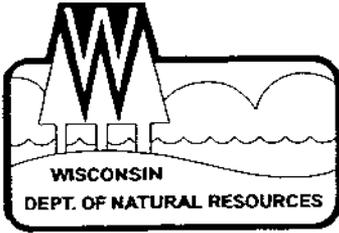


file



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Peshtigo Service Center  
101 N. Ogden Road P.O. Box 208  
Peshtigo, Wisconsin 54157  
Telephone 715-582-5000  
FAX 715-582-5005

August 4, 2000

Ms. Judy Seeley  
Seeley Enterprises Inc.  
W 3034 Borderline Road  
Porterfield, WI 54159

Subject: Final Closure for Evergreen Ballroom

Dear Ms. Seeley:

The Department has received the spill response and documentation summary. The Department of Natural Resources has reviewed the response summary and concurs that the environment has been restored to the extent practicable as provided in ch. NR 708.09, Wis. Adm. Code. Therefore, the Department is requiring no further action at this time.

We appreciate your efforts to protect and restore the environment at this site. If you have any questions regarding this No Further Action determination, please contact me in Peshtigo at (715) 582 - 5048.

Sincerely,

Mike Netzer, P.G., Hydrogeologist  
Remediation & Redevelopment Program

cc: Susan Knabe - Northern Environmental  
Bruce Urben - NER



544241

DOCUMENT NO.

WARRANTY DEED

This space reserved for recording data

RECORDED  
J5410 138

1995 OCT 24 PM 12:05

DONALD J. MOBERG, a single man, and  
BEVERLY A. MOBERG, a single woman,

convey and warrant to  
SEELEY ENTERPRISES, INC.

*Melania S. Thompson*  
REGISTER OF DEEDS  
OF MARINETTE COUNTY, WIS.

the following described real estate in  
Marinette County, State of Wisconsin:

That part of Government Lot 1, of Section Twenty-six (26),  
Township Thirty-two (32) North, Range Twenty-two (22) East,  
described as: Commencing on the East line of State Trunk Highway  
#180 at the point of its intersection with the South line of  
Government Lot 1; thence North 14° 18' East, on said East highway  
line, 328.05 feet, to the POINT OF BEGINNING; thence continuing  
North 14° 18' East, on said East highway line, 226.08 feet;  
thence South 87° 18' 30" East, 537.99 feet, to the west line of  
the Town Road (formerly County Trunk Line "C"); thence South 3°  
39' West, on said West road line, 192.77 feet; thence South 89°  
51' 30" West, 581 feet (this course being parallel with and  
317.90 feet - 318.5 feet per deeds - perpendicularly distant,  
North, from the South line of Government Lot 1, as fenced), to  
the East line of State Trunk Highway # 180, at the point of  
beginning; situated in the Town of Porterfield, Marinette County,  
Wisconsin.

*COB*

Tax Parcel No: 026-01244.000

This IS/IS NOT homestead property.

Exception to warranties: easements, restrictions, reservations  
and/or rights of way of record.

Dated this 23rd day of October, 1995.



*Donald J. Moberg* (SEAL)  
Donald J. Moberg

*Beverly A. Moberg* (SEAL)  
Beverly A. Moberg

AUTHENTICATION

Signature(s) \_\_\_\_\_  
authenticated this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

ACKNOWLEDGMENT

STATE OF WISCONSIN  
MARINETTE COUNTY ) ss.

TITLE: MEMBER STATE BAR OF WIS  
(If not, \_\_\_\_\_  
authorized by \$706.06, Wis.  
Stats.)

Personally came before me  
this 23rd day of October, 1995,  
the above named Donald J. Moberg,  
to me known to be the person who  
executed the foregoing instrument  
and acknowledged the same.

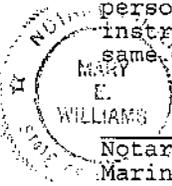
THIS INSTRUMENT WAS DRAFTED BY:  
James A. Morrison  
JAMES A. MORRISON, S.C.  
P.O. Box 406  
Marinette, WI 54143

*Mary C. Williams*  
Notary Public  
Marinette County, WI  
My Commission Expires: 5-30-99

Adapted from: State Bar of  
Wisconsin Form 2 (1982)

STATE OF WISCONSIN  
MARINETTE COUNTY ) ss.

Personally came before me  
this 23rd day of October, 1995,  
the above named Beverly A.  
Moberg, to me known to be the  
person who executed the foregoing  
instrument and acknowledged the  
same.



*Mary C. Williams*  
Notary Public  
Marinette County, WI  
My Commission Expires: 5-30-99

544241

4  
601322

**COPY**

RECORDED

**J 8381 I 05**

Document Number

GROUNDWATER USE RESTRICTION

2000 JUN -2 PM 2:56

Declaration of Restrictions

*Melanie J. Seely*  
REGISTERED CLERK  
OF MARINETTE COUNTY, WIS.

In Re: The property known as the Evergreen Ballroom and described as That part of Government Lot 1, of Section Twenty-six (26), Township Thirty-two (32) North, Range Twenty-two (22) East, described as: Commencing on the East line of State Trunk Highway #180 at the point of its intersection with the South line of Government Lot 1; thence North 14°18' East, on said East highway line, 328.05 feet, to the POINT OF BEGINNING; thence continuing North 14°18' East, on said east highway line, 226.08 feet; thence South 87°18'30" East, 537.99 feet, to the west line of the Town Road (formerly County Trunk Line "C"); thence South 3°39' West, on said West road line, 192.77 feet; thence South 89°51'30" West, 581 feet (this course being parallel with and 317.90 feet - 318.5 feet per deeds - perpendicularly distant, North from the South line of Government Lot 1, as fenced), to the East line of State Trunk Highway #180, at the point of beginning; situated in the town of Porterfield, Marinette County, Wisconsin.

Recording Area

Name and Return Address

Seely Enterprises, Inc.  
W3034 Townline Road  
Porterfield, WI 54159

16.00

026-01244.000

Parcel Identification Number (PIN)

STATE OF WISCONSIN            )  
  ) ss  
COUNTY OF MARINETTE        )

WHEREAS, Seely Enterprises, Inc. is the owner of the above-described property.

WHEREAS, one or more gasoline discharges have occurred on this property. Naphthalene at 20 micrograms per liter (µg/L), toluene at 70 µg/L, trimethylbenzene at 59 µg/L and xylene at 250 µg/L-contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards on this property at the following location(s) on the following date(s): Sump area on may 26, 1999 as shown on the attached Site Map. The attached Site Map is made part of this restriction.

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 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 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:

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, Don Seely asserts that he/she is duly authorized to sign this document on behalf of Seely Enterprises.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 2nd day of June, 2000.

Signature: Don Seely  
Printed Name: Don Seely

Subscribed and sworn to before me  
this 2nd day of June, 2000.

Oppe Schounard  
Notary Public, State of Wisconsin, Mannette County  
My commission 1-1-2001

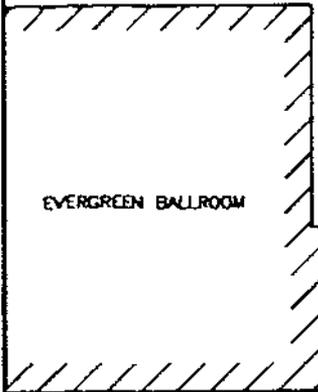
This document was drafted by the Wisconsin Department of Natural Resources based on information provided by Northern Environmental.

B, N, Tol, Tri, X: Benzene, Naphthalene, Toluene, Trimethylbenzenes, and Xylenes listed in  $\mu\text{g/L}$

= Exceeds NR 140 PAL

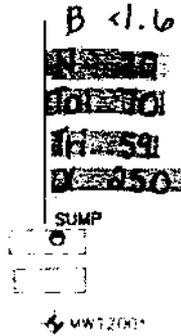
**COPY**

J = Analyte detected between the limit of detection and quantitation



EVERGREEN BALLROOM

⊕ MW900  
B < 0.32  
N < 0.88  
Tol < 0.35  
Tri < 0.99  
X < 1



SUMP

⊕ MW200

SHADY LANE

⊕ MW100  
B 0.63 "J"  
N < 0.88  
Tol 0.93 "J"  
Tri 12.9  
X 3 "J"

▲ PRIVATE WELL

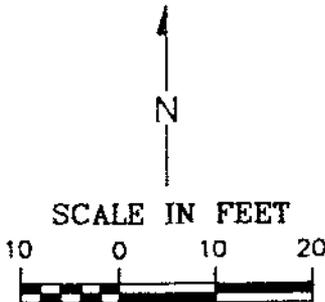
⊕ MW1000  
ND on 10/2/97

*William W. ...*  
REGISTER OF PROFESSIONALS  
OF MARSH WISCONSIN

2000 JUN -2 PM 2:56

601322

RECORDED



SCALE IN FEET

LEGEND

- ⊕ MW900 MONITORING WELL LOCATION
- ⊕ MW1200 LOCATION OF FORMER MONITORING WELL
- - REMOVED DURING EXCAVATION
- FORMER 500 GALLON UST LOCATION
- FORMER 300 GALLON UST LOCATION

DRAWN BY: SXM PROJECT: EBP-0730 DATE: 11/20/98

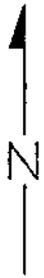
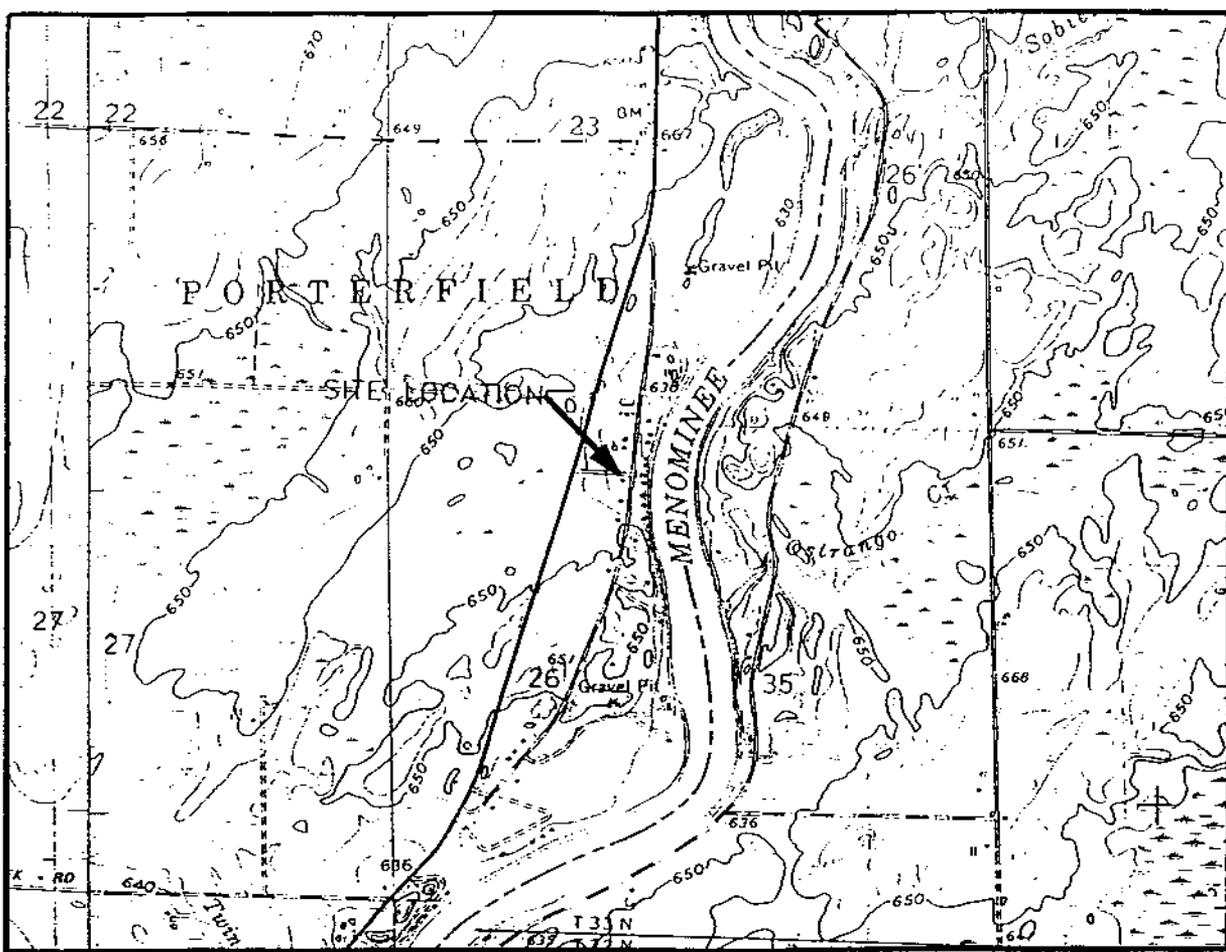
REV. DATE  
8/25/99

THIS DRAWING AND ALL INFORMATION CONTAINED THEREIN IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

FIGURE 4  
MONITORING WELL LOCATIONS  
EVERGREEN BALLROOM  
PORTERFIELD, WISCONSIN

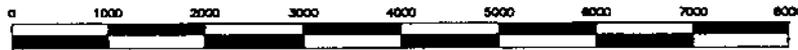
**Northern Environmental**  
Hydrologists • Engineers • Geologists

FOR: SEELEY ENTERPRISES, INC.



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929



BASE MAP SOURCE: USGS CHAPPEE RAPIDS, MICHIGAN - WISCONSIN 7.5 MINUTE QUADRANGLE (REVISED 1975)

QUADRANGLE LOCATION

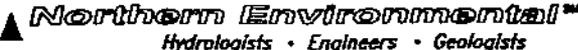
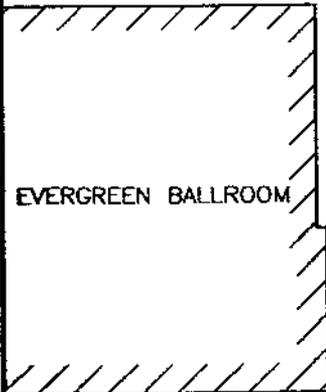
DRAWN BY: TGH	PROJECT: EBP330506	DATE: 1/7/98
REV. DATE 1/12/98	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.	
 <p><b>Northern Environmental</b><sup>SM</sup> Hydrologists • Engineers • Geologists</p>		

FIGURE 1  
SITE LOCATION AND LOCAL TOPOGRAPHY  
EVERGREEN BALLROOM  
PORTERFIELD, WISCONSIN

FOR: SEELEY ENTERPRISES, INC.

SHADY LANE



EVERGREEN BALLROOM

MW900  
94.08

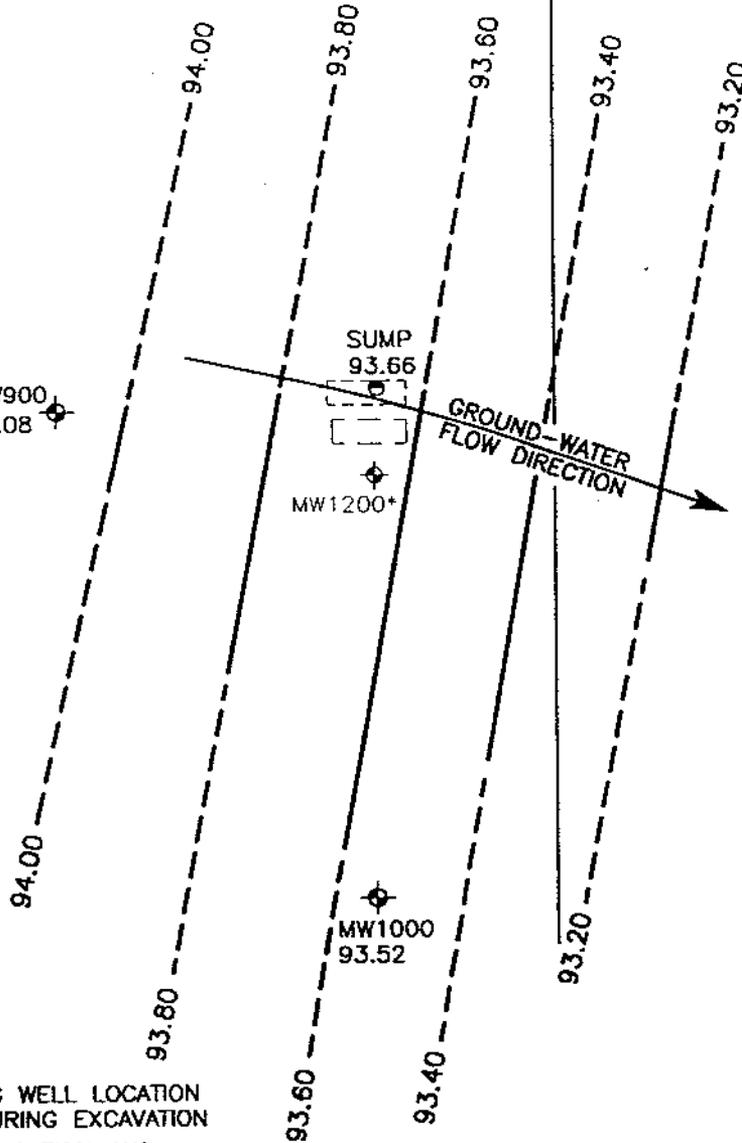
SUMP  
93.66

GROUND-WATER  
FLOW DIRECTION

MW1100  
93.04

MW1200\*

MW1000  
93.52

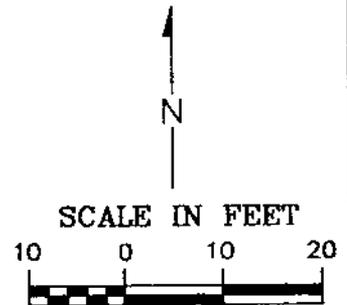


**LEGEND**

- ◆ MW1200\* FORMER MONITORING WELL LOCATION  
\* = REMOVED DURING EXCAVATION
- ◆ MW900 94.08 MONITORING WELL LOCATION AND  
GROUND WATER ELEVATION ON 5/26/99
- SUMP 93.66 SUMP LOCATION AND GROUND WATER  
ELEVATION ON 5/26/99

94.00 — GROUND WATER CONTOUR LINE: DASHED WHERE INFERRED  
CONTOUR LINE INTERVAL = 0.20 FEET

- □ □ □ FORMER 500 GALLON UST LOCATION
- □ □ FORMER 300 GALLON UST LOCATION



DRAWN BY: SXM PROJECT: EBP--0730 DATE: 7/1/99

REV. DATE 8/25/99 THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.



FIGURE 5  
GROUND-WATER ELEVATION CONTOUR MAP (5/26/99)  
EVERGREEN BALLROOM  
PORTERFIELD, WISCONSIN

FOR: SEELEY ENTERPRISES, INC.

Table 5 Ground-Water Analytical Results of Monitoring Wells, Evergreen Ballroom Property, Porterfield, Wisconsin

Well ID	Date Sampled	GRO	Lead	Benzene	n-Butylbenzene	sec-Butylbenzene	Ethylbenzene	Isopropylbenzene	MTBE	Naphthalene	n-Propylbenzene	Toluene	Trimethylbenzene	Xylenes	Relevant and Significant Analytical Results (µg/l)
WAC PAL (µg/l)		NE	1.5	0.5	NE	NE	140	NE	12	8	NE	68.6	96	124	
WAC ES (µg/l)		NE	15	5	NE	NE	700	NE	60	40	NE	343	480	620	
MW1000	03/25/97	<100	<1	<0.21	<38	<6	<68	<38	<0.21	<1	<4	<1.5	<1.96	<1.2	
	10/02/97	---	---	<0.21	---	---	<0.68	---	<0.21	<1	---	<1	<1.96	<1.8	
MW1100	03/25/97	3300	1 "J"	23	26	<6	270	12	<2.1	38	31	450	215	810	
	07/16/97	---	---	0.46 J	---	---	<68	---	<2.1	<1	---	<1.5	<1.86	<1.8	
	10/02/97	---	---	4	---	---	9.6	---	<0.21	<1	---	13	28	20	
	08/26/98	---	---	18	---	---	348	---	<1.55	20	---	530	378	1400	
	11/23/98	---	---	15	---	---	14	---	<0.31	1.7 "J"	---	6.7	28	32	
	02/09/99	---	---	14	---	---	15	---	<0.31	3.2	---	0.46 "J"	16.3	14	
	05/26/99	---	---	0.63 "J"	---	---	<0.34	---	<0.31	<0.88	---	0.93 "J"	12.9	3 "J"	
MW1200	03/25/97	18000	5	24	130	13	1000	40	<4.2	130	130	2600	1210	5300	
	10/02/97	---	---	21	---	---	1600	---	<4.2	150	---	4300	1650	8000	
MW900	03/25/97	<100	<1	<0.21	<38	<6	<68	<38	<0.21	<1	<4	<1.5	<1.86	<1.2	
	10/02/97	---	---	<0.21	---	---	<0.68	---	<0.21	<1	---	<1	<1.86	<1.8	
	08/26/98	---	---	<0.32	---	---	<0.34	---	<0.31	<0.88	---	<0.35	<0.99	<0.98	
	11/23/98	---	---	<0.32	---	---	<0.34	---	<0.31	<0.88	---	<0.35	<0.99	<0.98	
	02/09/99	---	---	<0.32	---	---	<0.34	---	<0.31	<0.88	---	<0.35	<0.99	<1	
	05/26/99	---	---	<0.32	---	---	<0.34	---	<0.31	<0.88	---	<0.35	<0.99	<1	
Sump 1	08/26/98	---	---	1.5	---	---	150	---	<0.31	12	---	100	200	1200	
	11/23/98	---	---	<1.6	---	---	50	---	<1.55	18	---	12	302	450	
	02/09/99	---	---	<1.6	---	---	75	---	<1.6	36	---	49	510	780	
	05/26/99	---	---	<1.6	---	---	44	---	<1.6	20	---	70	88	250	

July 1997 Contaminated Groundwater Investigation Report

Key:  
 GRO = Gasoline Range Organics  
 MTBE = Methyl-Tertiary-Butyl-Ether  
 µg/l = micrograms per liter  
 WAC = Wisconsin Administrative Code  
 PAL = Preventive Action Limit  
 ES = Enforcement Standard  
 NE = Not established by WDMR  
 "J" = Analyte detected between Limit of Detection and Limit of Quantitation  
 --- = Not analyzed  
 [Redacted] = WAC PAL Exceeded  
 [Redacted] = WAC ES Exceeded  
 MW 1200 removed during the remedial excavation and replaced by Sump 1