

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
1125 N. Military Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5800
FAX 920-492-5913
TDD 920-492-5912

February 25, 2000

Mr. Don Johnston
U.S. Company, Inc.
425 South Washington Street
P.O. Box 25
Combined Locks, WI 54113

Subject: Closure with a Groundwater Use Restriction for the Amoco # 15650 site, 414 West Johnson Street, Fond du Lac, WI
BRRTS # 03-20-001643

Dear Mr. Johnston:

On September 2, 1999, you were notified that the above referenced site had been reviewed by the Northeast Region Closeout Committee and qualified for closeout under ch. NR 726, Wis. Adm. Code. However, the site could not be officially closed until the Department received documentation that a groundwater use restriction had been filed with the property deed at Fond du Lac County Register of Deeds, that the excavated soil was properly disposed of and that the monitoring points were properly abandoned according to the requirements of NR 141 Wis. Adm. Code.

On February 25, 2000, the Department received the required written documentation. Therefore, the Department considers this case closed on February 25, 2000, having determined that no further action is necessary at the site at this time. However, this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicate that contamination on or from the site poses a threat to public health or the environment.

If you have additional relevant information which was not formerly provided to the Department, you should submit this information to the Department for reevaluation. If you have any questions regarding the content of this letter, please contact me in Green Bay at (920) 492-5921.

Sincerely,

Keld B. Lauridsen
Hydrogeologist
Remediation & Redevelopment Program

cc: Lisa Noblet, Delta Environmental Consultants, Inc.,
17500 West Liberty Lane, Suite A, New Berlin, WI 53146-2109
Ray Stoelting, BP Amoco,
2288 West County Road C, Roseville, MN 55113
Lee Hansen, JLH Properties, LLP,
414 West Johnson Street, Fond du Lac, WI 54935

38731

Document Number

WARRANTY DEED

RECEIVED FOR RECORD

VOL 1371 PAGE 330

98 MAY 18 AM 11:14

Mary A. Brickle

REGISTER OF DEEDS
FOND DU LAC COUNTY, WI

U.S. Oil Co., Inc. conveys and warrants to J LH Properties, LLP, a Wisconsin limited liability partnership, the following described real estate in Fond du Lac County, State of Wisconsin:

Lots Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18) in Block Thirteen (13) of MOORE AND CONKLIN'S SUBDIVISION OF BUTLER AND TALLMADGE'S ADDITION to the City of Fond du Lac, Fond du Lac County, Wisconsin, together with the North 1/2 of the vacated alley adjoining on the South, and excepting therefrom that portion conveyed to the City of Fond du Lac by Deed recorded on July 30, 1984 in Volume 512 of Records, page 206, as Document No. 201302.

Recording Area

Name and Return Address

American Bank #1740-40417
PO Box 1077
Fond du Lac, WI 54936-1077

FDL 15-17-09-41-001-00
FDL 15-17-09-41-002-00
(Parcel Identification Number)

TRANSFER
\$ 1,116.00
FEE

Exception to warranties: all easements, zoning ordinances, and restrictions of record.

This is not homestead property. Dated this 6th day of May, 1998.

U.S. OIL CO., INC.

Thomas A. Schmidt
Thomas A. Schmidt, President

Marjorie M. Young
Marjorie M. Young, General Counsel

AUTHENTICATION

Signature(s) _____

authenticated this ____ day of _____, ____.

signature _____

type or print name _____

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Marjorie M. Young
Attorney at Law

ACKNOWLEDGMENT

STATE OF WISCONSIN
OUTAGAMIE COUNTY

Personally came before me this 6th day of May, 1998, the above named Thomas A. Schmidt and Marjorie M. Young, President and General Counsel, respectively, of U.S. Oil Co., Inc., to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Cindy N. Korn
Cindy N. Korn
Notary Public Outagamie County, Wisconsin
My commission expires 8/16/98

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

681689

Document Number

AFFIDAVIT OF CORRECTION

VOL 1478 PAGE 364-367

NOV -2 AM 10:46

RECORDS DEPT. COUNTY OF FOND DU LAC, WISCONSIN

(TYPE OR PRINT CLEARLY IN BLACK OR RED INK)

AFFIANT, Lee Hansen, hereby swears or affirms that a certain document recorded on the 13 day of Oct, 99 (year) in volume 1475, page 20-21, as document number 680370 which was recorded in Fond Du Lac County, State of Wisconsin, contained the following error (if more space is needed, please attach addendum):

AFFIANT makes this Affidavit for the purpose of correcting the above document as follows (if more space is needed, please attach addendum):

Figure 2 was not included in the records of the groundwater use restriction.

Recording Area

Name and Return Address

JLH Properties, LLP 16 414 W Johnson St. Fond du Lac, WI 54935

Parcel Identification Number (PIN)

FDL 15-17-09-41-001-00 FDL 15-17-09-41-002-00

AFFIANT is the (check one):

- Owner of the property described in the document being corrected.

The original document (in part or whole) is attached to this Affidavit (if original document is not attached, please attach legal description and names of grantors and grantees).

Signed: Lee A Hansen

State of Wisconsin) County of Fond du Lac) ss.

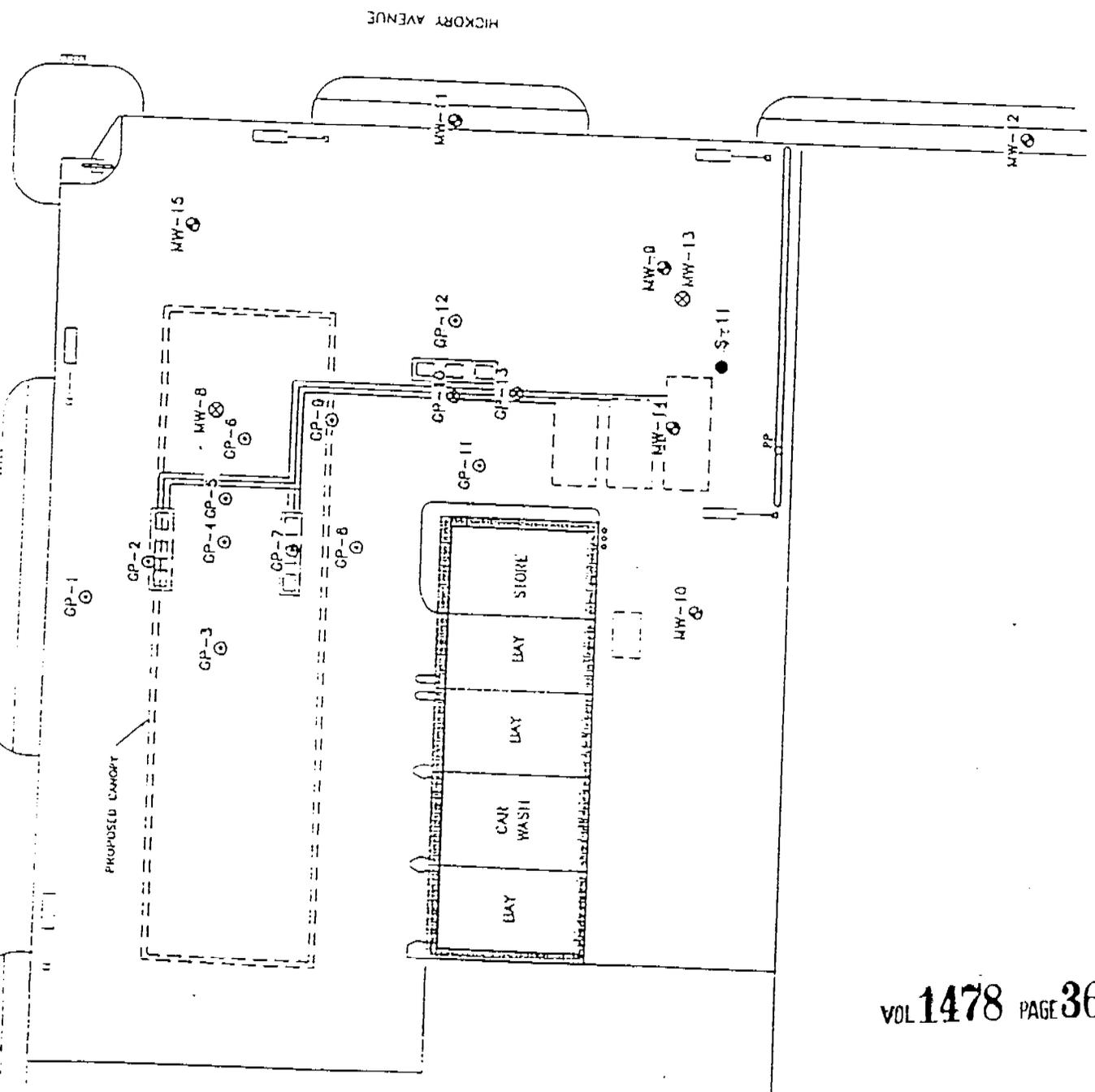
Subscribed and sworn to (or affirmed) before me this 2 day of Nov, 1999.

Sally Barbeau Notary Public, State of Wisconsin My Commission (expires) (is): 5-21-2000.

THIS INSTRUMENT WAS DRAFTED BY: Lee A Hansen

This instrument is not (check one) a conveyance of real property as per s. 77.21(1) Wisconsin Statutes. (A Wisconsin Real Estate Transfer Return is required for instruments that do convey real property.)

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



- LEGEND**
- LIGHT
 - FENCE
 - FORMER PUMP ISLANDS
 - CATCH BASIN
 - MONITORING WELL
 - ABANDONED MONITORING WELL
 - FORMER SUMP WELL
 - POWER POLE
 - FORMER UNDERGROUND STORAGE TANK
 - GEOPROBE
 - FORMER PRODUCT PIPING
 - ABANDONED MONITORING WELL



20
0 20
SCALE IN FEET

NOTE: APPROXIMATE WELL LOGS AND UTILITY LOCATIONS. CALL LOCAL UTILITY OPERATOR TO VERIFY UTILITIES BEFORE STARTING ANY SUBSURFACE WORK.

**FIGURE 2
SITE MAP**

ANOCO SERVICE STATION #15650
414 W. JOHNSON ST.
FOND DU LAC, WISCONSIN



PROJECT NUMBER: 519612B

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

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 benefits 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.

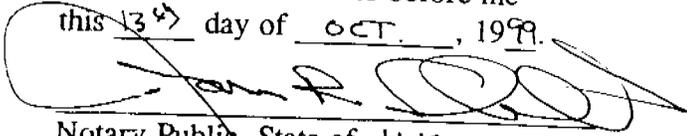
Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin 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 to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Lee Hansen asserts that he/she is duly authorized to sign this document on behalf of JLH Properties, LLP, a Wisconsin limited liability partnership.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 13th day of Oct, 1999.

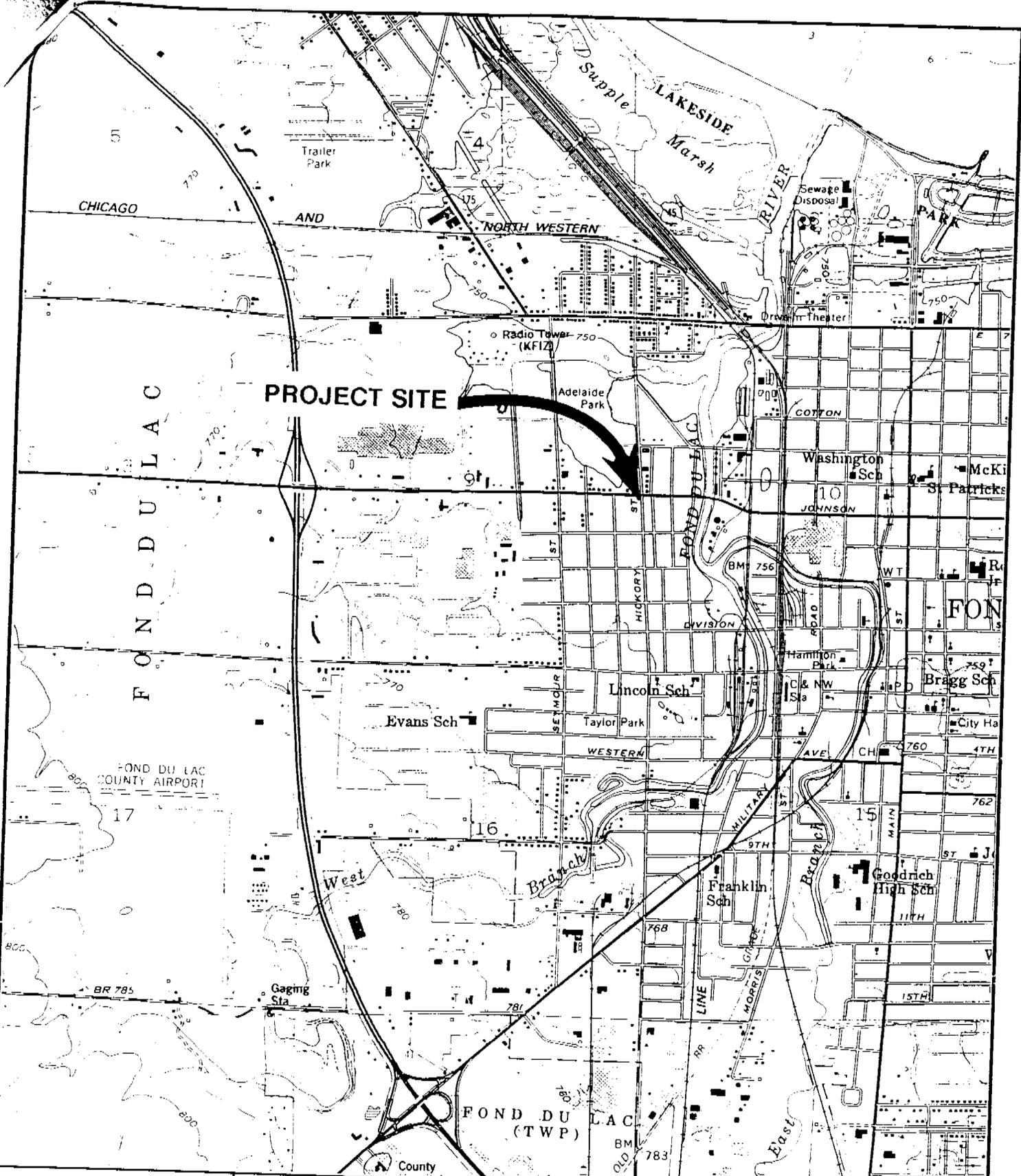
Signature: Lee A Hansen
Printed Name: LEE A HANSEN
Title: PARTNER

Subscribed and sworn to before me
this 13th day of OCT, 1999.



Notary Public, State of WISCONSIN
My commission 6-29-03

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PROJECT SITE



QUADRANGLE LOCATION
FOND du LAC, WISCONSIN

**FIGURE 1
SITE LOCATION MAP**

AMOCO SERVICE STATION #15650
414 WEST JOHNSON STREET
FOND du LAC, WISCONSIN

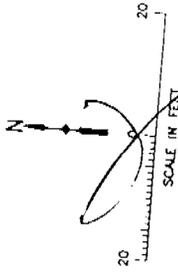


PROJECT NO. 5196.028

JOHNSON STREET (STATE HIGHWAY 23)

HICKORY AVENUE

- LEGEND**
- LIGHT
 - FENCE
 - FORMER PUMP ISLANDS
 - CATCH BASIN
 - MONITORING WELL
 - ABANDONED MONITORING WELL
 - FORMER SUMP WELL
 - POWER POLE
 - FORMER UNDERGROUND STORAGE TANK
 - GEOPROBE
 - FORMER PRODUCT PIPING
 - ABANDONED MONITORING WELL (95.32)
 - GROUNDWATER ELEVATION (94.0)
 - GROUNDWATER CONTOUR



CONTOURS CALCULATED FROM ONLY THOSE ELEVATIONS RECORDED AT THE TIME AND LOCATIONS ON THIS MAP
 NOTE: APPROXIMATE BUILDING AND UTILITY LOCATIONS CALL LOCAL UTILITY OPERATOR TO VERIFY UTILITIES BEFORE STARTING ANY SUBSURFACE WORK

FIGURE 4
 WATER TABLE CONTOUR
 MAP (03/13/96)
 AMOCO SERVICE STATION #15650
 414 W. JOHNSON ST.
 FOND DU LAC, WISCONSIN

CH3885CEN
 1516272C (M)

PROJECT NUMBER: 5116.2E

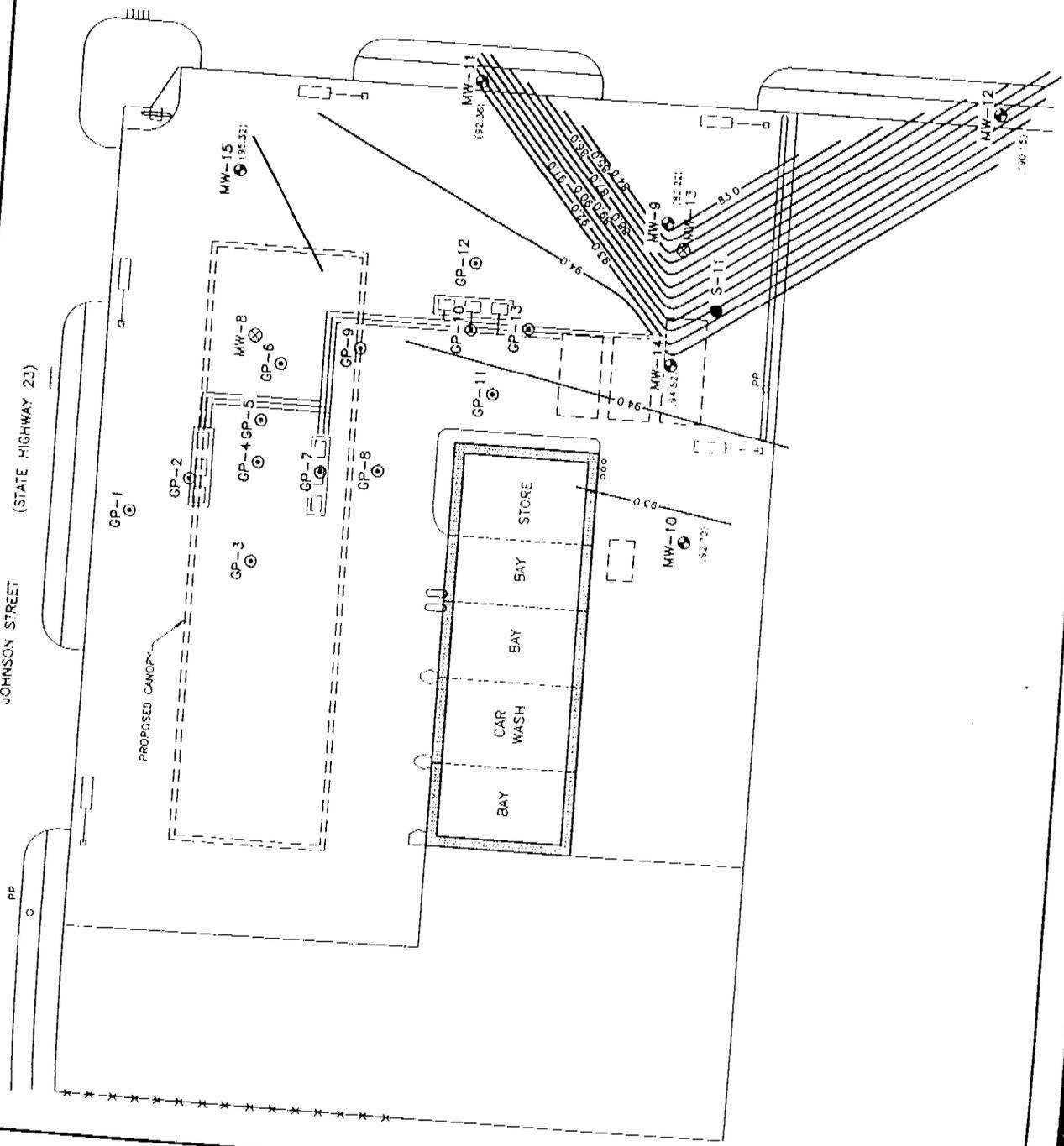


TABLE 2

AQUEOUS ANALYTICAL RESULTS

Amoco Service Station No. 15650
414 West Johnson Street
Fond du Lac, Wisconsin

Sample	Date Sampled	Benzene $\mu\text{g/L}$	Ethyl- benzene $\mu\text{g/L}$	Toluene $\mu\text{g/L}$	Xylenes $\mu\text{g/L}$	MTBE $\mu\text{g/L}$	1,3,5-Tri- methyl- benzene $\mu\text{g/L}$	1,2,4-Tri- methyl- benzene $\mu\text{g/L}$	GRO $\mu\text{g/L}$	
MW-8*	10/20/92	ND	ND	ND	ND	23	---	---	ND	
	05/29/93	6.2	8.5	ND	25	98	---	---	170	
	08/25/93	ND	1.8	ND	ND	130	---	---	110	
	12/09/93	ND	ND	1.4	ND	190	---	---	110	
	03/09/94	ND	ND	ND	ND	100	ND	ND	57	
	06/07/94	ND	ND	ND	ND	58	ND	ND	ND	
	09/12/94	ND	ND	ND	ND	110	ND	ND	ND	
	12/28/94	ND	ND	ND	ND	94	ND	ND	69	
	MW-9	10/20/92	130	3.5	5.2	66	180	---	---	420
		05/26/93	420	ND	ND	ND	370	---	---	690
08/25/93		150	ND	ND	ND	230	---	---	350	
12/09/93		4.5	ND	ND	ND	220	---	---	150	
03/09/94		28	ND	ND	ND	230	ND	ND	190	
06/07/94		41	ND	ND	ND	200	ND	ND	180	
09/12/94		ND	ND	ND	ND	270	ND	ND	140	
12/28/94		ND	ND	ND	ND	180	ND	ND	150	
06/22/95		3.4	ND	2.3	ND	210	ND	ND	170	
08/16/95 ⁽¹⁾		ND	ND	ND	ND	110	ND	ND	---	
09/19/95	1.1	ND	ND	ND	140	ND	ND	73		
12/20/95	ND	ND	ND	ND	200	ND	ND	110		
03/13/96	ND	ND	ND	ND	45	ND	ND	ND		
06/18/96	25	ND	ND	ND	160	ND	ND	110		

TABLE 2
(continued)
AQUEOUS ANALYTICAL RESULTS

Amoco Service Station No. 15650
414 West Johnson Street
Fond du Lac, Wisconsin

Sample	Date Sampled	Benzene		Ethylbenzene		Toluene		Xylenes		MTBE		1,3,5-Tri-methylbenzene		1,2,4-Tri-methylbenzene		CRO		
		$\mu\text{g/l}$	$\mu\text{g/l}$	$\mu\text{g/l}$	$\mu\text{g/l}$	$\mu\text{g/l}$	$\mu\text{g/l}$	$\mu\text{g/l}$										
MW-11(cont)	03/08/95	ND	ND	ND	ND	ND	ND	ND										
	06/22/95	ND	ND	ND	ND	ND	ND	ND										
	09/19/95	ND	4.7	ND	ND	ND	ND	ND	ND	ND								
	12/20/95	ND	5.4	ND	ND	ND	ND	ND	ND	ND	ND							
	03/13/96	ND	5.6	ND	ND	ND	ND	ND	ND	ND	ND							
	06/18/96	ND	ND	ND	ND	ND	ND	ND										
MW-12	05/26/93	ND	ND	ND	ND	ND	ND	ND										
	08/25/93	ND	ND	ND	ND	ND	ND	ND										
	12/09/93	ND	ND	ND	ND	ND	ND	ND										
	03/09/94	ND	ND	ND	ND	ND	ND	ND										
	06/07/94	ND	ND	ND	ND	ND	ND	ND										
	09/12/94	ND	ND	ND	ND	ND	ND	ND										
	12/15/94	ND	ND	ND	ND	ND	ND	ND										
	03/08/95	ND	ND	ND	ND	ND	ND	ND										
06/22/95	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	
09/19/95	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	
06/18/96	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	
MW-13*	06/22/95	1,300	ND	11	ND	ND	ND	ND	ND	280	ND	ND	ND	ND	ND	2,600	ND	

TABLE 2
(continued)
AQUEOUS ANALYTICAL RESULTS

Amoco Service Station No. 15650
414 West Johnson Street
Fond du Lac, Wisconsin

Sample	Date Sampled	Benzene $\frac{\mu\text{g/l}}{\text{ND}}$	Ethyl- benzene $\frac{\mu\text{g/l}}{\text{ND}}$	Toluene $\frac{\mu\text{g/l}}{\text{ND}}$	Xylenes $\frac{\mu\text{g/l}}{\text{ND}}$	MTBE $\frac{\mu\text{g/l}}{\text{ND}}$	1,3,5-Tri- methyl- benzene $\frac{\mu\text{g/l}}{\text{ND}}$	1,2,4-Tri- methyl- benzene $\frac{\mu\text{g/l}}{\text{ND}}$	GRO $\frac{\mu\text{g/l}}{\text{ND}}$
MW-14	09/19/95	ND	ND	ND	ND	ND	ND	ND	ND
	12/20/95	ND	ND	3.2	ND	4.4	ND	ND	ND
	03/13/96	ND	ND	ND	ND	ND	ND	ND	ND
	06/18/96	ND	3.8	ND	ND	8.7	ND	ND	ND
MW-15	08/29/95 ⁽¹⁾	ND	ND	ND	ND	35	ND	ND	ND
	12/20/95	ND	ND	ND	ND	16	ND	ND	ND
	03/13/96	ND	ND	ND	ND	22	ND	ND	ND
	06/18/96	ND	ND	ND	ND	ND	ND	ND	ND
Duplicates									
MW-8	08/25/93	1.3	6.9	ND	ND	130	---	---	130
MW-8	12/09/93	ND	ND	1.5	ND	200	---	---	120
MW-11	03/09/94	ND	ND	ND	ND	ND	ND	ND	ND
MW-12	06/07/94	ND	ND	ND	ND	ND	ND	ND	ND
MW-9	09/12/94	1.0	ND	2.9	ND	280	ND	ND	160
MW-10	12/15/94	ND	ND	ND	ND	ND	ND	ND	ND
MW-11	03/08/95	ND	ND	ND	ND	ND	ND	ND	ND
MW-12	06/22/95	ND	ND	ND	ND	ND	ND	ND	ND
MW-11	09/19/95	ND	ND	ND	ND	4.1	ND	ND	ND
MW-14	12/20/95	ND	ND	ND	ND	5.0	ND	ND	ND
MW-11	03/13/96	ND	ND	ND	ND	ND	ND	ND	ND
MW-9	06/18/96	24	ND	ND	ND	170	ND	ND	170