



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

October 7, 1999

Lee Hansen
415 West Johnson Street
Fond du Lac, WI 54935

Subject: Closure with a groundwater use restriction for the Jordan's Mobil site, 415
West Johnson Street, Fond du Lac, WI
BRRTS # 03-20-173598

Dear Mr. Hansen:

On September 28, 1999, the Northeast Region Closeout Committee met to discuss various sites. The committee has agreed to close this site pending a groundwater use restriction. This groundwater use restriction will state that inaccessible groundwater contamination may remain at this site and that additional remedial action is not feasible at this time. The document would be placed in the file with the deed running with the property.

Only when the groundwater use restriction has been finalized and filed with Fond du Lac County can this site be closed. To expedite the completion of the deed restriction and closure process, the Department requests that you submit the following:

- a complete (unabbreviated) legal description of the property (this may be obtained from the Fond du Lac Register of Deeds)
- a copy of the deed (this may be obtained from the Fond du Lac Register of Deeds)
- available maps, such as a survey map, showing the property boundaries, building outlines, areas of remaining contamination, monitoring well/piezometer locations

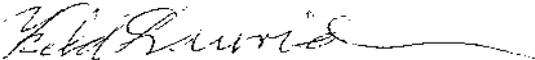
Once these items have been submitted, the Department will send you a draft copy of the deed restriction containing language regarding the remaining petroleum contamination. If it is acceptable, please sign it and return a signed copy with proof of filing for our records. At that time, the site may be closed.

This groundwater use restriction is an option that the Department can offer in order to close this site. If you choose not to accept this option, you may perform additional investigation and cleanup of the remaining contamination. Within 14 days please submit a letter to the Department documenting your intentions.

If you have additional relevant information which was not formerly provided to the Department, and which you feel would significantly impact the Department's closure decision, you may submit that information for our re-evaluation of case closure.

If you have any questions regarding the content of this letter, please contact me in Green Bay at (920) 492-5921.

Sincerely,



Keld Lauridsen
Hydrogeologist
Remediation & Redevelopment Program

cc: Scott Rademaker, Environmental Associates, Inc.,
P.O. Box 136, Thiensville, WI 53092

640892

Document Number

WARRANTY DEED

GORDON H. HANSEN conveys and warrants to JORDON M. HANSEN and PATRICIA J. HANSEN, as survivorship marital property, the following described real estate in Fond du Lac County, State of Wisconsin:

RECEIVED FOR RECORD

VOL 1376 PAGE 812

98 JUN 12 PM 2:17

My A. Erickson
REGISTER OF DEEDS
FOND DU LAC COUNTY, WI

Recording Area
Name and Return Address

Andrew Law Offices, S.C.
Box 147
Fond du Lac, WI 54936-0147

10

FEE
77.25(17)
EXEMPT

FDL 15-17-09-14-787-00
(Parcel Identification Number)

Lot Six (6) in Block One (1) of Dockery's Addition to the City of Fond du Lac, Fond du Lac County, Wisconsin, together with that portion of the vacated alley adjoining on the North appurtenant to said Lot.

Lot Seven (7) except that portion conveyed by Deed recorded in Vol. 508 of Records on pages 422-423; Lot Eight (8) except the West Seventy (70) feet thereof, all in Block One (1) of Dockery's Addition to the City of Fond du Lac, Fond du Lac County, Wisconsin, together with that portion of the vacated alley adjoining appurtenant to said Lots.

This deed is in satisfaction of Land Contract dated October 1, 1993, recorded November 19, 1993 in Volume 1160 on Pages 05-06, as Document No. 545252.

Exception to warranties: all easements and restrictions of record.

This is not homestead property.

Dated this 11th day of June, 1998.

Patricia J. Hansen
*Patricia J. Hansen, as Attorney-in-Fact
for Gordon H. Hansen

AUTHENTICATION

ACKNOWLEDGMENT

STATE OF WI
Fond du Lac COUNTY
Personally came before me this 11 day of June, 1998 the above named Patricia J. Hansen, as Attorney-in-Fact for Gordon H. Hansen, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Christine M. Serres
signature
type or print name Christine M. Serres

Notary Public Fond du Lac County, WI
My commission is permanent. (If not, state expiration date:
August 27, 2000.)

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

691833

Document Number

GROUNDWATER USE RESTRICTION

RECEIVED BY RECORD

00 MAY -4 AM 8:09

REGISTRY OF DEEDS
FOND DU LAC COUNTY, WI

Declaration of Restrictions

In Re: The property described in Exhibit A hereby attached and made a part of this restriction.

STATE OF WISCONSIN)
) ss
COUNTY OF FOND DU LAC)

Recording Area

Name and Return Address
Lee Hansen
415 West Johnson Street
Fond du Lac, WI 54935

WHEREAS, Jordon M. Hansen and Patricia J. Hansen, as survivorship marital property, are the owners of the above-described property.

FDL 15-17-09-14-797-00

WHEREAS, one or more petroleum discharges have occurred on this property. Petroleum-contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards existed on this property at the following locations on the following dates:

Parcel Identification Number (PIN)

On November 2, 1997:

Benzene concentration of 24 microgram per liter ($\mu\text{g/L}$) & methyl-tert-butyl-ether (MTBE) concentration of 308 $\mu\text{g/L}$ at temporary monitoring well TW6;
Benzene concentration of 6.1 $\mu\text{g/L}$ at TW9.

On March 19, 1999:

Benzene concentration of 120 $\mu\text{g/L}$ at monitoring well MW18;
Benzene concentration of 170 $\mu\text{g/L}$ & MTBE concentration of 2,100 $\mu\text{g/L}$ at MW19.

Location of monitoring wells is provided on Figure 1 and made a part of this restriction.

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

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owners hereby declare 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:

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.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 27th day of April, 2000.

Signature: Jordon M. Hansen
Printed Name: Jordon M. Hansen
Title: _____

Subscribed and sworn to before me
this 27th day of April, 2000.

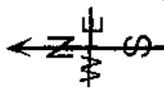
Kathleen M. Nachtwey
Notary Public, State of Wis.
My commission 7-16-00

Signature: Patricia J. Hansen
Printed Name: Patricia J. Hansen
Title: _____

Subscribed and sworn to before me
this 27th day of April, 2000.

Kathleen M. Nachtwey
Notary Public, State of Wis.
My commission 7-16-00

This document was drafted by the Wisconsin Department of Natural Resources based on information provided by Environmental Associates, Inc.



Notes:

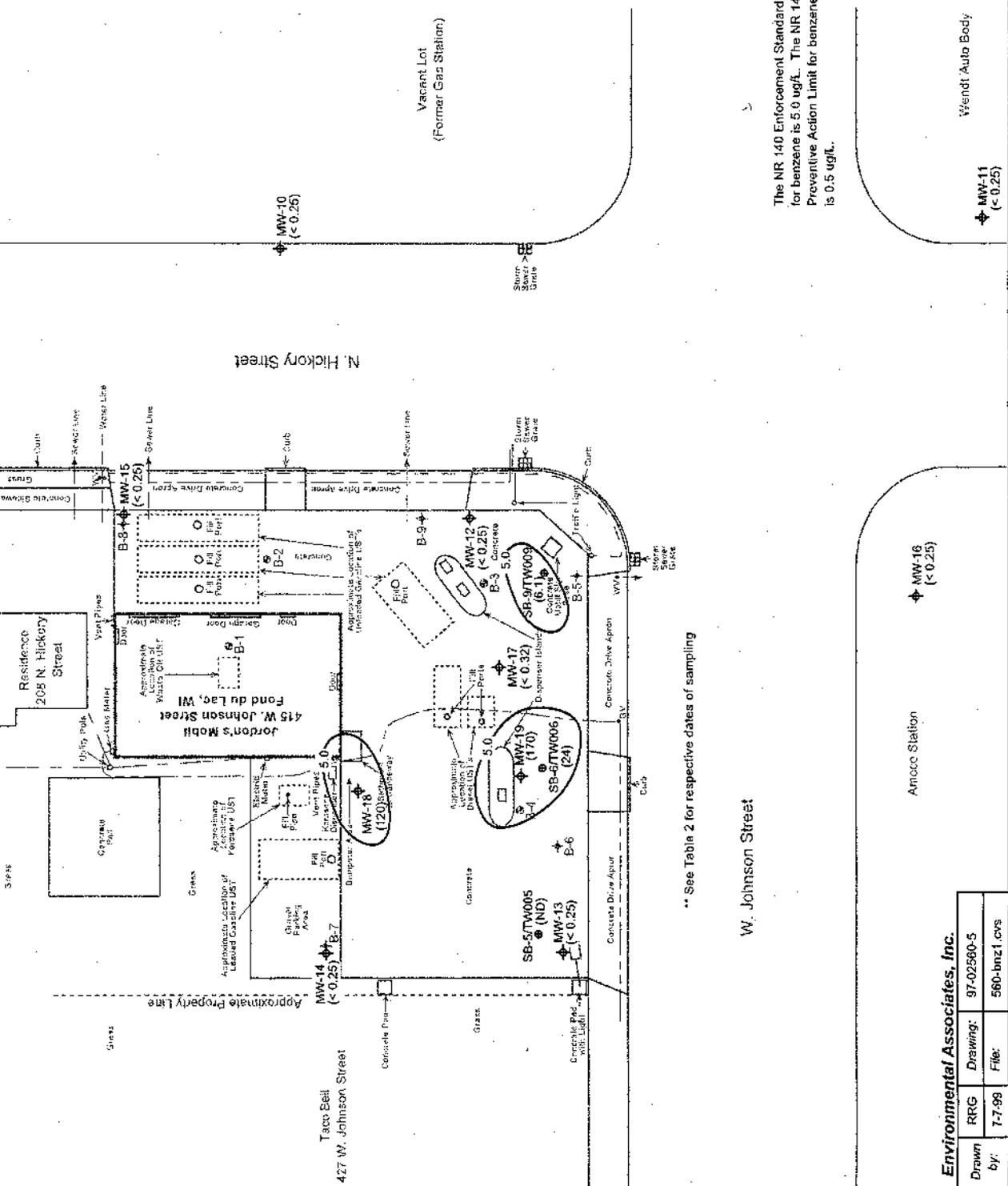
- Jordan's Mobil is located at 415 W. Johnson Street in the City of Fond du Lac, Fond du Lac County, Wisconsin in the SE 1/4 of the NE 1/4 of Section 9, Township 18N, Range 17E of the Fond du Lac 7.5 minute quadrangle map.
- The base map was constructed from site measurements conducted by Environmental Associates, Inc.

LEGEND

- Underground Natural Gas Line
- Underground Electric Line
- Underground Water Line
- Underground Sewer Line
- Overhead Utility Lines
- SV+ Gas Valve
- WV+ Water Valve
- SB-5/TW005 Soil Boring/Temporary Monitoring Well (Advanced 10/20/97 - Dames & Moore)
- B-1 Geoprobe Soil Boring Location (Advanced 9/4/97 - EA)
- B-5 Geoprobe Soil Boring Location (Advanced 7/22/98 - EA)
- MW-18 Soil Boring/Groundwater Monitoring Well
- (120) Groundwater Benzene Concentration
- 5.0 Benzene Isoconcentration Line (ug/L)
- (ND) No Detect

FIGURE 1
Site Layout,
Monitoring Well Location
and
Groundwater Benzene
Isoconcentration Map

Scale : 1" = 20'



The NR 140 Enforcement Standard for benzene is 5.0 ug/L. The NR 140 Preventive Action Limit for benzene is 0.5 ug/L.

** See Table 2 for respective dates of sampling

Environmental Associates, Inc.

Drawn by:	RRG	Drawing:	97-02560-S
by:	7-7-99	File:	560-bnzt1.cvs

Wendt Auto Body

MW-11 (<0.25)

MW-16 (<0.25)

Amoco Station

W. Johnson Street

Taco Bell
 427 W. Johnson Street



Notes:

- Jordan's Mobil is located at 415 W. Johnson Street in the City of Fond du Lac, Fond du Lac County, Wisconsin in the SE 1/4 of the NE 1/4 of Section 9, Township 15N, Range 17E of the Fond du Lac 7.5 minute quadrangle map.
- The base map was constructed from site measurements conducted by Environmental Associates, Inc.

LEGEND

- Underground Natural Gas Line
- Underground Electric Line
- Underground Water Line
- Underground Sewer Line
- Overhead Utility Lines
- GV* Gas Valve
- WV* Water Valve
- B-S* Geoprobe Soil Boring Location (Advanced 7/22/98)
- MW-11* Groundwater Monitoring Well and Groundwater Elevation (MSL) 731.62
- ↑ Groundwater Flow Direction

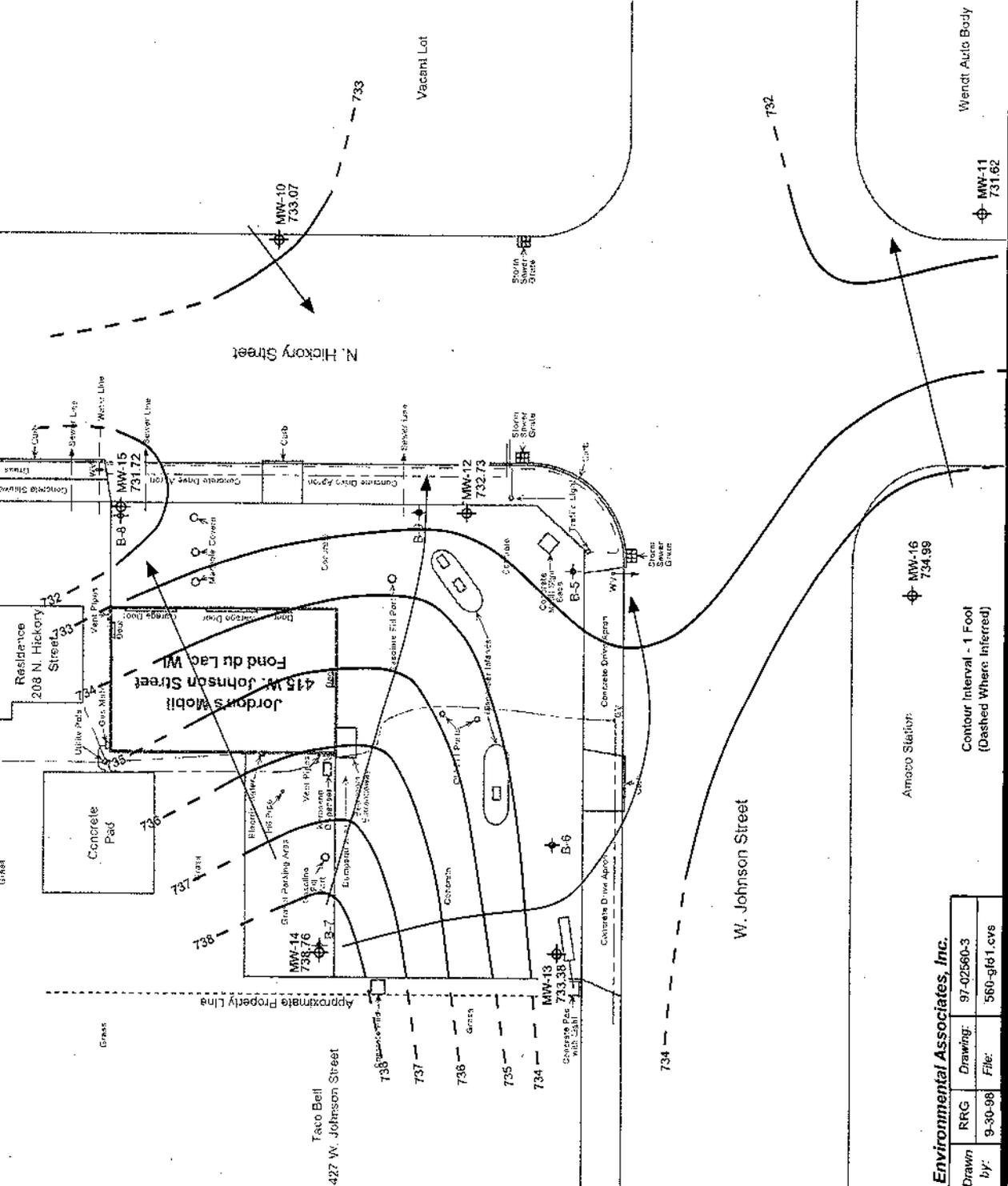


FIGURE 3
Groundwater Elevation
and Flow Direction
(September 24, 1998)
 Scale : 1" = 20'

Contour Interval - 1 Foot
 (Dashed Where Inferred)

Amago Station

Wendts Auto Body

MW-11
731.62

Taco Bell
427 W. Johnson Street

W. Johnson Street

Residence
208 N. Hickory Street

Jordan's Mobil
415 W. Johnson Street

Fond du Lac WI

Vacant Lot

N. Hickory Street

732

734

Approximate Property Line

Grass

738

737

736

735

734

733

732

731

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725

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Table 2: Groundwater Quality Analytical Results-
Jordon's Mobil, 415 Johnson Street, Fond du Lac, Wisconsin

Parameter	Units	ES	PAL	Date	TW005 (SB5)	TW006 (SB6)	TW009 (SB9)	MW10	MW11	MW12
Selected Volatile Organic Compound (VOC) Analytes:										
Benzene	ug/l	5.0	0.5	11/2/97	ND	24	6.1	NI	NI	NI
				9/25/98	NT	NT	NT	<0.25	<0.25	<0.25
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT
1,2-Dichloroethane	ug/l	5.0	0.5	11/2/97	ND	<0.32	<0.32	NI	NI	NI
				9/25/98	NT	NT	NT	<0.14	<0.14	<0.14
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT
Ethylbenzene	ug/l	700	140	11/2/97	ND	5	4	NI	NI	NI
				9/25/98	NT	NT	NT	<0.32	<0.32	<0.32
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT
Methyl-tert-butyl-ether (MTBE)	ug/l	60	12	11/2/97	ND	508	ND	NI	NI	NI
				9/25/98	NT	NT	NT	<0.21	<0.21	0.44Q
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT
Naphthalene	ug/l	40	8	11/2/97	ND	ND	6	NI	NI	NI
				9/25/98	NT	NT	NT	<0.73	<0.73	<0.73
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT
Toluene	ug/l	343	68.6	11/2/97	ND	17	16	NI	NI	NI
				9/25/98	NT	NT	NT	<0.38	<0.38	<0.38
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT
Total Trimethylbenzenes	ug/l	480	96	11/2/97	ND	ND	28.4	NI	NI	NI
				9/25/98	NT	NT	NT	<0.36	<0.36	<0.36
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT

See Attached Footnotes

**Table 2: Groundwater Quality Analytical Results-
Jordon's Mobil, 415 Johnson Street, Fond du Lac, Wisconsin**

Parameter	Units	ES	PAL	Date	[#] TW005 (SB5)	[#] TW006 (SB6)	[#] TW009 (SB9)	MW10	MW11	MW12
Total Xylenes	ug/l	*620	*124	11/2/97	ND	20	20	NI	NI	NI
				9/25/98	NT	NT	NT	< 1.04	< 1.04	< 1.04
				12/30/98	NT	NT	NT	NT	NT	NT
				3/19/99	NT	NT	NT	NT	NT	NT

Footnotes:

ES = WAC NR 140.10 Table 1 Groundwater Quality Enforcement Standard

PAL = WAC NR 140.10 Table 1 Groundwater Quality Preventative Action Limit

< = Not detected above laboratory method detection value given

* = Combined Total Xylene Standard (Sum of m/p-Xylene and o-Xylene)

[#] = Total Trimethylbenzene Standard (Sum of 1,2,4-TMB and 1,3,5-TMB)

Q = Analyte detected between Limit of Detection (LOD) and Limit of Quantification (LOQ)

= Temporary Wells Installed By Dames & Moore, documented in Phase II Environmental

Sampling Activities Report, Johnson Street - Highway 23, Fond du Lac, Wisconsin

ND = Not Detected above laboratory detection limits, ([#]TW005, TW006, and TW009 only)

**Table 2: Groundwater Quality Analytical Results-
Jordan's Mobil, 415 Johnson Street, Fond du Lac, Wisconsin**

Parameter	Units	ES	PAL	Date	MW13	MW14	MW15	MW16	MW17	MW18	MW19
Selected Volatile Organic Compound (VOC) Analytes:											
Benzene	ug/l	5.0	0.5	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	<0.25	<0.25	<0.25	<0.25	NI	NI	NI
				12/30/98	NT	NT	NT	NT	<0.32	0.41Q	NI
				3/19/99	NT	NT	NT	NT	NT	170	170
1,2-Dichloroethane	ug/l	5.0	0.5	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	<0.14	<0.14	<0.14	<0.14	NI	NI	NI
				12/30/98	NT	NT	NT	NT	2	<0.36	NI
				3/19/99	NT	NT	NT	NT	NT	NT	NT
Ethylbenzene	ug/l	700	140	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	<0.32	<0.32	<0.32	<0.32	NI	NI	NI
				12/30/98	NT	NT	NT	NT	<0.34	<0.31	NI
				3/19/99	NT	NT	NT	NT	NT	6.3	19.0
Methyl-tert-butyl-ether (MTBE)	ug/l	60	12	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	<0.21	<0.21	1.30	<0.21	NI	NI	NI
				12/30/98	NT	NT	NT	NT	52	<0.31	NI
				3/19/99	NT	NT	NT	NT	NT	5.3	2100
Naphthalene	ug/l	40	8	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	<0.73	<0.73	<0.73	<0.73	NI	NI	NI
				12/30/98	NT	NT	NT	NT	<0.88	<0.88	NI
				3/19/99	NT	NT	NT	NT	NT	NT	NT
Toluene	ug/l	343	68.6	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	<0.38	<0.38	<0.38	<0.38	NI	NI	NI
				12/30/98	NT	NT	NT	NT	<0.35	<0.35	NI
				3/19/99	NT	NT	NT	NT	NT	NT	NT
Total Trimethylbenzenes	ug/l	480	96	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	<0.36	<0.36	<0.36	<0.36	NI	NI	NI
				12/30/98	NT	NT	NT	NT	<0.64	<0.64	NI
				3/19/99	NT	NT	NT	NT	NT	0.69 ^{III}	180.0

See Attached Footnotes

**Table 2: Groundwater Quality Analytical Results-
Jordan's Mobil, 415 Johnson Street, Fond du Lac, Wisconsin**

Parameter	Units	ES	PAL	Date	MW13	MW14	MW15	MW16	MW17	MW18	MW19
Total Xylenes	ug/l	*620	*124	11/2/97	NI	NI	NI	NI	NI	NI	NI
				9/25/98	< 1.04	< 1.04	< 1.04	< 1.04	NI	NI	NI
				12/30/98	NT	NT	NT	NT	< 0.98	< 0.98	NI
				3/19/99	NT	NT	NT	NT	NT	2.9	107.0

Footnotes:

ES = WAC NR 140.10 Table 1 Groundwater Quality Enforcement Standard

PAL = WAC NR 140.10 Table 1 Groundwater Quality Preventative Action Limit

< = Not detected above laboratory method detection value given

* = Combined Total Xylene Standard (Sum of m/p-Xylene and o-Xylene)

' = Total Trimethylbenzene Standard (Sum of 1,2,4-TMB and 1,3,5-TMB)

Q = Analyte detected between Limit of Detection (LOD) and Limit of Quantification (LOQ)

= Temporary Wells Installed By Darnes & Moore, documented in Phase II Environmental

Sampling Activities Report, Johnson Street - Highway 23, Fond du Lac, Wisconsin

ND = Not Detected above laboratory detection limits. (TW005, TW006, and TW009 only)