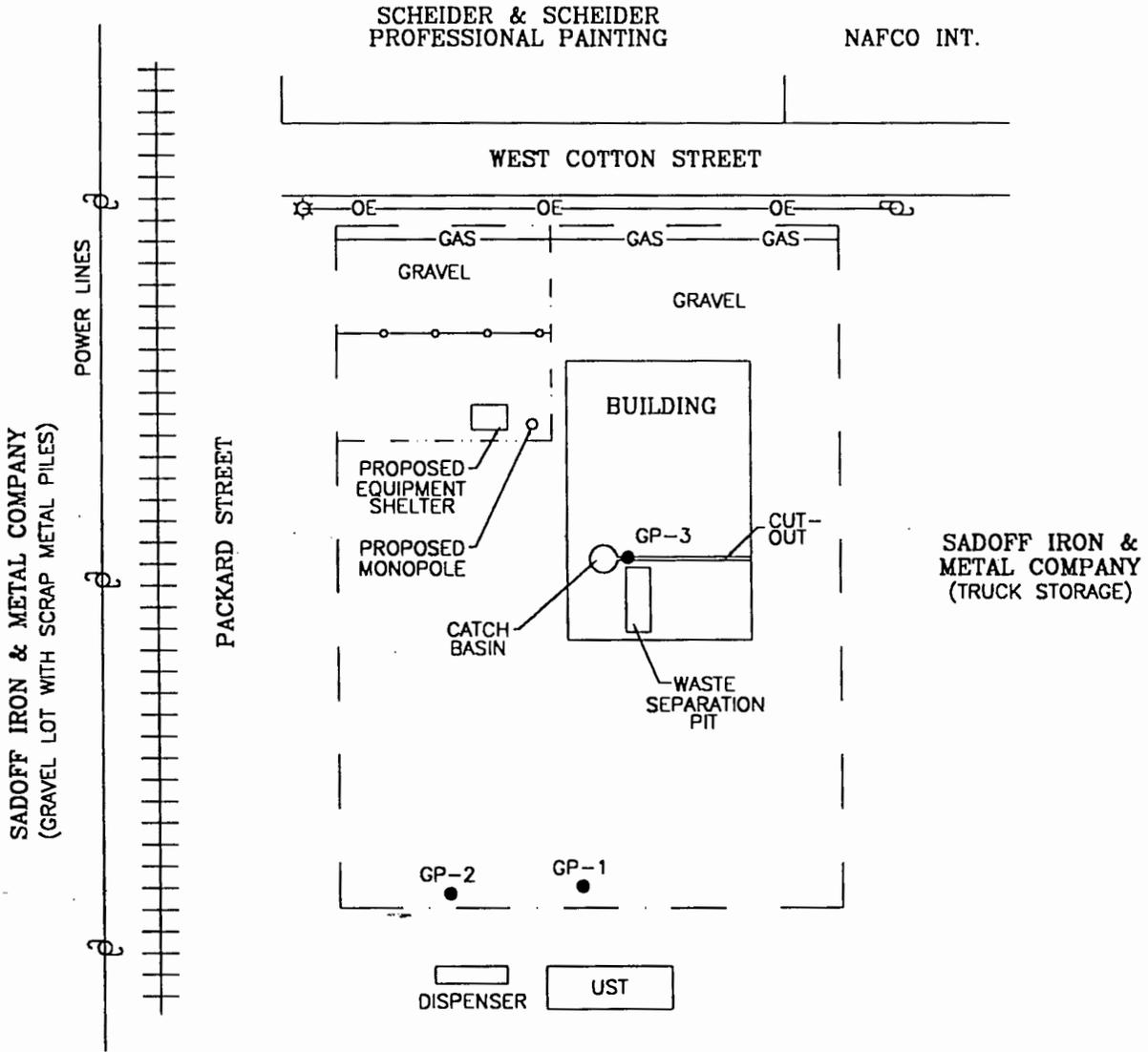
WEST COTTON STREET PROPERTY
FOND DU LAC, WISCONSIN

FIGURE NO.
1

ENGINEER	DATE
ENGINEER	DATE
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
DRAWN BY:	
DRAWING NO.	

LEGEND

- APPROXIMATE PROPERTY BOUNDARY
- - - APPROXIMATE PROPERTY BOUNDARY OF LEASE AREA
- PROPOSED INITIAL FENCE
- ⊙ STREET LIGHT
- ⊕ POWER POLE
- GEOPROBE BORING
- GAS — GAS UTILITY
- OE — OVERHEAD ELECTRIC UTILITY



SADOFF IRON & METAL COMPANY
(GRAVEL LOT WITH SCRAP METAL PILES)

PACKARD STREET

SCHEIDER & SCHEIDER
PROFESSIONAL PAINTING

NAFCO INT.

WEST COTTON STREET

BUILDING

SADOFF IRON & METAL COMPANY
(TRUCK STORAGE)

DISPENSER UST

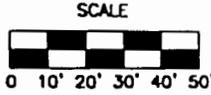
SADOFF IRON & METAL COMPANY



ENVIROGEN

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane
Ashwaubenon, Wisconsin 54304



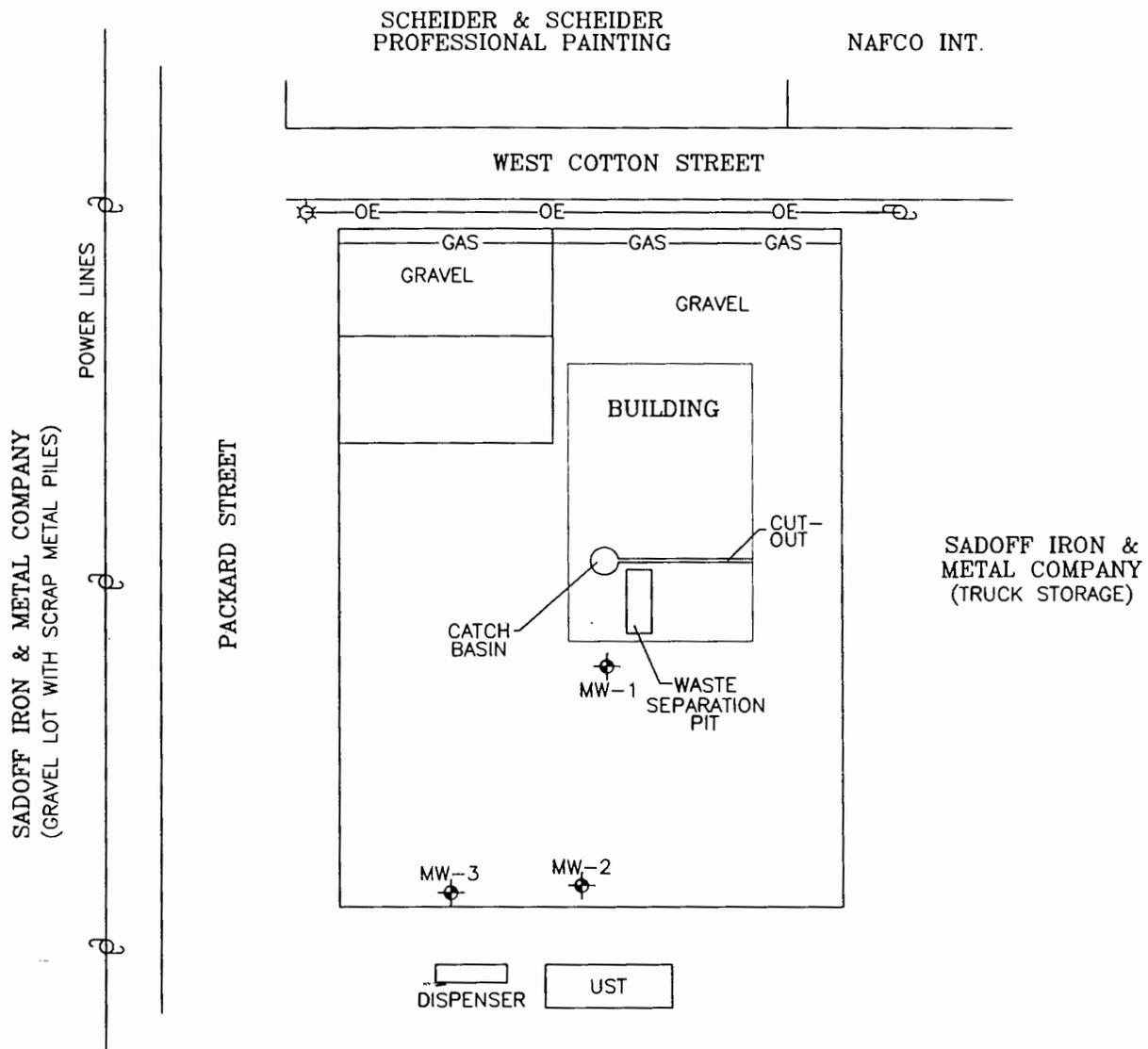
ENGINEER	DATE
ENGINEER	DATE
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
08/13/02	KFT
DRAWN BY:	
020247.1	
DRAWING NO.	

PHASE 2
GEOPROBE BORING LOCATIONS
WEST COTTON STREET PROPERTY
FOND DU LAC, WISCONSIN

FIGURE NO.
2

LEGEND

- APPROXIMATE PROPERTY BOUNDARY
- APPROXIMATE PROPERTY BOUNDARY OF LEASE AREA
- PROPOSED INITIAL FENCE
- ☼ STREET LIGHT
- ⊙ POWER POLE
- ⊕ MONITORING WELL
- GAS — GAS UTILITY
- OE — OVERHEAD ELECTRIC UTILITY



SADOFF IRON & METAL COMPANY

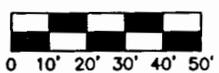


ENVIROGEN

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

790 Marvella Lane
Green Bay, Wisconsin 54304

SCALE



MONITORING WELL LOCATIONS
WET COTTON STREET PROPERTY FOND DU LAC, WISCONSIN

FIGURE NO.

3

ENGINEER	DATE
ENGINEER	DATE
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
BFB	03/03/03
DRAWN BY:	
DRAWING NO.	020247.03

TABLE 2
Soil Laboratory Analytical Summary
RCRA Metals
Cotton Street Property
Fond du Lac, Wisconsin
12/03/2002

Sample (bgs ft)	PID (ppmv)	Solids %	Arsenic	Barium	Mercury	Chromium	Silver	Lead
MW-1 (0-2)	<10	73.3	4.6	220	0.32	45	0.09	61
MW-1 (8-10)	<10	83.8	3.2	97	0.01	40	0.02	9.6
MW-2 (0-2)	<10	82.6	4.5	150	0.19	31	0.07	53
MW-2 (8-10)	<10	82.6	2.5	71	0.02	29	0.04	7.0
MW-3 (0-2)	<10	69.4	4.4	89	0.23	18	0.09	100
MW-3 (8-10)	<10	82.4	2.7	120	0.02	31	0.05	6.7
Industrial Standard			1.6	NS	NS	200	NS	500

Notes:

All results are reported in ppm, unless otherwise noted.

BOLD indicates value equals or exceeds the NR 720 generic soil standards or appropriate Industrial residual contaminant levels.

bgs: below ground surface

NS: No standard

**NON-INDUSTRIAL = 50
STD**

TABLE 1
Soil Sample Laboratory Analytical Results
West Cotton Street Property
Fond du Lac, Wisconsin

Sample	Date	Sample Depth (feet bis)	Solids %	Arsenic (ppm)	Barium (ppm)	Cadmium (ppm)	Chromium (ppm)	Lead (ppm)	Mercury (ppm)	Selenium (ppm)	Silver (ppm)	Benzene	Ethylbenzene	MTBE	Naphthalene	Toluene	1,2,4-TMB	1,3,5-TMB	Total Xylenes
GP-1	8/9/2002	0-4	74.8	1.9	221	<0.7	43	66	0.37	<2.5	<1	NA	NA	NA	NA	NA	NA	NA	NA
GP-1	8/9/2002	14-17	81.2	NA	NA	NA	NA	NA	NA	NA	NA	<25	<25	<25	<25	<25	<25	<25	<25
GP-2	8/9/2002	0-4	75.6	3.1	196	<0.7	46	6.5	0.027	<2.5	<1	NA	NA	NA	NA	NA	NA	NA	NA
GP-2	8/9/2002	14-16	81.3	NA	NA	NA	NA	NA	NA	NA	NA	<50	<50	<50	<50	<50	<50	<50	<50
GP-3	8/9/2002	0-4	84.7	0.91	22	<0.7	8.8	3.9	0.007	<2.5	4.6	NA	NA	NA	NA	NA	NA	NA	NA
GP-3	8/9/2002	4-6	84.7	NA	NA	NA	NA	NA	NA	NA	NA	<25	<25	<25	<25	<25	<25	<25	<25
GP-3	8/9/2002	14-16	82.3	NA	NA	NA	NA	NA	NA	NA	NA	<25	<25	<25	<25	<25	<25	<25	<25
Industrial Standards				1.6	NS	510	200	500	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
NR 720 Generic Soil Standard				NS	NS	NS	NS	NS	NS	NS	NS	5.5	2,900	NS	NS	1,500	NS	NS	NS

Notes: All results are reported in ppb, unless otherwise noted
BOLD indicates value equals or exceeds the Industrial Standard.

- bis: Below land surface
- PID: Photolization detector
- MTBE: Methyl t-butyl ether
- TMB: Trimethylbenzene
- NA: Not analyzed
- NS: No standard

Checked by: _____
 Approved by: _____

CERTIFICATE OF LEGAL DESCRIPTION

I hereby certify on behalf of Ms. Laura Miller, the responsible party, the legal description provided below is a true and accurate description of the property located at 226 W. Cotton Street, City of Fond du Lac, Fond du Lac, Wisconsin.

The North One Hundred Eighty-Four (184) feet of Lot Forty-Eight (48) and the North One Hundred Eighty-Four (184) feet of the West Thirty-Two (32) feet of Lot Forty-Nine (49) in Block Seven (7) of the Original Plat of the City of Fond du Lac, Fond du Lac County, Wisconsin.

TAX KEY NUMBER EDL 15.17.10.24.762

Laura Miller
Signature

10-25-05
Date

GEOGRAPHIC POSITIONING

The Geographic Position of the contaminated site boundary based upon the WTM91 Interactive Map is 644264, 349414.