

GIS REGISTRY
Cover Sheet

July, 2008
(RR 5367)

Source Property Information

BRRTS #:

ACTIVITY NAME:

PROPERTY ADDRESS:

MUNICIPALITY:

PARCEL ID #:

CLOSURE DATE:

FID #:

DATCP #:

COMM #:

***WTM COORDINATES:**

X: **Y:**

** Coordinates are in
WTM83, NAD83 (1991)*

WTM COORDINATES REPRESENT:

- Approximate Center Of Contaminant Source
- Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

- | | |
|---|---|
| <input type="checkbox"/> <u>Groundwater Contamination</u> > ES (236) | <input checked="" type="checkbox"/> <u>Soil Contamination</u> > *RCL or **SSRCL (232) |
| <input type="checkbox"/> Contamination in ROW | <input type="checkbox"/> Contamination in ROW |
| <input type="checkbox"/> Off-Source Contamination | <input type="checkbox"/> Off-Source Contamination |
| <i>(note: for list of off-source properties see "Impacted Off-Source Property")</i> | <i>(note: for list of off-source properties see "Impacted Off-Source Property")</i> |

Land Use Controls:

- | | |
|--|---|
| <input type="checkbox"/> Soil: maintain industrial zoning (220) | <input checked="" type="checkbox"/> Cover or Barrier (222) |
| <i>(note: soil contamination concentrations between residential and industrial levels)</i> | <i>(note: maintenance plan for groundwater or direct contact)</i> |
| <input type="checkbox"/> Structural Impediment (224) | <input type="checkbox"/> Vapor Mitigation (226) |
| <input type="checkbox"/> Site Specific Condition (228) | <input type="checkbox"/> Maintain Liability Exemption (230) |
| | <i>(note: local government or economic development corporation)</i> |

Monitoring wells properly abandoned? (234)

- Yes No N/A

** Residual Contaminant Level
**Site Specific Residual Contaminant Level*

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: PARCEL ID #:

ACTIVITY NAME: WTM COORDINATES: X: Y:

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: FR4 Title: US Canal ROW vicinity of Appleton 4th Lock Overall boundary Parcel A
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: Attach B Title: Topographic Map
- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: Exhibit A Title: Fox River Lock 4 Soil Boring Locations
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: **Title:**

BRRTS #: 02-45-443170

ACTIVITY NAME: USACE - Parcel A (Lock 4)

MAPS (continued)

- Geologic Cross-Section Map:** A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: **Title: Pre-Remedial Geologic Cross Section**

Figure #: **Title:**

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: **Title:**

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: **Title:**

Figure #: **Title:**

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.
Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1 and 3 Title: soil PCB and metals results, Soil VOC results for Parcel X

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: **Title:**

- Water Level Elevations:** Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: **Title:**

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-45-443170

ACTIVITY NAME: USACE - Parcel A (Lock 4)

NOTIFICATIONS

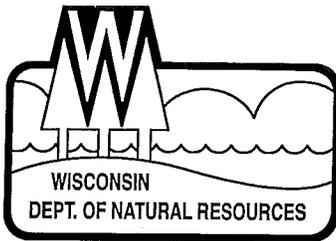
Source Property

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.
Number of "Off-Source" Letters:
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).
Number of "Governmental Unit/Right-Of-Way Owner" Letters:



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
2984 Shawano Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-662-5100
FAX 920-662-5413
TTY Access via relay - 711

November 20, 2008

Pam Horner
United States Army Corps of Engineers
PO Box 1027
Detroit, MI 48226

Subject: Final Case Closure with Land Use Limitations or Conditions
Fox Locks Appleton Lock #4, Parcel A, Appleton, Wisconsin
WDNR BRRTS Activity # 02-45-443170

Dear Ms. Horner:

Based on the correspondence and data provided, it appears that this 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.

On February 20, 2008, the Northeast Region Closure Committee reviewed the Fox Locks Appleton Lock #4 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. On March 4, 2008, you were notified that the Closure Committee had granted conditional closure to this case.

On October 22, 2008, the Department received correspondence indicating that you have complied with the requirements of closure.

The conditions of case closure require that the natural soil/gravel cap be maintained and kept in place and that a cap maintenance plan is adhered to.

GIS Registry

The conditions of case closure set out below in this letter require that your site be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed
- A natural soil cover barrier must be maintained over contaminated soil for direct contact protection and the state must approve any changes to this barrier

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 the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the US Army Corps of Engineers, 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. It is the Department's intent to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced maintenance plans are met.

Remaining Residual Soil Contamination

Residual soil contamination remains at the USACE Fox Locks Appleton Lock #4 as indicated in the following table:

soil boring location	depth in feet	benzene ug/kg	cadmium mg/kg	lead mg/kg
NR720.11 Table 2 Non-indust. Direct Contact		-	8	50
GPX-1	3 - 3 1/2 ft ⁽¹⁾	120	54	
GPX-3	0-5 ⁽¹⁾⁽³⁾			300 ⁽²⁾

⁽¹⁾ sampled within fill material

⁽²⁾ composite sample

⁽³⁾ medium grained sand

If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Stats., and chs. 500 to 536, 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 standards 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 to prevent a direct contact health threat to humans.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the natural soil cover barrier that currently exists in the location shown on the attached map shall be maintained in compliance with the attached maintenance plan in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. The attached maintenance plan and inspection log are to be kept up-to-date and the inspection log need only be submitted to the Department upon request

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 Annette Weissbach at 920-662-5165 or email at annette.weissbach@wisconsin.gov.

Sincerely,



Bruce Urben
Northeast Region Remediation and Redevelopment Team Supervisor

Attachment: Natural soil cover barrier maintenance plan and site map (Exhibit A)

NATURAL SOIL COVER BARRIER MAINTENANCE PLAN

USACE –PARCEL A SITE, APPLETON, LOCK 4

Property Located at:

NE Corner of Lawe Street
Appleton, WI 54915

WDNR BRRTS/Activity #: 02-45-443170

Introduction

This document is the Maintenance Plan for a natural soil cover barrier at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing natural soil cover occupying the area over the contaminated soil on-site. The contaminated soil is impacted by lead at a level of 300 mg/kg at sample location GPX-3; and cadmium at a level of 54 mg/kg at sample location GPX-1. The location of the natural soil cover to be maintained in accordance with this Maintenance Plan, as well as the impacted soil is identified in the attached map (Exhibit A).

Natural Soil Cover Barrier Purpose

The natural soil cover present over the contaminated soil serves as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

Annual Inspection

The natural soil cover overlying the impacted soil and as depicted in Exhibit A will be inspected once a year, normally in the spring after all snow and ice is gone, for erosion, excavation, loss of vegetation and other potential problems that can cause exposure to underlying soils. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented.

A log of the inspections and any repairs will be located and maintained by Robert Stanick of the Detroit District U.S. Army Corps of Engineers, Fox River Sub-Office (920-766-3531) and will be made available upon request. This log is included as Exhibit B, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be sent to the Wisconsin Department of Natural Resources ("WDNR") at least annually after every inspection, unless otherwise directed in the case closure letter.

Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling operations using clean fill soil, re-establishment of vegetation, or they can include larger

resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment ("PPE"). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the natural cover overlying the contaminated soil are removed or replaced, the replacement barrier must be equally protective. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the natural soil cover and/or any paved or building structures that may later be constructed, will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

Amendment or Withdrawal of Maintenance Plan

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

Contact Information

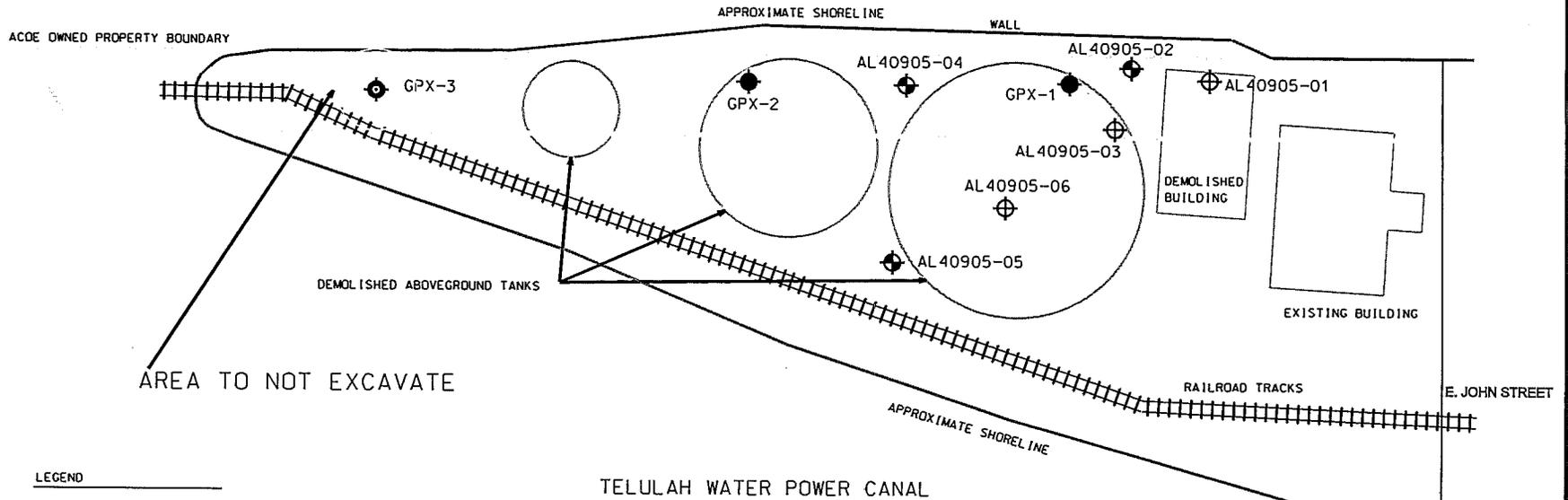
Site Owner and Operator: U.S. Army Corps of Engineers
Detroit District
477 Michigan Ave
Detroit, MI 48231
313-226-6748

Consultant: Altech Environmental Services, Inc.
17350 W. Ten Mile Road, Suite 200
Southfield, Michigan 48075-2929
248-559-5500

WDNR: Annette Weissbach
Hydrogeologist, Remediation & Redevelopment Program
State of Wisconsin Department of Natural Resources
2984 Shawano Ave.
Green Bay, Wisconsin 54307-0448
920-662-5165

U.S. CANAL

PARCEL "A"



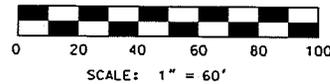
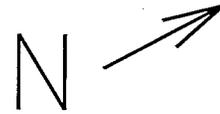
LEGEND

- ACOE OWNED PROPERTY BOUNDARY
- RAILROAD TRACKS
- APPROXIMATE BOUNDARY OF THE PENINSULA
- ABOVEGROUND STORAGE TANK
- BUILDING OUTLINE
- 2001 SOIL BORING WITH SOIL SAMPLE
- 2005 SOIL BORING WITH SOIL SAMPLE
- 2005 SOIL BORING WITH SOIL AND WATER SAMPLE
- GPX-1 BORING IDENTIFICATION

Boring ID	Sample Depth (ft)	As (mg/kg) Soil Concentration
GPX-1	3 - 3.5	3.4
GPX-2	4 - 5	2.3
GPX-3	4 - 5	8.4
NR 720.19 Non-Industrial		0.039
NR 720.19 Industrial		1.6

NOTES

1. DRAWING RENDERED FROM FIGURES PROVIDED BY ACOE.
2. SOIL BORING LOCATIONS ARE APPROXIMATELY LOCATED.
3. GPX BORINGS WERE CONDUCTED ON OCTOBER 4, 2001.
4. AL4 BORINGS WERE CONDUCTED ON SEPTEMBER 29, 2005.



REVISION	DATE	DESCRIPTION	BY	CHKD
DRAWN BY		AL TECH ENVIRONMENTAL SERVICES SOUTHFIELD, MICHIGAN		
DESIGNED BY		FOX RIVER LOCK 4 APPLETON, WISCONSIN		
DATE	11/01/05			
SCALE		SOIL BORING LOCATIONS		
DRAWING NO.	6	EXHIBIT A		

Exhibit B
Barrier INSPECTION LOG

Inspection Date	Inspector	Condition of Cap	Recommendations	Have Recommendations from previous inspection been implemented?



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
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Northeast Region Headquarters
2984 Shawano Ave., P.O. Box 10448
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TTY Access via relay - 711

March 4, 2008

Pam Horner
United States Army Corps of Engineers
PO Box 1027
Detroit, MI 48226

Subject: Conditional Closure Decision
With Requirements to Achieve Final Closure
Fox Locks Appleton Lock #4, Parcel A, Appleton, Wisconsin
WDNR BRRTS Activity # 02-45-443170

Dear Ms. Horner:

On February 20, 2008, the Northeast Region Closure Committee reviewed your request for closure of the case described above. The 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 the closure request, the Closure Committee has determined that the low level petroleum and metals contamination on the site appears to have been investigated to the extent practicable under site conditions. Your case has been sufficiently addresses to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

BARRIER MAINTENANCE PLAN

The natural soil cover barrier maintenance plan submitted as part of the closure request needs to be amended to include reference to the person or office that will be responsible for conducting the inspections. Furthermore the plan should state that copies of the inspection logs shall be kept on the property or at a nearby Army Corps of Engineers office and made available upon request. In addition paragraph 1, page 1 should be amended to state that the contaminated soil is impacted by:

Lead at a level of 300 mg/kg sample location GPX-3
Arsenic at levels of 3.4 mg/kg at sample location GPX-1, 2.3 mg/kg at GPX-2, and 8.3 mg/kg at GPX-3
Cadmium at a level of 54 mg/kg at sample location GPX-1

BORING & TEMPORARY MONITORING WELL ABANDONMENT

Please submit documentation on forms 3300-005 that all boreholes and temporary monitoring wells were properly abandoned in compliance with ch. NR 141, Wis. Adm. Code.

PURGE WATER, WASTE AND SOIL PILE REMOVAL

Any remaining 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.

When the above conditions have been satisfied, please submit the appropriate documentation (for example, borehole/well abandonment forms, disposal receipts, copies of correspondence, etc.) to verify that applicable conditions have been met, and your case will be closed. 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 site on the GIS Registry web page, visit the RR Sites Map page at:
<http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Please be aware that the 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 to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-662-5165 or email at Annette.weissbach@wisconsin.gov.

Sincerely,



Annette Weissbach, Hydrogeologist
Remediation & Redevelopment Program

GREEN BAY AND MISSISSIPPI CANAL COMPANY

TO

DEED.

UNITED STATES OF AMERICA.

This Indenture made the eighteenth day of September in the year of our lord, one thousand eight hundred and seventy-two between the Green Bay and Mississippi Canal Company, a Corporation existing under the laws of the State of Wisconsin, of the first part; and the United States of America of the second part. Whereas in and by an act of Congress entitled "an act for the improvement of water communication between the Mississippi River and lake Michigan by the Wisconsin and Fox Rivers approved July 7. 1870, to which reference is here made the Secretary of War was authorized to ascertain at any time he should deem proper within three years from the passage of said act, the sum which ought in justice to be paid to the Green Bay and Mississippi Canal Company a Corporation existing under the laws of Wisconsin as an equivalent for the transfer of all and singular the property and rights of property in and to the line of Water Communication between the Wisconsin River aforesaid and the mouth of the Fox River, including the Locks, dams, canals and franchises or so much of them as should in the judgment of said Secretary be ^{made} ~~made~~, and to that end he was authorized to join with said Company, in appointing a board of disinterested and impartial arbitrators one of whom should be selected by the Secretary aforesaid, another by said Company, and the third by the two arbitrators so selected. And whereas a board of arbitrators duly constituted and acting under and pursuant to said act of Congress did duly find and report to the said the Secretary of War by their report in writing bearing date on the fifteenth day of November Eighteen hundred and seventy-one that the sum which in justice ought to be paid to said Company as an equivalent for the transfer of all and singular the property and rights of property in and to the line of Water Communication aforesaid including its locks, dams, canals and franchises was the sum of Three hundred and twenty-five Thousand dollars and did further find and report that whereas under the act of Congress aforesaid the Secretary of War might in his judgment decide that the personal property of said Company might not be needed and that a part of the franchises of said Company viz: the Water powers created by the dams and by the use of the surplus waters not required for the purposes of navigation might not be needed the value of such personal property was the sum of Forty Thousand dollars and the value of such water powers and lots necessary to the enjoyment of the same subject to all rights to use the waters for purposes of navigation as the same is reserved in all leases made by said Company and subject also to all leases grants and assignments made by said Company was the sum of One hundred and Forty thousand dollars, which said sum was to be deducted from the said sum of three hundred and twenty-five thousand dollars in case the said Secretary or Congress should determine that said Water powers were not needed for public use and which said sum of Forty thousand dollars should also be deducted from said sum of Three hundred and twenty-five thousand dollars in case said Secretary or Congress should determine that the said personal property was not needed for the public use. And whereas the said the Secretary of War did pursuant to said act of Congress duly make his report in writing to Congress bearing date on the 8th day of March A. D. 1872. wherein and whereby he did among other things report in substance as follows to-wit: The Secretary is of opinion that the personal property appraised by said arbitrators as Forty Thousand dollars is not needed for public use. He is further of opinion that the franchises of said Corporation that are appraised by said arbitrators at the sum of One Hundred and Forty Thousand dollars, are not required for purposes of navigation and are therefore not needed deducting the above valuations of property-franchises &c which in the opinion of the Secretary, are not needed, within the meaning of that word as used in said act the valuation of the remaining property franchises &c as found by said arbitrators is one hundred and Forty-Five Thousand dollars the Secretary reports to Congress that all the property franchises &c so valued at one hundred and forty-five thousand dollars are needed for purposes of navigation and that said amount of one hundred and forty-five thousand dollars is the sum which in his opinion might in justice to be paid to such corporation as an equivalent for the transfer to the United States of said property Franchises, &c so needed.

And whereas under and by an act of Congress entitled an act making appropriation for the repair preservation and completion of certain public Works on Rivers and harbors and for other purposes approved the 10th day of June A. D. 1872 Congress at its then present session did duly elect to take such property by making an appropriation to pay the amount awarded in the following language to-wit: For payment to the Green Bay and Mississippi Canal Company for so much of all and singular its property and rights of property in and to the line of Water Communication between the Wisconsin River and the mouth of the Fox River including its locks, dams,

canals, and franchises as were under the act of Congress for the improvement of water communication between the Mississippi River and Lake Michigan, by the Wisconsin and Fox Rivers, approved July Seventh Eighteen Hundred and Seventy reported by the Secretary of War to be needed in his communication to the house of Representatives dated March Eighth, eighteen hundred and seventy-two, one hundred and forty-five Thousand dollars.. Now therefor this Indenture Witnesseth that in consideration of the premises and fully to comply with the requirements of the said act of Congress approved July Seventh eighteen hundred and seventy, and to accomplish the intents and purposes thereof and in consideration of the sum of one hundred and forty-five Thousand dollars paid by the United States of America, the said party of the second part the receipt whereof is hereby acknowledged, the Green Bay and Mississippi Canal Company the said party of the first part, hath granted bargained and sold and by these presents doth grant bargain and sell unto the said United States of America the party of the second part, the following described property rights Franchises &c situate in the State of Wisconsin, and described as follows to-wit: all and singular its property and rights of property in and to the line of Water Communication between the Wisconsin River aforesaid and the mouth of the Fox River, including its locks, dams, canals and franchises saving and excepting therefrom and reserving to the said party of the first part the following described property rights and portion of franchises, which in the opinion of the Secretary of War and of Congress are not needed for public use to-wit: First all of the personal property of said Company and particularly all of such property described in the list or Schedule attached to the report of said arbitrators and now on file in the office of the Secretary of War to which reference is here made whether or not such property be appurtenant to said line of water communication. Second: Also all that part of the franchises of said Company viz: the water powers created by the dams, and by the use of the surplus waters not required for the purpose of navigation with the rights of protection and preservation appurtenant thereto and the lots pieces or parcels of land necessary to the enjoyment of the same and those acquired with reference to the same all subject to the right to use the water for all purposes of navigation as the same is reserved in leases heretofore made by said Company, a blank form of which attached to the said report of said Arbitrators is now on file in the office of the Secretary of War and to which reference is here made and subject also to all leases grants and assignments made by said company the said leases &c being also reserved herefrom. Together with all and singular the herditiments and appurtenances unto the above granted and described property rights and franchises not so saved excepted or reserved belonging or in anywise appurtenant and all the estate right, title interest claim or demand whatsoever of the said party of the first part either in law or equity, either in possession or expectancy of in and to the above granted property rights and franchises, not so saved excepted or reserved, and their herditaments and appurtenances To have and to hold the above granted and described property rights and franchises not saved excepted or reserved as aforesaid and every part and parcel thereof, together with the herditiments and appurtenances thereunto belonging unto the said the United States of America party of the second part, its successors and assigns forever.

In witness whereof the said party of the first part hath hereunto caused its corporate seal to be affixed and these presents to be subscribed by its President and attested by its assistant Secretary pro tempore on the day of the date of these presents.
 } corporate seal of G. B. {
 } & Miss. Canal Co. { SAMUEL MARCH,
 } President of Green Bay and Mississippi Canal Co.
 Attest: HENRY C. BLAKE,
 } Assistant Secretary Pro Tempore of Green Bay and Mississippi Canal Co.

STATE OF NEW YORK, }
 CITY AND COUNTY OF NEW YORK, } SS. On this eighteenth day of September A. D. 1872, before me the undersigned a commissioner in and for the State of New York residing in the City and County of New York duly appointed by the Governor and under the laws of the State of Wisconsin, to take acknowledgment and proof of deeds and to administer Oaths &c to be recorded or used in the said State of Wisconsin personally came Samuel March, whom I know to be the person described in and who executed the within deed of Conveyance as President of the Green Bay and Mississippi Canal Company and whom I know to be such President, who being by me duly sworn did then and there depose and say that he resides in said State of New York that he is the President of the Green Bay and Mississippi Canal Company that he signed the within deed of conveyance as such President and caused the common and Corporate seal of said Company to him well known to be affixed thereto, by order and authority of said Company, as the act and deed for said Company for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and affixed my seal the 18th day of September A. D. 1872.

{ Commi. Wisconsin }
 { Seal in N. Y. }

J. B. NONES,
 Commissioner for Wisconsin in and for New York
 No. 91 Duane St. cor. Broadway.

STATE OF NEW YORK }
CITY AND COUNTY OF NEW YORK } SS. 1872

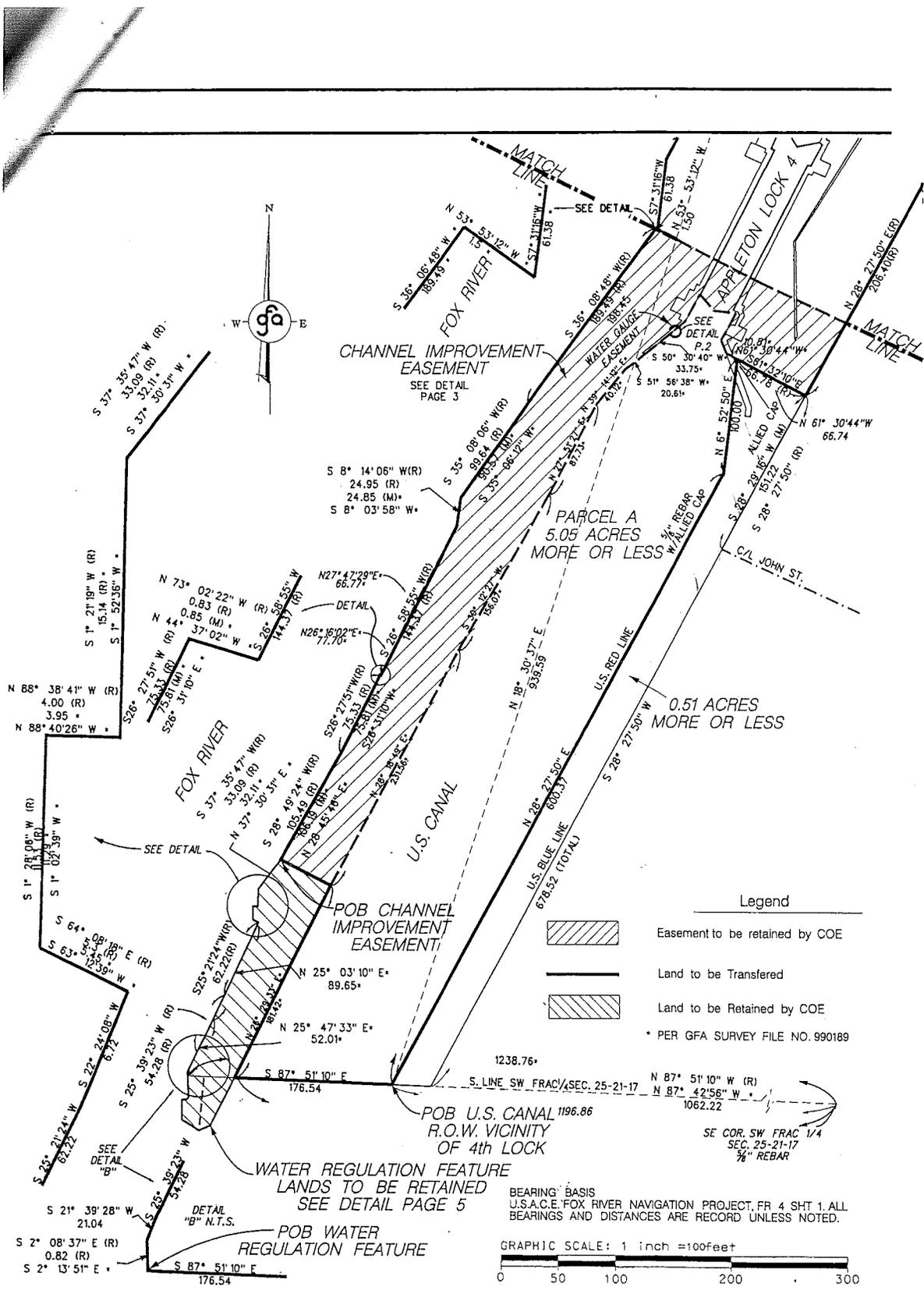
On this eighteenth day of September A. D. 1872 before me the undersigned a Commissioner in and for the State of New York, residing in the City and County of New York duly appointed by the Governor and under the laws of the State of Wisconsin to take the acknowledgment and proof of deeds and to administer Oaths &c to be recorded or used in the said State of Wisconsin personally came Henry C. Blake whom I know to be the person described in and who attested the within deed of conveyance as Assistant Secretary pro tempore of the Green Bay and Mississippi Canal Company and whom I know to be such assistant Secretary pro tempore, who being by me duly sworn did then and there depose and say that he is the Assistant Secretary pro tempore of the Green Bay and Mississippi Canal Company, that he attested the within Deed of Conveyance as such assistant Secretary pro tempore that he well knows the common and Corporate Seal of said Company and that the one to said Deed affixed is such common and corporate seal; that he so attested said Deed as the act and deed of such Company and by order and authority of said Company for the uses and purposes therein mentioned.

In testimony whereof I have hereunto set my hand and affixed my seal this eighteenth day of September A. D. 1872.

{ Comi. Wis. seal }
{ for N. Y. }

J. B. NONES,
Commissioner for Wisconsin in and for New York,
No. 91 Duane St. cor. Bdway.

Endorsed: Accepted Wm. M. Belknap Secy of War Sept. 23d 1872.



PREPARED FOR: U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT DACW35-01-D-0001 DO# 0009

U.S. CANAL R.O.W. VICINITY OF 4th LOCK OVERALL BOUNDARY PARCEL A

See previous Survey FOX RIVER NAVIGATION PROJECT FR 4 SHT 1 dated 12/15/83 Dennis G. Tonelli, Land Surveyor Number S-1748 for Certified Boundary Survey

NOTE: This drawing is a composite drawing of previous surveys prepared for the U.S.A.C.E. Fox River Navigation Project and Gourdie-Fraser, Inc. surveys, file No. 990189 and is not intended to be a Certified Survey.

DATE:	6/4/2003
P.M.:	GS
REVISIONS:	06-04-03 REMOVED PARCEL S. OF U.S. RED LINE REMOVED PED ESMT



123 W Front Street
Traverse City, MI 49684
PH. 231.946.5874
FAX 231.946.3703
www.gourdiefraser.com

Location:
PART SW FRAC 1/4 SECTION 25, TOWN 21 NORTH,
RANGE 17 EAST OF THE 4th PRINCIPAL MERIDIAN,
OUTAGAMIE COUNTY, APPLETON, WISCONSIN

DR.:	MJF	CKD.:	GS
021068, FR4SHT1T			
SHT 1 OF 0			

U.S. CANAL R.O.W. VICINITY OF 4TH LOCK OVERALL BOUNDARY PARCEL A

Revised Overall Description of Parcel A FR4 sheet 1 of 6. U.S. Canal R.O.W. Vicinity of 4th Lock, Section 25-21-17, Fox River Navigation Project,

Excepting Water Regulation Feature and Channel Improvement, and Water Gauge Easements.

That part of the Southwest fractional quarter of Section 25, Township 21 North, Range 17 East, of the Fourth Principal Meridian, Outagamie County, Wisconsin, described as:

Beginning at a point on the South line of said Southwest Fractional quarter that bears North 87°51'10" West, 1062.22 feet, from a 5/8-inch rebar set in the concrete road surface of John Street, for the Southeast corner of said Southwest Fractional quarter; thence North 28°27'50" East, 600.37 feet, to a 5/8-inch rebar with an allied cap stamped "USAED DETROIT BOUNDARY MARK"; thence North 06°52'50" East, 100 feet, across a head race to an allied cap stamped as before; thence South 61°32'10" East, 66.78 feet; thence North 28°27'50" East, 206.40 feet; thence North 15°25'50" East, 220 feet; thence North 07°28'03" West, 214.38 feet, to the intersection of the left shore of the U.S. Canal with the right shoreline of the Fox River, said point bearing North 22°01'14" East, 1295.86 feet from the Point of Beginning; thence Southwesterly, upstream, along the meanders of the right shoreline of the Fox River a total distance of 373 feet, more or less, to a point on the face of a concrete retaining wall that bears North 18°30'37" East, 939.59 feet, from the Point of Beginning; thence North 60°43'13" West, 11.06 feet, along the face of said wall; thence South 28°34'12" West, 108.69 feet, along the face of said wall; thence South 07°31'16" West, 61.38 feet, along the face of said wall; thence North 53°53'12" West, 1.5 feet, along the face of said wall; thence South 36°06'48" West, 189.49 feet, along the face of said wall; thence South 35°08'06" West, 99.64 feet, along the face of said wall; thence South 08°14'06" West, 24.95 feet, along the face of said wall; thence South 26°58'55" West, 144.37 feet, along the face of said wall; thence North 73°02'22" West, 0.83 feet, along the face of said wall; thence South 26°27'51" West, 75.33 feet, along the face of said wall; thence South 28°49'24" West, 105.49 feet, along the face of said wall; thence South 37°35'47" West, 33.09 feet, along the face of said wall; thence South 01°21'19" West, 15.14 feet, along the face of said wall and U.S. dam abutment; thence North 88°38'41" West, 4 feet, along the face of said wall and U. S. dam abutment; thence South 01°28'06" West, 11.53 feet, along the face of said wall and U.S. dam abutment; thence South 64°08'18" East, 5.30 feet, along the face of said wall and U.S. dam abutment; thence South 22°24'08" West, 6.72 feet, along the face of said wall; thence South 25°21'24" West, 62.22 feet, along the face of said wall; thence South 25°39'23" West, 54.28 feet, along the face of said wall; thence South 21°39'28" West, 21.04 feet, along the face of said wall; thence South 02°08'37" East, 0.82 feet, along the face of said wall to the South line of said Southwest Fractional quarter; thence South 87°51'10" East, 176.54 feet, across the U.S. Canal and along the South line of said Southwest Fractional quarter to the Point of Beginning, containing 5.05 acres, more or less.

PREPARED FOR: U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT DACW35-01-D-001 DO# 0019

<p>U.S. CANAL R.O.W. VICINITY OF 4TH LOCK OVERALL BOUNDARY PARCEL A See previous FOX RIVER NAVIGATION PROJECT FR 4 SHT 1 dated 12/15/83 Dennis G. Tonelli, Land Surveyor Number S-1748 for Certified Boundary Survey.</p>		<p>DATE: 5/16/02</p>
<p>Note: This drawing is a composite drawing of previous surveys prepared for the U.S.A.C.E. Fox River Navigation Project and Gourdie-Fraser, Inc. surveys, file No. 990189 and is not intended to be a Certified Survey.</p>		<p>P.M.: GS</p>
<p>gfa Gourdie-Fraser Municipal Development Transportation</p>		<p>REVISIONS: 06-04-03 REMOVED PCL S. OF U.S. RED LINE REMOVED PED ESM 'T</p>
<p>123 West Front Street Traverse City, MI 49684 Ph: (231) 946-5874 Fax: (231) 946-3703 www.gourdiefraser.com</p>		<p>DR.: M/JF CKD: GS 021068, FR4SHT1</p>
<p>Location: PART SW FRAC 1/4 SECTION 25, TOWN 21 NORTH, RANGE 17 EAST OF THE 4TH PRINCIPAL MERIDIAN, OUTAGAMIE COUNTY, APPLETON, WISCONSIN</p>		<p>SHT 5 of 8</p>

U.S. CANAL R.O.W. VICINITY OF 4TH LOCK OVERALL BOUNDARY PARCEL A

Revised Overall Description of Parcel A FR4 sheet 1 of 6. U.S. Canal R.O.W. Vicinity of 4th Lock, Section 25-21-17, Fox River Navigation Project,

Excepting Water Regulation Feature and Channel Improvement, and Water Gauge Easements.

EXCEPT, a Water Regulation Feature in part of the Southwest Fractional quarter of Section 25 and part of Section 36, all being in Township 21 North, Range 17 East, of the Fourth Principal Meridian, City of Appleton, Outagamie County, Wisconsin, more fully described as:

Commencing at the Southeast corner of said Southwest Fractional quarter;
 thence North 87°42'56" West, 1238.76 feet,
 (previously recorded as North 87°51'10" West), along the line common to said Sections 25 and 36,
 to a point on the face of an existing old limestone wall and to the Point of Beginning;
 thence North 02°13'51" West, 0.82 feet,
 (previously recorded as North 02°08'37" West) along said wall;
 thence North 25°47'33" East, 52.01 feet,
 along said wall to the end of a new concrete retaining wall for right dam abutment;
 thence, along said concrete wall, the following six (6) courses:
 North 25°03'10" East, 89.65 feet;
 thence North 63°12'39" West, 5.45 feet, (North 64°08'18" West, 5.30 feet recorded);
 thence North 01°02'39" East, 11.29 feet, (North 01°28'06" East, 11.53 feet recorded);
 thence South 88°40'26" East, 3.95 feet, (South 88°38'41" East, 4 feet recorded);
 thence North 01°52'36" East, 15.14 feet, (North 01°21'19" East recorded);
 thence North 37°30'31" East, 32.11 feet, (North 37°35'47" East, 33.09 feet recorded);
 thence, leaving said concrete wall,
 South 62°16'10" East, 29.00 feet,
 to a witness iron on top of bank;
 thence South 62°16'10" East, 19.17 feet,
 to a point on the rock shoreline;
 thence, along said rock shoreline, the following six (6) courses:
 South 26°29'33" West, 230.52 feet;
 thence South 65°51'02" West, 10.49 feet;
 thence North 57°37'33" West, 17.48 feet;
 thence North 00°33'34" West, 16.99 feet;
 thence North 85°10'08" East, 4.13 feet;
 thence North 47°48'05" East, 2.07 feet,
 to a point on the face of said old limestone wall;
 thence North 02°13'51" West, 21.82 feet,
 along said wall to the Point of Beginning.
 Said described Water Regulation Feature parcel contains 0.2 acre, more or less.

Subject to a Channel Improvement Easement in part of the Southwest Fractional quarter of Section 25, Township 21 North, Range 17 East, of the Fourth Principal Meridian, City of Appleton, Outagamie County, Wisconsin, more fully described as:

Commencing at the Southeast corner of said Southwest Fractional quarter;
 thence North 87°42'56" West, 1238.76 feet,
 (previously recorded as North 87°51'10" West), along the line common to said Sections 25 and 36,
 to a point on the face of an existing old limestone wall;
 thence North 02°13'51" West, 0.82 feet,
 (Continued on next page)

PREPARED FOR: U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT DACW35-01-D-001 DO# 0019

U.S. CANAL R.O.W. VICINITY OF 4TH LOCK OVERALL BOUNDARY PARCEL A

See previous FOX RIVER NAVIGATION PROJECT FR 4 SHT 1 dated 12/15/83 Dennis G. Tonelli, Land Surveyor Number S-1748 for Certified Boundary Survey.

Note: This drawing is a composite drawing of previous surveys prepared for the U.S.A.C.E. Fox River Navigation Project and Gourdie-Fraser, Inc. surveys, file No. 990189 and is not intended to be a Certified Survey.



123 West Front Street
 Traverse City, MI 49684
 Ph: (231) 946-5874
 Fax: (231) 946-3703
 www.gourdiefraser.com

Location:

PART SW FRAC 1/4 SECTION 25, TOWN 21 NORTH, RANGE 17 EAST OF THE 4TH PRINCIPAL MERIDIAN, OUTAGAMIE COUNTY, APPLETON, WISCONSIN

DATE: 5/16/02	
P.M.: GS	
REVISIONS: 06-04-03	
REMOVED PCL S. OF U.S. RED LINE REMOVED PED ESM 'T	
DR.: MJF	CKD: GS
021068, FR4SHT1	
SHT 6 of 8	

U.S. CANAL R.O.W. VICINITY OF 4TH LOCK OVERALL BOUNDARY PARCEL A

Revised Overall Description of Parcel A FR4 sheet 1 of 6. U.S. Canal R.O.W. Vicinity of 4th Lock, Section 25-21-17, Fox River Navigation Project,

Excepting Water Regulation Feature and Channel Improvement, and Water Gauge Easements.
(Continued)

(previously recorded as North 02°08'37" West) along said wall;
 thence North 25°47'33" East, 52.01 feet,
 along said wall to the end of a new concrete retaining wall for right dam abutment;
 thence, along said concrete wall, the following six (6) courses:
 North 25°03'10" East, 89.65 feet;
 thence North 63°12'39" West, 5.45 feet, (North 64°08'18" West, 5.30 feet recorded);
 thence North 01°02'39" East, 11.29 feet, (North 01°28'06" East, 11.53 feet recorded);
 thence South 88°40'26" East, 3.95 feet, (South 88°38'41" East, 4 feet recorded);
 thence North 01°52'36" East, 15.14 feet, (North 01°21'19" East recorded);
 thence North 37°30'31" East, 32.11 feet, (North 37°35'47" East, 33.09 feet recorded),
 to the Point of Beginning of said Channel Improvement Easement;
 thence, continuing along the top outside face of a 4 foot wide concrete retaining wall, the following eight (8) courses:
 North 28°45'46" East, 106.19 feet, (North 28°49'24" East, 105.49 feet recorded);
 thence North 26°31'10" East, 75.81 feet, (North 26°27'51" East, 75.33 feet recorded);
 thence South 44°37'02" East, 0.85 feet, (South 73°02'22" East, 0.83 feet recorded);
 thence North 26°16'02" East, 77.70 feet,;
 thence North 27°47'29" East, 66.77 feet;
 thence North 08°03'58" East, 24.85 feet, (North 08°14'06" East, 24.95 feet recorded);
 thence North 35°06'12" East, 90.57 feet, (North 35°08'06" East, 99.64 feet recorded);
 thence North 36°08'48" East, 198.45 feet, (189.49 feet recorded), to the Northwesterly corner of said wall;
 thence South 62°46'29" East, 100.33 feet,
 to the center of a bollard on the Easterly side of lock;
 thence continuing South 62°46'29" East, 82.64 feet,
 to a point on the Southerly line of Parcel A per Boundary Survey of U.S. Canal R.O.W. in the
 Vicinity of 4th Lock, Fox River Navigation Project, FR4, Sheet 1 of 6;
 thence South 28°29'16" West, 70.24 feet, (South 28°27'50" West recorded), along said Southerly boundary line;
 thence North 61°30'44" West, 15.00 feet,
 to a witness monument on the shore as previously surveyed;
 thence continuing North 61°30'44" West, 51.74 feet,
 to a witness monument on the shore as previously surveyed;
 thence North 61°30'44" West, 10.81 feet,
 to a point on the outside face of a concrete retaining wall;
 thence North 20°47'15" West, 12.24 feet,
 along said wall;
 thence North 28°33'40" East, 26.88 feet,
 along said wall to a point on the centerline of an existing walkway across the lock gates;
 thence North 83°31'41" West, 19.06 feet,
 along said walkway;
 thence North 40°22'39" West, 18.79 feet,
 along said walkway to a point on the outside face of a concrete retaining wall;
 thence South 28°02'50" West, 26.74 feet,
 along said wall;
 thence South 50°30'40" West, 46.42 feet,
 along said wall to a point on the rock shoreline;
 (Continued on next page)

PREPARED FOR: U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT DACW35-01-D-001 DO# 0019

U.S. CANAL R.O.W. VICINITY OF 4TH LOCK OVERALL BOUNDARY PARCEL A See previous FOX RIVER NAVIGATION PROJECT FR 4 SHT 1 dated 12/15/83 Dennis G. Tonelli, Land Surveyor Number S-1748 for Certified Boundary Survey.		DATE: 5/16/02 P.M.: GS REVISIONS: 06-04-03 REMOVED PCL S. OF U.S. RED LINE REMOVED PED ESM'T
Note: This drawing is a composite drawing of previous surveys prepared for the U.S.A.C.E. Fox River Navigation Project and Gourdie-Fraser, Inc. surveys, file No. 990189 and is not intended to be a Certified Survey.		DR.: M.J.F. CKD: GS 021068, FR4SHT1
 123 West Front Street Traverse City, MI 49684 Ph: (231) 946-5874 Fax: (231) 946-3703 www.gourdiefraser.com		Location: PART SW FRAC 1/4 SECTION 25, TOWN 21 NORTH, RANGE 17 EAST OF THE 4 TH PRINCIPAL MERIDIAN, OUTAGAMIE COUNTY, APPLETON, WISCONSIN
Municipal Development Transportation		SHT 7 of 8

U.S. CANAL R.O.W. VICINITY OF 4TH LOCK OVERALL BOUNDARY PARCEL A

Revised Overall Description of Parcel A FR4 sheet 1 of 6. U.S. Canal R.O.W. Vicinity of 4th Lock, Section 25-21-17, Fox River Navigation Project,

Excepting Water Regulation Feature and Channel Improvement, and Water Gauge Easements.
(Continued)

thence, along said rock shoreline, the following five (5) courses:
 South 51°56'38" West, 20.61 feet;
 thence South 39°14'12" West, 40.12 feet;
 thence South 27°51'27" West, 87.73 feet;
 thence South 30°12'27" West, 156.07 feet;
 thence South 28°18'49" West, 231.56 feet;
 thence North 62°16'10" West, 19.17 feet,
 to a witness iron on shore;
 thence continuing North 62°16'10" West, 29.00 feet,
 to the Point of Beginning.
 Said Channel Improvement Easement parcel contains 4.7 acres, more or less.

Subject to a 5 foot radius circular Water Gauge Easement, the center point of which is described as being in part of the Southwest Fractional quarter of Section 25, Township 21 North, Range 17 East, of the Fourth Principal Meridian, City of Appleton, Outagamie County, Wisconsin, more fully described as:

Commencing at the Southeast corner of said Southwest Fractional quarter;
 thence North 87°42'56" West, 1196.86 feet,
 (previously recorded as North 87°51'10" West), along the line common to said Sections 25 and 36;
 thence, along a rock embankment shore line, the following courses:
 North 26°29'33" East, 181.42 feet;
 thence North 28°18'49" East, 231.56 feet;
 thence North 30°12'27" East, 156.07 feet;
 thence North 27°51'27" East, 87.73 feet;
 thence North 39°14'12" East, 40.12 feet;
 thence North 51°56'38" East, 20.61 feet;
 thence North 50°30'40" East, 33.75 feet,
 along a concrete wall;
 thence South 39°38'20" East, 1.13 feet,
 to said center point of the 5 foot radius Water Gauge Easement.

PREPARED FOR: U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT DACW35-01-D-001 DO# 0019

U.S. CANAL R.O.W. VICINITY OF 4 TH LOCK OVERALL BOUNDARY PARCEL A See previous FOX RIVER NAVIGATION PROJECT FR 4 SHT 1 dated 12/15/83 Dennis G. Tonelli, Land Surveyor Number S-1748 for Certified Boundary Survey.		DATE: 5/16/02	
		P.M.: GS	
		REVISIONS: 06-04-03	
Note: This drawing is a composite drawing of previous surveys prepared for the U.S.A.C.E. Fox River Navigation Project and Gourdie-Fraser, Inc. surveys, file No. 990189 and is not intended to be a Certified Survey.		REMOVED PCL S. OF U.S. RED LINE REMOVED PED ESM 'T	
 Municipal Development Transportation	123 West Front Street Traverse City, MI 49684 Ph: (231) 946-5874 Fax: (231) 946-3703 www.gourdiefraser.com	Location: PART SW FRAC 1/4 SECTION 25, TOWN 21 NORTH, RANGE 17 EAST OF THE 4 TH PRINCIPAL MERIDIAN, OUTAGAMIE COUNTY, APPLETON, WISCONSIN	
		DR.: M.J.F.	CKD: GS
		021068, FR4SHT1	
		SHT 8 of 8	



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

November 20, 2008

Annette Weissbach
Wisconsin Department of Natural Resources
P.O. Box 10448
Green Bay, WI 54307-0448

Dear Ms. Weissbach:

This is in regards to the closure documents submitted for the Fox River Locks Appleton, Lock # 4, Parcel A, Appleton, Wisconsin. We have submitted a case summary and closure request form in the Fall 2007. This is to confirm that the legal survey drawing submitted for Parcel A, Appleton, Lock # 4 is correct, per your request (copy enclosed).

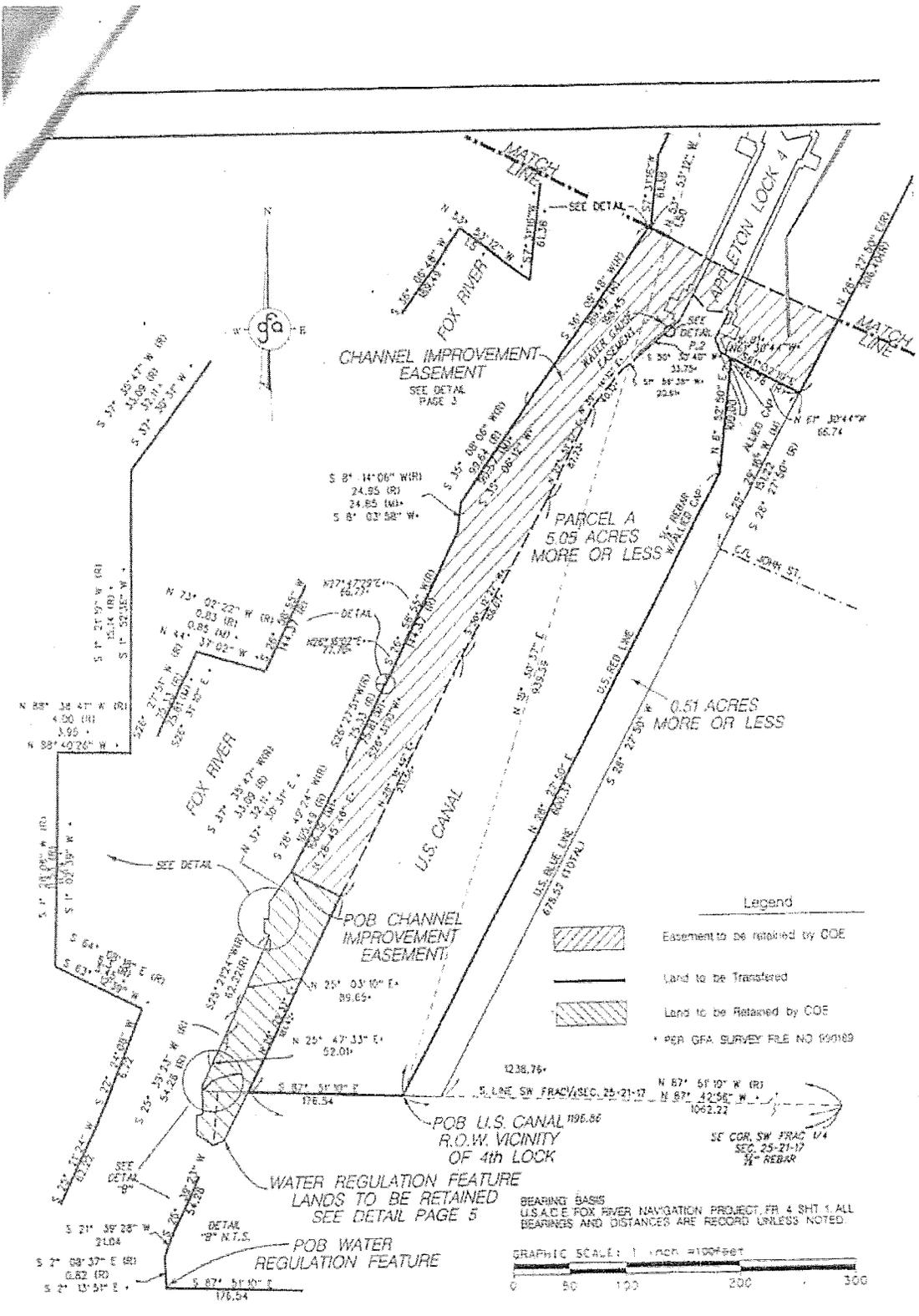
If you have any questions, please contact me at (313) 226-3480 or Pam Horner at (313) 226-6748.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Kotwicki", is written over a faint, larger signature that is partially obscured. The signature is written in a cursive style.

Victor Kotwicki
Chief, Real Estate Office

Enclosure



- Legend
- Easement to be retained by COE
 - Land to be Transferred
 - Land to be Retained by COE
 - * PER GFA SURVEY FILE NO 990189

BEARING BASIS
 U.S.A.C.E FOX RIVER NAVIGATION PROJECT FR 4 SHT 1 ALL
 BEARINGS AND DISTANCES ARE RECORDED UNLESS NOTED.

GRAPHIC SCALE: 1 INCH = 100 FEET

0 50 100 200 300

PREPARED FOR: U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT DACW35-01-D-0001 DO# 0009

U.S. CANAL R.O.W. VICINITY OF 4th LOCK OVERALL BOUNDARY PARCEL A

See previous Survey FOX RIVER NAVIGATION PROJECT FR 4 SHT 1 dated 12/15/63 Dennis G. Tonelli, Land Surveyor Number S-1748 for Certified Boundary Survey

NOTE: This drawing is a composite drawing of previous surveys prepared for the U.S.A.C.E Fox River Navigation Project and Gourdie-Fraser, Inc. surveys, file No. 990189 and is not intended to be a Certified Survey.

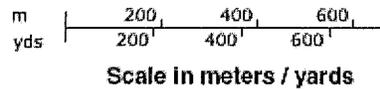
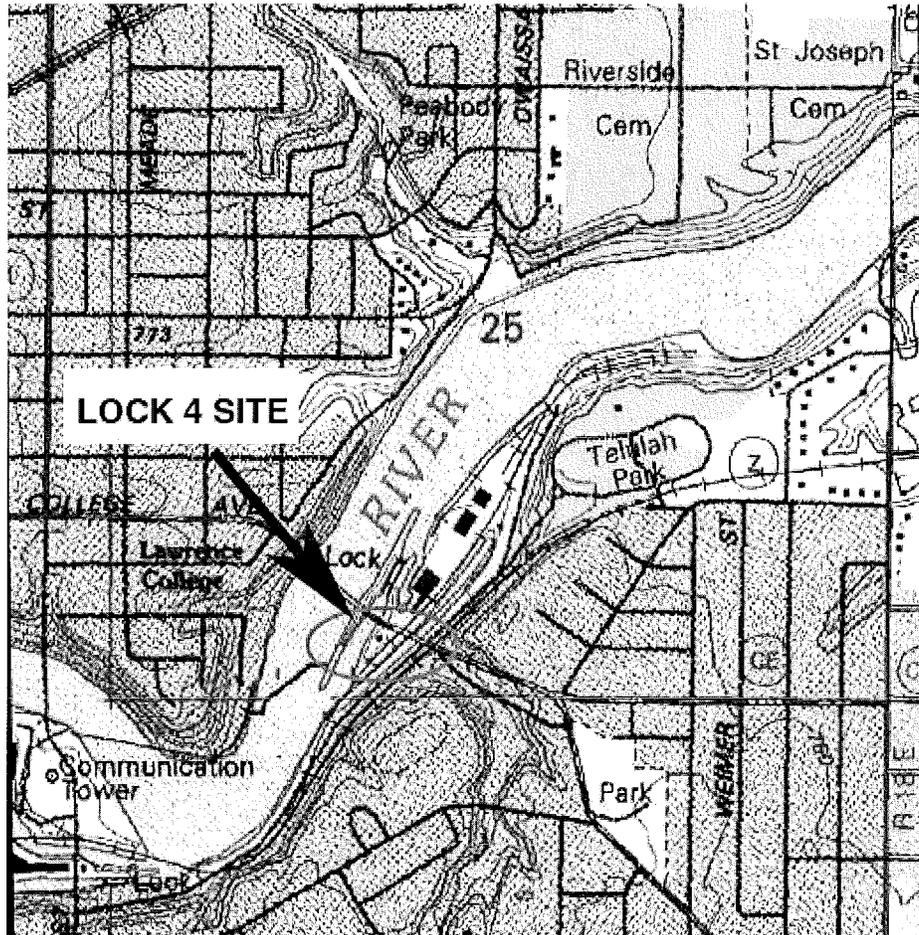
DATE:	6-4-2005
P.M.:	GS
REVISIONS:	
RE-01-01	REMOVED PARCEL S. OF U.S. RED LINE
REMOVED	PER EXH'T
DRL. MGR.:	CKD GS
GOURDIE-FRASER, INC.	
DATE:	1-10-05

gfa Gourdie-Fraser
 Municipal Development | Transportation

123 W. Front Street
 Milwaukee, Wis. 53204
 PH: 731.946.1874
 FAX: 731.946.3703
 www.gourdiefraser.com

LOCATION:
 PART SW FRAC 1/4 SECTION 25, TOWN 21 NORTH,
 RANGE 11 EAST OF THE 4th PRINCIPAL MERIDIAN,
 OUTAGAMIE COUNTY, APPLETON, WISCONSIN

ATTACHMENT B: TOPOGRAPHIC MAP





Altech Environmental Services

PRE-REMEDIAL GEOLOGIC CROSS SECTION

CLIENT US ARMY CORPS OF ENGINEERS
PROJECT NUMBER 9201-038

PROJECT NAME LOCK 4 - FOX RIVER
PROJECT LOCATION APPLETON, WISCONSIN

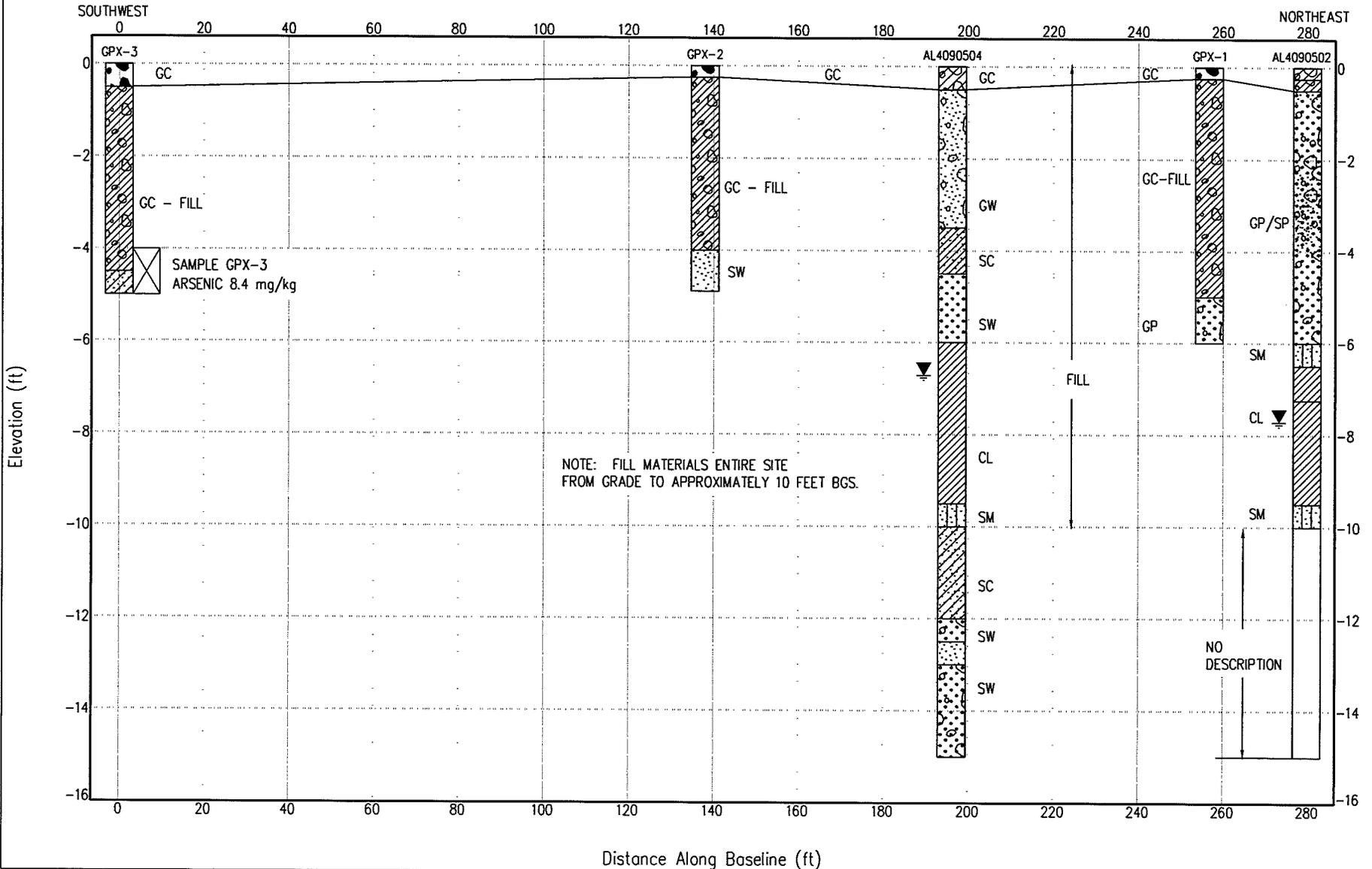


Table 1. Soil PCB and Metal Results

Parameter (mg/kg)	Sample Number				Screening Level		
	GPX-1	GPX-2	GPC-35	GPX-3	WDNR RCL	USEPA SSL	MDEQ DWP
Aroclor-1016	0.074 U	0.072 U	0.073 U	0.075 U	NP	1	0.5
Aroclor-1221	0.074 U	0.072 U	0.073 U	0.075 U	NP	1	0.5
Aroclor-1232	0.074 U	0.072 U	0.073 U	0.075 U	NP	1	0.5
Aroclor-1242	0.074 U	0.072 U	0.073 U	0.075 U	NP	1	0.5
Aroclor-1248	0.074 U	0.072 U	0.073 U	0.075 U	NP	1	0.5
Aroclor-1254	0.074 U	0.072 U	0.073 U	0.075 U	NP	1	0.5
Aroclor-1260	0.074 U	0.072 U	0.073 U	0.075 U	NP	1	0.5
Total Arsenic	3.4	2.3	2.8	8.4	0.039/1.6	29	23
Total Barium	0.2	21	49	140	NP	1600	1300
Total Cadmium	58	0.05 U	0.17	1.3	8/510	8	6
Total Chromium	35	7.3	22	18	14*/200*	38	30*
Total Selenium	1.7 U	1.8 U	1.9 U	1.8 U	NP	5	4000
Total Lead	22	4.3	16 *	300	50/500	400	700
Total Mercury	0.12	0.1 U	0.1 U	0.1 U	NP	2	1.7
Total Silver	0.5 U	0.5 U	0.95 *	0.5 U	NP	34	4.5

130

Analyte detected at the level shown

RCL = Wisconsin NR 720 Residual Contaminant Levels

SSL=Soil Screening Level

DWP = Michigan Drinking Water Protection Criteria

NP = Not Published

50/500 = Residential/Industrial

* Cr VI criteria

Table 3. Soil VOC Results for Parcel X

Volatile Organic Compound (µg/Kg)	Sample Number				Screening Levels		
	GPX-1	GPX-2	GPC-35	GPC-3	WDNR RCL	USEPA SSL	MDEQ DWP
Chloromethane	250 U	250 U	250 U	250 U	NP	NR	1300
Vinyl chloride	100 U	100 U	100 U	100 U	NP	10	40
Bromomethane	250 U	250 U	250 U	250 U	NP	200	200
Chloroethane	250 U	250 U	250 U	250 U	NP	NR	4400
Acetone	750 U	750 U	750 U	750 U	NP	16000	15000
1,1-Dichloroethene	60 U	50 U	50 U*	60 U	NP	3	140
Methylene chloride	250 U	250 U	250 U	250 U	NP	20	100
cis-1,2-Dichloroethene	60 U	50 U	50 U	60 U	NP	20	1400
trans-1,2-Dichloroethene	60 U	50 U	50 U	60 U	NP	30	2000
1,1-Dichloroethane	60 U	50 U	50 U	60 U	NP	1000	18000
2-Butanone	750 U	750 U	750 U	750 U	NP	NR	260000
Chloroform	60 U	50 U	50 U	60 U	NP	600	2000
1,1,1-Trichloroethane	60 U	50 U	50 U	60 U	NP	2000	4000
Carbon tetrachloride	60 U	50 U	50 U	60 U	NP	70	100
Benzene	120	50 U	50 U	60 U	NP	30	100
1,2-Dichloroethane	60 U	50 U	50 U	60 U	4.9	20	100
Trichloroethene	60 U	50 U	50 U	60 U	NP	60	100
1,2-Dichloropropane	60 U	50 U	50 U	60 U	NP	30	100
Bromodichloromethane	100 U	100 U	100 U	100 U	NP	600	2000
cis-1,3-Dichloropropene	60 U	50 U	50 U	60 U	NP	4	100
2-Hexanone	2500 U	2500 U	2500 U	2500 U	NP	NR	20000
Toluene	640	50 U	81	60 U	1500	12000	16000
trans-1,3-Dichloropropene	60 U	50 U	50 U	60 U	NP	4	94
1,1,2-Trichloroethane	60 U	50 U	50 U	60 U	NP	20	100
4-Methyl-2-pentanone	2500 U	2500 U	2500 U	2500 U	NP	NR	36000
Tetrachloroethene	60 U	50 U	50 U	60 U	NP	60	100
Dibromochloromethane	100 U	100 U	100 U	100 U	NP	400	2000
Chlorobenzene	60 U	50 U	50 U	60 U	NP	1000	2000
Ethyl benzene	86	50 U	50 U	60 U	2900	13000	1500
Xylenes (Total)	440	150 U	220	180 U	4100	190000	5600
Styrene	60 U	50 U	50 U	60 U	NP	4000	2700
Bromoform	100 U	100 U	100 U	100 U	NP	800	2000
1,1,2,2-Tetrachloroethane	100 U	100 U	100 U	100 U	NP	3	660
Carbon disulfide	250 U	250 U	250 U	250 U	NP	32000	16000

130

Analyte detected at the level shown

5900

Analyte detected and above criteria

RCL = Wisconsin NR 720 Residual Contaminant Levels

SSL=Soil Screening Level

DWP = Michigan Drinking Water Protection Criteria

NP = Not Published