

**GIS REGISTRY INFORMATION**

**SITE NAME:** KURTZ RESIDENCE

**BRRTS #:** 03-43-001634

**CLOSURE DATE:** 02/19/2002

**STREET ADDRESS:** 10185 CTH Z

**CITY:** SURING

**SOURCE PROPERTY GPS COORDINATES** (meters in WTM91 projection): X= 652705 Y= 509257

**OFF-SOURCE CONTAMINATION (>ES):**  Yes  No

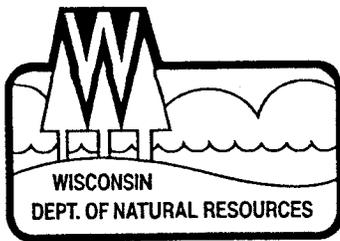
**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

**GPS COORDINATES** (meters in WTM91 projection): X= \_\_\_\_\_ Y= \_\_\_\_\_

**CONTAMINATION IN RIGHT OF WAY:**  Yes  No

**DOCUMENTS NEEDED:**

- Closure Letter, and any conditional closure letter 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
- Location Map which outlines all properties within contaminated site boundaries in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy)
- 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)
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)
- Isoconcentration map(s), *if available from site investigation (SI)* (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of contamination defined. **If not available, include the following 2 types of maps:**
  - Latest groundwater flow/monitoring well location map
  - Latest extent of contaminant plume map
- Geologic cross-sections, *if available from 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)
- Copy of (soil or land use) deed restriction(s) or deed notice *if any required as a condition of closure*.



State of Wisconsin \ DÉPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ronald W. Kazmierczak, Regional Director

Peshtigo Service Center  
PO Box 208  
101 N. Ogden Road  
Peshtigo, Wisconsin 54157  
Telephone 715-582-5048  
FAX 715-582-5005

February 19, 2002

Michael Exferd  
Commissioner  
Oconto County Highway Department  
PO Box 138  
Oconto, WI 54153

SUBJECT: Final Case Closure By Committee With Conditions Met  
Kurtz Residence, Town of Bagley  
10185 CTH Z, Suring, WI  
WDNR BRRTS # 03-43-001634

Dear Mr. Exferd:

On October 12, 1999, your site as described above was reviewed for closure by the Northeast Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On October 14, 1999, you were notified that the Closure Committee had granted conditional closure to this case.

On February 18, 2002, the Department received correspondence indicating that you have complied with the conditions of closure. On this date, the Department received a copy of the Groundwater Use Restriction filed on the former Kurtz Residence on February 5, 2002, by the current property owner. Previously the Department received copies of the monitoring well abandonment forms from your consulting company on October 25, 1999.

Based on the correspondence and data provided, it appears that your case meets the screening criteria of s. NR 746.07 or s. NR 746.08, Wis. Adm. Code, and the requirements of ch. NR 726, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

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 registry. To review the sites on the GIS Registry web page, visit <http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm>

If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims

not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 715-582-5048.

Sincerely,

A handwritten signature in cursive script that reads "Cathy J. Rodda". The signature is written in black ink and is positioned above the typed name and title.

Cathy Rodda  
Hydrogeologist  
Bureau for Remediation & Redevelopment

cc: Patrick McCarey, STS Consultants, 1035 Kepler Drive, Green Bay, WI 54311-8320

457263

EXHIBIT A

VOL 894 PAGE 171

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 2 - 1998  
WARRANTY DEED

VOL 726 PAGE 958

REGISTER OF DEEDS  
OCONTO COUNTY  
AT 8:45 O'CLOCK AM

FEB 3 1998

*Loralee Hasley*  
REGISTERED  
**COPY**

Gregory J. Kurtz

conveys and warrants to Jody J. Rost

The following described real estate in Oconto County,  
State of Wisconsin:

Lot 1 of a Certified Survey Map No. 2693,  
recorded January 22, 1998 at 8:15 A.M.,  
in Volume 16 Certified Survey Maps,  
Page 43 as Document No. 456931.  
(Being a part of the SE1/4 of SW1/4  
of Section 28, Township 30 North,  
Range 18 East, Town of Bagley, Oconto  
County, Wisconsin.

RETURN TO  
Jody R. Rost  
10185 C.T.H. Z  
Suring, WI 54174

006-262801434A  
Parcel Identification Number (PIN):

WIS. TRANSFER FEE  
\$ 54.00  
OCONTO CO.

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

Exception to Warranties: Restrictions and easements of record.

Dated this 29th day of January, 19 98.

\_\_\_\_\_  
(SEAL) Gregory J. Kurtz (SEAL)  
\_\_\_\_\_  
Gregory J. Kurtz  
\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

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

STATE OF WISCONSIN }  
Oconto County } ss.  
Personally came before me this 29th day of  
January, 19 98 the above named  
Gregory J. Kurtz

TITLE MEMBER STATE BAR OF WISCONSIN

(If not \_\_\_\_\_  
authorized by § 706.08, Wis. Stats.)  
THIS INSTRUMENT WAS DRAFTED BY  
Atty. Barbara A. Cadwell

to me known to be the person  
foregoing if anywhere and not otherwise \_\_\_\_\_  
John W. Hicks

(Signatures may be authenticated or acknowledged, both are not  
necessary)

John W. Hicks  
Notary Public Oconto County, Wis.  
My Commission is permanent. (If not, state expiration  
date: Sept. 14 X3 2001)

THIS DOCUMENT COMPLIES WITH STANDARDS SET BY § 889.30 (3) (b).  
OCONTO COUNTY REGISTER OF DEEDS



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 Feb day of 5th, 2001.

Signature: [Signature]  
Printed Name: Jody R. Rost

Subscribed and sworn to before me this 5 day of Feb., 2001.

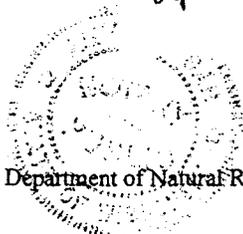
[Signature]  
Notary Public, State of WI  
My commission expires 10-26-2003

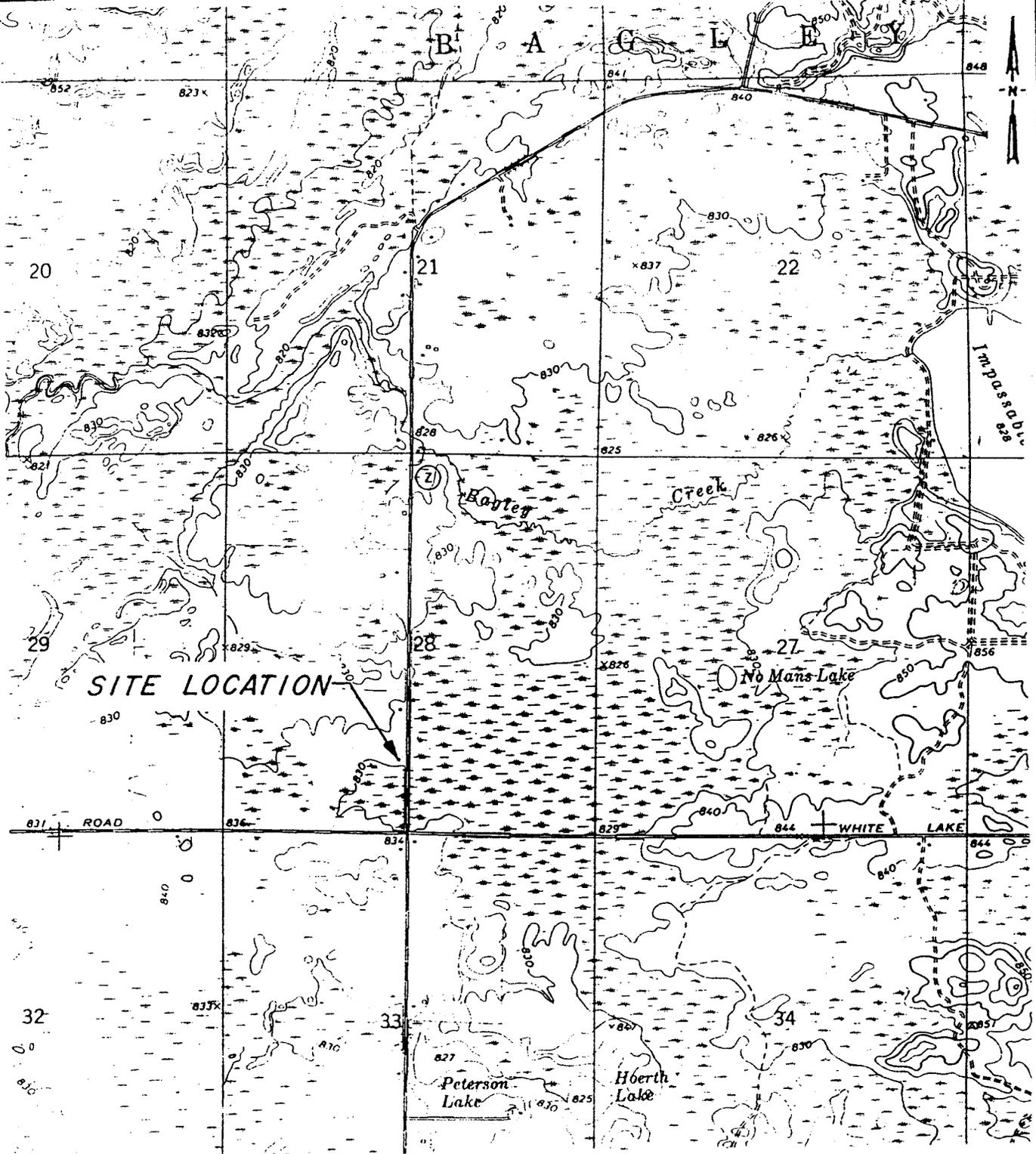
Subscribed and sworn to before me This \_\_\_\_\_ day of \_\_\_\_\_, 2001.

Notary Public, State of \_\_\_\_\_  
My commission expires \_\_\_\_\_

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

2/19/2002 -  
I asked Joe Renville about the "2001" date for document -- was actually signed/recorded in 2002. However -- the County accepted document & if it needs to be corrected, up to the RP. CM





MAP SOURCE: HICKORY HILLS, WIS. QUADRANGLE  
DATED 1973.



STS Consultants Ltd.  
Consulting Engineers

PROJECT/CLIENT

OCONTO COUNTY HIGHWAY DEPARTMENT  
KURTZ PROPERTY  
TOWN OF BAGLEY  
OCONTO COUNTY, WISCONSIN  
SITE LOCATION DIAGRAM

DRAWN BY P.D.P. 10-4-93

CHECKED BY J.E.L. 10/4/93

APPROVED BY

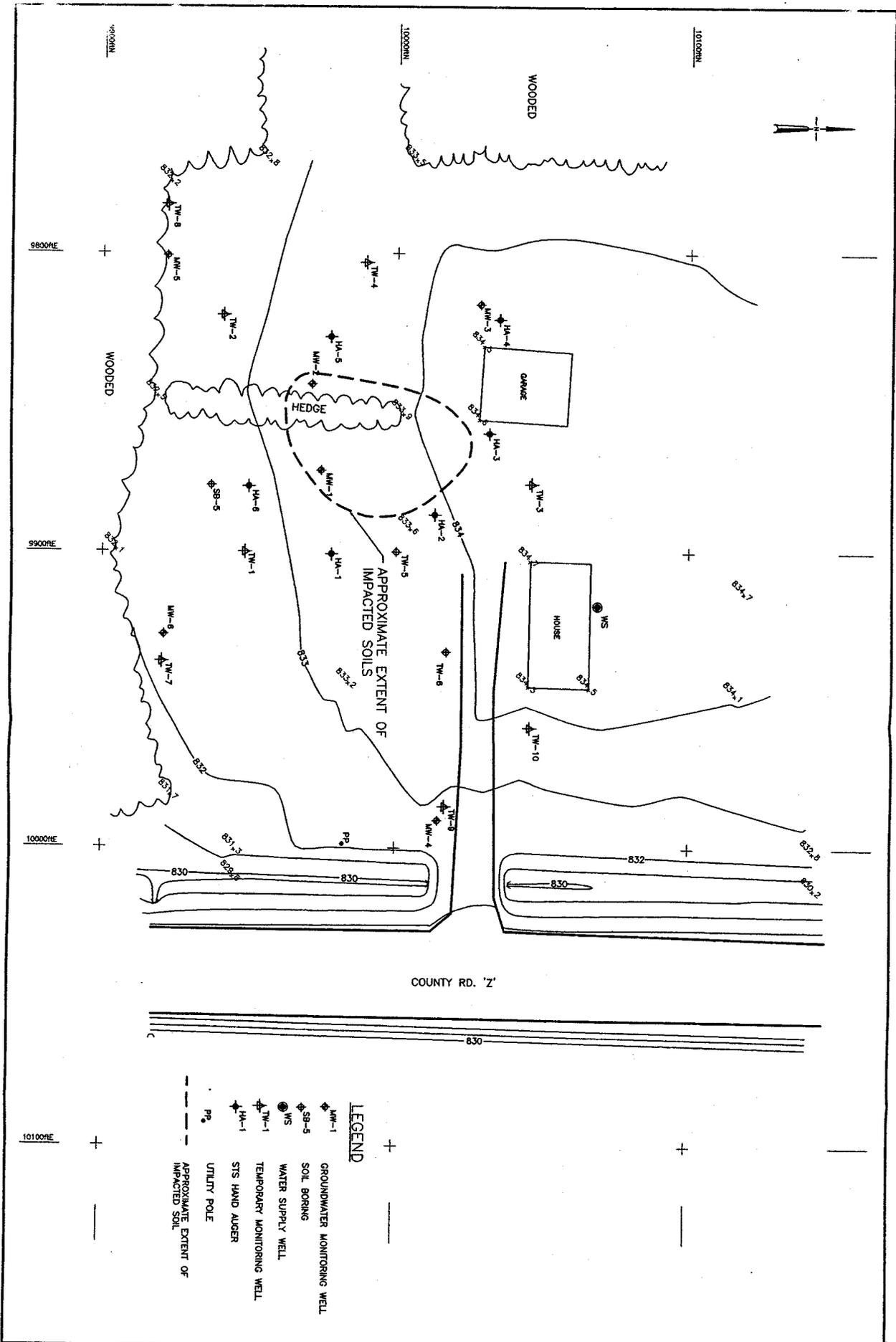
SCALE 1" = 2000' FIGURE NO 1

STS DRAWING NO 6197P

Table 4  
 Summary of Groundwater Laboratory Results  
 Kurtz Property  
 Town of Bagley, Oconto County, Wisconsin

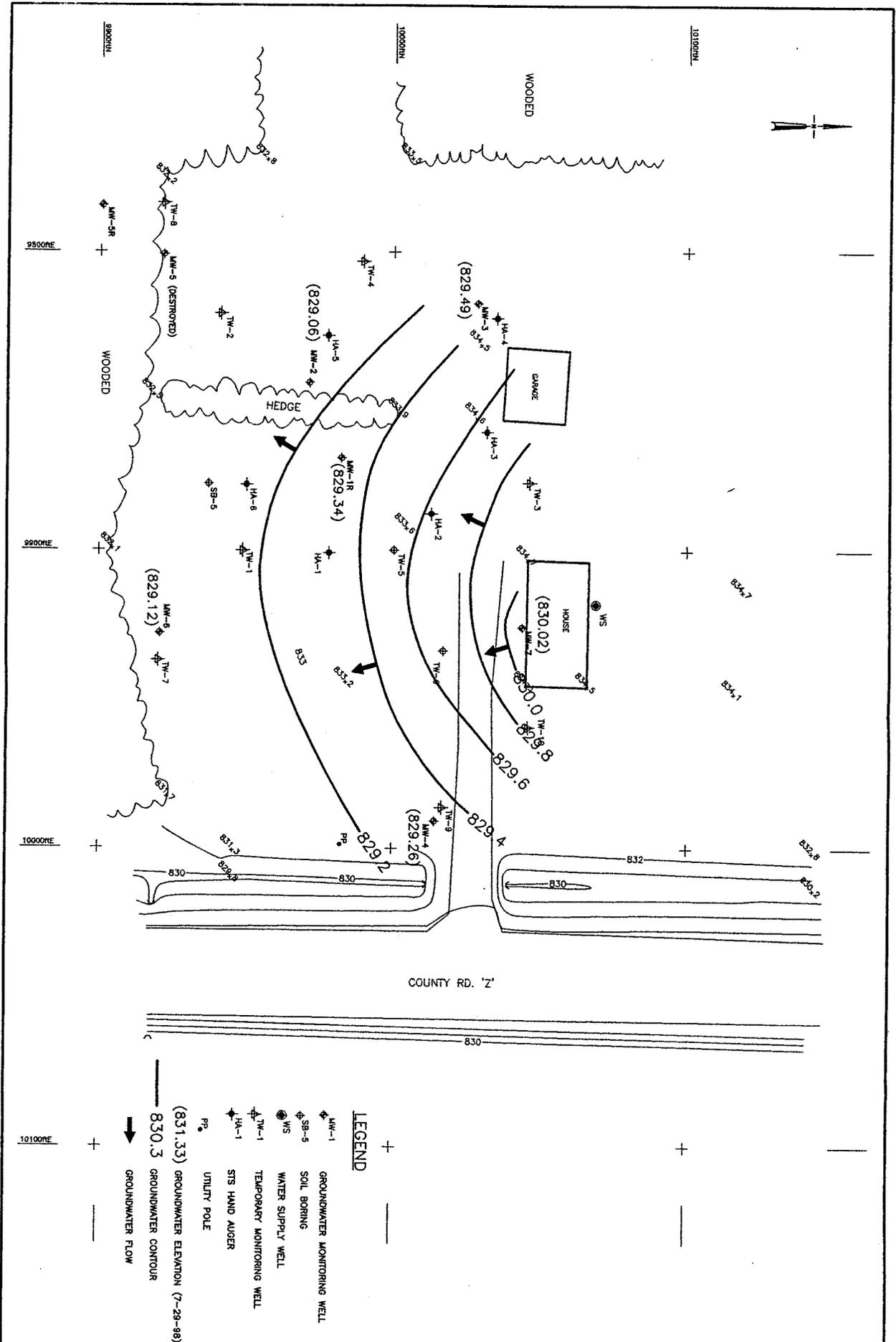
Well I.D.	Date	Benzene	Ethyl- benzene	Toluene	Total Xylenes	Total Tri- methylbenzene	MTBE	Naphthalene	Filtered Lead
MW-1  MW-1R  Covered with Snow	3/25/95	775	230	418	1760	333	ND	317	4.8
	1/8/98	960	300	470	1800	540	7"J"	NA	NA
	6/29/98	38.4	5.13	24.5	49.9	9.3	<1	6	<1
	10/20/98	8.51	2.99	1.64	17.0	11.3	<1	NA	NA
	1/29/99	<0.5	<2.0	<2.0	<2.2	<2.6	<1	<2.8	NA
MW-2	3/25/95	216	139	244	1034	345	ND	271	<2
	1/8/98	110	100	63	660	274	<4.2	NA	NA
	6/29/98	73	91.3	55.8	499	180.5	<5	143	<1
	10/20/98	351	189	136	817	291.6	<5	NA	NA
	1/29/99	139	33	44	174	44.5	5.5	NA	NA
5/26/99	120	79	53	183	183	<1	131	NA	
MW-3	3/25/95	<0.2	<1.0	<2.0	<2.0	<1.0	<2.0	<2.0	<2.0
	1/8/98	<0.21	<0.68	<1.5	<1.8	<1.0	<0.21	NA	NA
	6/29/98	<0.5	<1.0	<1.0	<2.0	<1.0	<1.0	NA	NA
	10/20/98	<0.5	<1.0	<1.0	<2.0	<1.0	<1.0	NA	NA
	1/29/99	<0.5	<0.6	<0.6	<2.2	<2.6	3.5	NA	NA
5/26/99	<0.5	<2.0	<2.0	<2.2	<2.6	<1	<2.8	NA	
MW-4	1/8/98	3.9	<0.68	<1.5	<1.8	<1.0	<0.21	NA	NA
	6/29/98	2.79	<1.0	<1.0	<2.0	<1.0	<1.0	2	<1.0
	10/20/98	0.715	1.1	<1.0	<2.0	<1.0	<1.0	NA	NA
	1/29/99	0.71	<0.6	<0.6	<2.2	<2.6	8.8	NA	NA
	5/26/99	1.8	<2.0	<2.0	<2.2	<2.6	<1	<2.8	NA
MW-5  Destroyed MW-5R	1/8/98	<0.21	<0.68	<1.5	<1.8	<1.0	<0.21	NA	NA
	6/29/98	<0.5	<1.0	<1.0	<2.0	<1.0	<1.0	<1.0	<1.0
	10/20/98	<0.5	<0.6	<0.6	<2.2	<2.6	<0.92	NA	NA
	1/29/99	<0.5	<2.0	<2.0	<2.2	<2.6	<1	<2.8	NA
	5/26/99	<0.5	<2.0	<2.0	<2.2	<2.6	<1	<2.8	NA
MW-6	1/8/98	<0.21	<0.68	<1.0	<2.0	<1.0	<1.0	NA	NA
	6/29/98	<0.5	<1.0	<1.0	<2.0	<1.0	<1.0	<1.0	<1.0
	10/20/98	<0.5	<1.0	<1.0	<2.0	<1.0	<1.0	NA	NA
	1/29/99	<0.5	<0.6	<0.6	<2.2	<2.6	7.1	NA	NA
	5/26/99	<0.5	<2.0	<2.0	<2.2	<2.6	<1	<2.8	NA
MW-7	6/29/98	<0.5	<1.0	<1.0	<2.0	<1.0	<1.0	NA	NA
	10/20/98	<0.5	<1.0	<1.0	<2.0	<1.0	<1.0	NA	NA
	1/29/99	<0.5	<0.6	<0.6	<2.2	<2.6	<0.92	NA	NA
	5/26/99	<0.5	<2.0	<2.0	<2.2	<2.6	<1	<2.8	NA
	Enforcement Standard (ES)	5	700	343	620	480	60	40	15
Preventive Action Limit (PAL)	0.5	140	68.6	124	96	12	8	1.5	

Notes:  
 All Concentrations Reported in µg/L  
 ES = Enforcement Standard  
 PAL = Preventive Action Limit  
 NA = Not Analyzed



- LEGEND**
- ◆ MW-1 GROUNDWATER MONITORING WELL
  - ◆ SB-3 SOIL BORING
  - WS WATER SUPPLY WELL
  - ◆ TW-1 TEMPORARY MONITORING WELL
  - ◆ HA-1 STS HAND AUGER
  - Pp UTILITY POLE
  - - - APPROXIMATE EXTENT OF IMPACTED SOIL

 STS Consulting Engineers 2100 Commercial Blvd. Everett, WA 98201	<b>OCONTO CO. HIGHWAY DEPARTMENT          KURTZ PROPERTY          10185 COUNTY RD. 'Z'</b> APPROXIMATE EXTENT OF IMPACTED SOILS	DRAWN BY K.J.C.	DATE 8-27-96	
	STS PROJECT NO. 20601WA	CHECKED BY P.J.M.	DATE 7-22-99	
	STS PROJECT FILE	APPROVED BY	DATE	
	SCALE 1" = 30' PLATE NO. 5	CADFILE W:\DWG98\20601\WA\G460102.DWG		

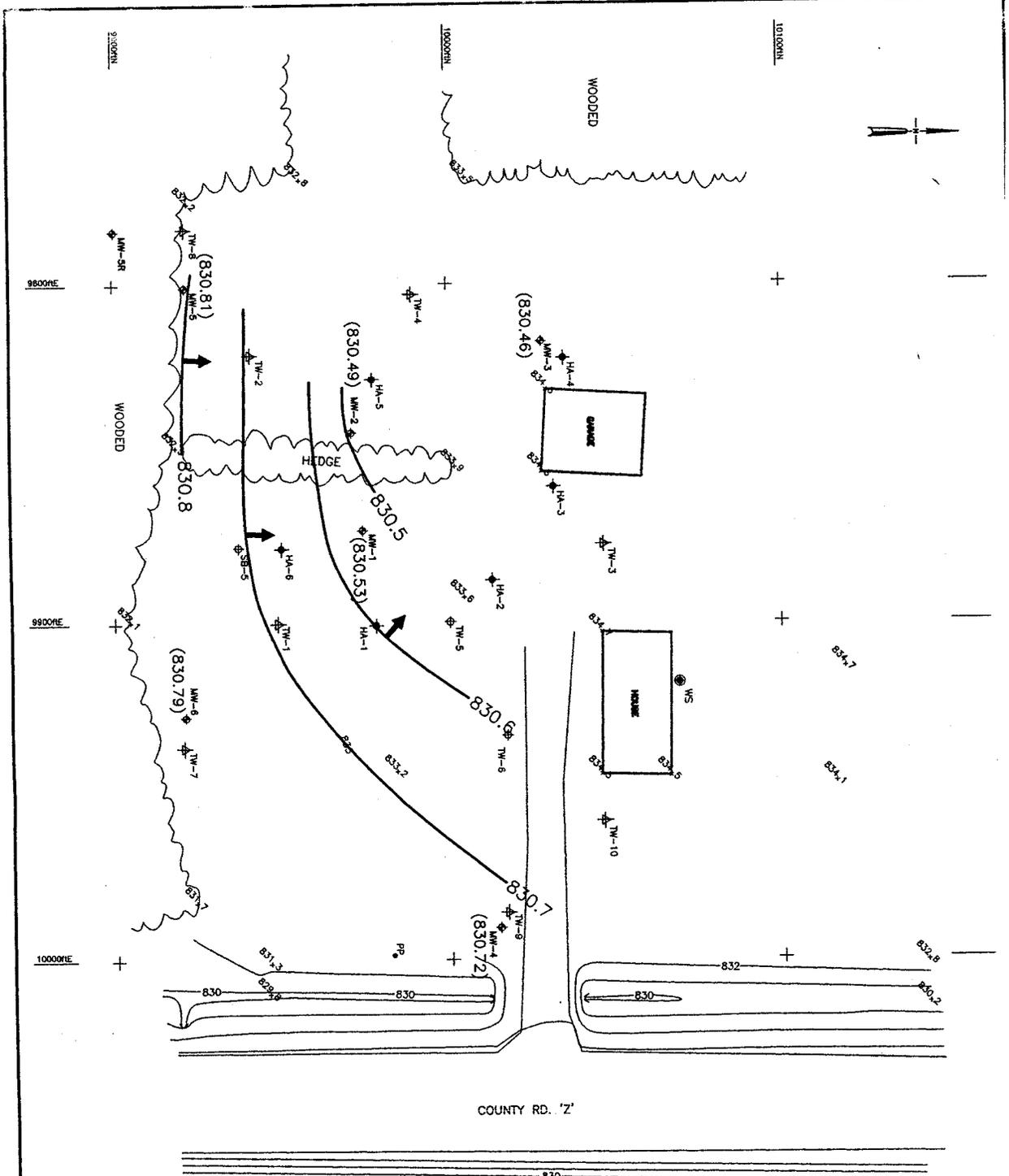


COUNTY RD. 'Z'

**LEGEND**

- ◆ MW-1 GROUNDWATER MONITORING WELL
- ◆ SB-5 SOIL BORING
- WS WATER SUPPLY WELL
- ◆ TW-1 TEMPORARY MONITORING WELL
- ◆ HA-1 STS HAND AUGER
- ◆ UP UTILITY POLE
- ◆ (831.33) GROUNDWATER ELEVATION (7-29-88)
- ◆ 830.3 GROUNDWATER CONTOUR
- GROUNDWATER FLOW

 STS Consulting Engineers	<b>OCONTO CO. HIGHWAY DEPARTMENT          KURTZ PROPERTY          10185 COUNTY RD. 'Z'</b>		DRAWN BY K.J.C.	DATE 7-27-98
	<b>WATER TABLE CONTOUR MAP (7-29-98)</b>		CHECKED BY P.J.M.	DATE 7-22-99
	SCALE 1" = 30' PROJECT FILE Z0601WA		APPROVED BY	DATE
	PROJECT NO. Z0601WA SHEET NO. 4		CADFILE W:\DWG98\20601\WA\G46013A.DWG	



**LEGEND**

- MW-1 GROUNDWATER MONITORING WELL
- SB-5 SOIL BORING
- NS WATER SUPPLY WELL
- TW-1 TEMPORARY MONITORING WELL
- HA-1 STS HAND AUGER
- PP UTILITY POLE
- (830.53) GROUNDWATER ELEVATION (1-8-98)
- 830.6 GROUNDWATER CONTOUR
- GROUNDWATER FLOW

 STS Consulting Engineers 2080 1VA 1" = 30' FIGURE NO. 3	<b>OCONTO CO. HIGHWAY DEPARTMENT          KURTZ PROPERTY          10185 COUNTY RD. 'Z'</b> WATER TABLE CONTOUR MAP (1-8-98)	DRAWN BY K.J.C. CHECKED BY P.J.M. APPROVED BY	DATE 1-27-98 DATE 7-22-99 DATE
	CADFILE W:\DWG98\20601\WA\G4601003.D1		
	STS PROJECT NO. 2080 1VA STS PROJECT FILE		
	SCALE 1" = 30' FIGURE NO. 3		

EXHIBIT B  
(FIGURE 1)

