

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
William R. Selbig, Regional Director

Northeast Region Headquarters  
1125 N. Military Avenue  
P.O. Box 10448  
Green Bay, Wisconsin 54307-0448  
Telephone 920-492-5916  
FAX 920-492-5859

January 6, 1999

Mr. Charles Sambs  
102 U.S. Highway 45  
Tigerton, WI 54486

Subject: Case Closure with a Groundwater Use Restriction for the Sambs Forest Products site, 102 U.S. Highway 45, Tigerton, WI 54486  
**BRRTS # 03-59-001676**

Dear Mr. Sambs:

On December 9, 1998, the Northeast Region Closure Committee reviewed the above referenced case to determine if it qualified for close out under ch. NR 726, Wis. Adm. Code. Based on the investigative and remedial documentation provided to the Department, the case can be closed pending the filing of a groundwater use restriction with the deed for the property. The groundwater use restriction will state that petroleum related lead contaminated groundwater above the groundwater quality Enforcement Standards (ES) found in NR 140, Wis. Adm. Code, exists on the property.

If a groundwater use restriction which meets the requirements of NR 726.05(8)(am), Wis. Adm. Code, is recorded with the Shawano County Register of Deeds, the Department will consider the case as closed, having determined that no further action is necessary at this time.

To complete the deed notification, the Department requires a complete (unabbreviated) legal description, a site map and a legal deed for the property. The site map should be labeled as Attachment 1 and should depict the location(s) of impacted wells and extent of remaining groundwater contamination. After you submit these items to the Department, we will send you a draft copy of the deed restriction, containing language regarding the remaining petroleum contamination. After you have reviewed the draft deed restriction and identified any corrections that might be necessary, you will be sent a final for your signature. Once you have signed the final deed restriction, you must return a copy of the signed deed restriction and Attachment 1 with proof of filing for our files. At that time, we must also receive documentation of the proper abandonment of any and all monitoring



*Quality Natural Resources Management  
Through Excellent Customer Service*

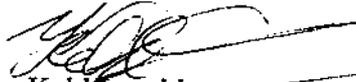


closed.

This groundwater use restriction is an option which the Department can offer in order to close this site. If you choose not to accept this option, you must conduct additional remedial actions for the remaining contamination. Within 14 days, please submit a letter to the Department documenting your intentions.

We appreciate the actions you and your consultant have undertaken to restore the environment at this site. If you have any questions, please call me in Green Bay at (920) 492-5921.

Sincerely,



Keld Lauridsen

Hydrogeologist

Remediation and Redevelopment Program

cc: Mark Peters, K. Singh & Associates, Inc.  
1135 Legion Drive, Elm Grove, WI 53122  
Rebecca S. Burkel, WDOT - District 3  
944 Vanderperren Way, Green Bay, WI 54304-0080

THIS INDENTURE, Made by Ralph Schroeder,

REGISTERS OFFICE }  
SHAWANO COUNTY, WIS. } 55

Received for Record this 8  
day of May A.D. 1977 at 9:15  
o'clock A.M. and Recorded in Vol. 523  
of Records, Page 747-8  
Th. H. Bernadt Register

grantor of Shawano County, Wisconsin, hereby conveys and warrants  
to Charles A. Sams and Annette D. Sams, his  
wife, as joint tenants,

grantee S  
of Shawano County, Wisconsin, for the sum of  
One Dollar (\$1.00) and other good and valuable  
consideration,

the following tract of land in Shawano County, State of Wisconsin;

RETURN TO  
CHARLES SAMBS  
TIGERTON, WISC.

SEE DESCRIPTION ON REVERSE SIDE OF THIS DEED

NOTE: This is not the homestead of the grantor herein.

NOTE: This deed is given upon the condition that the purchasers, their heirs and assigns, for a period of twenty (20) years from date hereof, use and sell on said premises herein described only such oil, gasoline and filling station products as are sold to them and furnished by the seller, it being understood and agreed between the parties that the seller has sold these premises for this consideration only to secure an outlet for his oil, gasoline, lubrication and filling station products; it is further agreed that this condition is a covenant running with the land and upon violation thereof the title to said real estate shall revert to the seller, his heirs and assigns.

NOTE: This deed is given subject to and upon further condition that in the event that the purchasers herein, or either of them, desire to sell the real estate herein described at any time during a period of twenty (20) years from date hereof, they/he/she shall give notice of such intent to the seller herein, his heirs or personal representative, and said seller shall thereupon have the exclusive right to repurchase said real estate during a period of ninety (90) days from receipt of said notice for the sum of Twelve Thousand, Five Hundred and no/100's (\$12,500.00) Dollars, plus interest at Nine (9%) percent per annum from date hereof to date of said repurchase, less whatever reasonable depreciation the buyers have taken or been allowed on their income tax returns; in the event said repurchase is not consummated by said seller, his heirs, etc., within said ninety (90) day period, said option shall expire, otherwise to be of full force and effect.

IN WITNESS WHEREOF, the said grantor he S hereunto set his hand and seal this 31st  
day of October, A. D., 19 77.

SIGNED AND SEALED IN PRESENCE OF

Ralph Schroeder (SEAL)  
Ralph Schroeder

C. J. Crooks  
C. J. Crooks

TRANSFER  
\$12.50  
FEE

STATE OF WISCONSIN,  
Shawano County, } ss.

Personally came before me, this 31st day of October, A. D., 1977.

the above named Ralph Schroeder

to me known to be the person who executed the foregoing instrument and acknowledged the same.



Ralph Schroeder  
Notary Public Shawano County, Wis.

This instrument drafted by

C. J. Crooks, Attorney, Wausau, WI

My Commission (Expires) (1a)

## LEGAL DESCRIPTION

Fee Title in and to the following tract of land in the Village of Tigerton, Shawano County, State of Wisconsin, described as:

All that land of the owner in the SE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  of Section 9, T26N, R12E, lying within the following described traverse:

Beginning at the South one-quarter corner of Section 9; Thence along the South line of Section 9, S 88°37'42"E for 368.83 feet; Thence N 01°22'18"E for 53.82 feet to the existing North line of CTH "M"; Thence along the proposed North right of way line of CTH "M", N 80°45'05"W for 325.53 feet to a Point PC446; Thence Westerly 137.67 feet along said North right of way line and a 206.69 foot radius curve, deflecting to the left, with a chord bearing S 84°09'06"W, and chord distance 135.14 feet to the existing Northeast line of USH 45 and a Point PT446; Thence S 43°38'08"W for 60.00 feet to the USH 45 reference line; Thence along said reference line, S 46°21'52"E for 55.08 feet; Thence S 88°37'42"E for 87.29 feet to the Point of Beginning.

Said new right of way contains 0.19 acre, more or less.

Also included herein is 0.25 acre, more or less, lying within the existing right of way.

Also acquired herein are all existing, future or potential common law or statutory easements or rights of vehicular access between the highway herein designated as USH 45 and all remaining abutting real property of the owner, whether acquired by separate conveyance or otherwise, in the SE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  of Section 9, T26N, R12E, Shawano County, State of Wisconsin, from a point 250 feet Northwest of said Point PT446, Southeasterly to CTH "M".

Also acquired herein are all existing, future or potential common law or statutory easements or rights of vehicular access between the highway herein designated as CTH "M" and all remaining abutting real property of the owner, whether acquired by separate conveyance or otherwise, in the SE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$ -SE  $\frac{1}{4}$  of Section 9, T26N, R12E, Shawano County, State of Wisconsin, From said Point PC446, Westerly to USH 45.

Tax no. 3409-340005 & 3409-340000

Document Number 508302  
WARRANTY DEED

Wisconsin Department of Transportation  
Exempt from fee: s. 77.26(2) Wis. Stats.  
RE3004 1096

THIS DEED, made by CHARLES A SAMBS AND ANNETTE D SAMBS, HIS WIFE, AS JOINT TENANTS

GRANTOR, conveys and warrants the property described below to the State of Wisconsin, Department of Transportation, GRANTEE, for the sum of Ten Thousand Eight Hundred Fifty and NO/100 Dollars (\$10,850.00)

Any person named in this deed may make an appeal from the amount of compensation within six months after the date of recording of this deed as set forth in s. 32.05(2a) Wisconsin Statutes. For the purpose of any such appeal, the amount of compensation stated on the deed shall be treated as the award, and the date the deed is recorded shall be treated as the date of taking and the date of evaluation.

Other persons having an interest of record in the property: ANTIGO CREDIT UNION; SHAWANO COUNTY (TAXES)

This is not homestead property:

REGISTERS OFFICE SS  
SHAWANO COUNTY, WI  
Received for Record this 21st  
day of July, A.D. 1998 at 10:30  
o'clock P. M. AND Recorded in Vol. 886  
of Records, Pages 490-491  
Marva Ruppel Register  
REGISTERS OFFICE

This space is reserved for recording data

Return to: Wisconsin Department of Transportation  
944 Vanderperren Way  
Green Bay, WI 54304-0080

12.00  
2272.

Parcel Identification Number/Tax Key Number  
(Tax key # 188-09340-0050, 186-09340-0010)

LEGAL DESCRIPTION IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Charles A Sambs  
(Signature)

CHARLES A SAMBS

(Print Name)

Annette D Sambs  
(Signature)

ANNETTE D SAMBS

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

6-19-98  
(Date)

State of Wisconsin )  
County of Shawano ) ss.

On the above date, this instrument was acknowledged before me by the named person(s).

Richard L Johnson  
(Signature, Notary Public, State of )

Richard L Johnson  
(Print or Type Name, Notary Public, State of )

Feb 7 1999  
(Date Commission Expires)



REAL ESTATE DESCRIPTION ON SALE OF PROPERTY FROM RALPH SCHROEDER TO CHARLES A. SAMBS AND ANNETTE D. SAMBS, HIS WIFE, AS JOINT TENANTS, SITUATED IN SHAWANO COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

A parcel of land beginning at the Southwest corner of the Southwest Quarter of the Southeast Quarter of Section 9, Township 26 North, Range 12 East, thence due East 96 feet, thence due North 221 feet, thence due West 96 feet, thence due South 221 feet to the place of beginning. All of the above description being in and a part of the Southwest Quarter of the Southeast Quarter of Section 9, Township 26 North, Range 12 East.

AND,

A parcel of land in the Southeast Quarter of the Southwest Quarter of Section 9, Township 26 North of Range 12 East; more closely described as follows: Measuring from the Southeast corner of above description being the center of Shawano County Trunk Highway M due North 21 feet; here shall be the point of beginning; thence 14 feet due West, thence 250 feet North  $45^{\circ}$  West, thence 199 feet North  $80^{\circ}$  East, thence 200 feet due South to the point of beginning. All being a part of the said Southeast Quarter of the Southwest Quarter, Section 9, Township 26 North, Range 12 East.

Except that part conveyed to Shawano County for highway purposes in a deed dated March 6, 1957 and recorded March 22, 1957 in Volume 337 of Deeds on pages 50-51 in the office of the Register of Deeds for Shawano County, Wisconsin. Said exemption being more specifically described as:

A triangular piece of land in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter in Section 9, Township 26 North, Range 12 East, in the Village of Tigerton, described as follows:

Commencing at the South one-quarter corner of said Section 9; thence S  $88^{\circ} 15' W$  88 feet to the centerline of STH 45; thence N  $47^{\circ} 45' W$  along the centerline of STH 45, 200 feet; thence southeasterly to a point 96 feet N  $88^{\circ} 15' E$  of the point of commencement; thence S  $88^{\circ} 15' W$  96 feet to the point of commencement.

Also that part of the said SW $\frac{1}{4}$ -SE $\frac{1}{4}$  that lies between the south line of the SW $\frac{1}{4}$ -SE $\frac{1}{4}$  and a line 40 feet north of and parallel with the new centerline of CTH "M" as laid out under Project S 0881 (4), Tigerton-Caroline Road, said centerline being described as follows: Commencing at the south one quarter corner of said Section 9; thence N  $88^{\circ} 15' E$  96 feet to the east line of said grantors property.

TOGETHER WITH all equipment and personal property in the building on the hereinbefore described property, except those belonging to Texaco Oil Company and excepting four (4) gas pumps.

524380

Document Number

GROUNDWATER USE RESTRICTION

VOL. 922 PAGE 909

LD-4

Declaration of Restrictions

In re: The following described parcels of land:

A parcel of land beginning at the Southwest corner of the Southwest Quarter of the Southeast Quarter of Section 9, Township 26 North, Range 12 East, thence due East 96 feet, thence due North 221 feet, thence due West 96 feet, thence due South 221 feet to the place of beginning. All of the above description being in and a part of the Southwest Quarter of the Southeast Quarter of Section 9, Township 26 North, Range 12 East.

AND,

A parcel of land in the Southeast Quarter of the Southwest Quarter of Section 9, Township 26 North of Range 12 East; more closely described as follows: Measuring from the Southeast corner of above description being the center of Shawano County Trunk Highway M due North 21 feet; here shall be the point of beginning; thence 14 feet due West, thence 250 feet North 45° West, thence 99 feet North 80° East, thence 200 feet due South to the point of beginning. It being a part of the said Southeast Quarter of the Southwest Quarter, Section 9, Township 26 North, Range 12 East.

Except that part conveyed to Shawano County for highway purposes in a deed dated March 6, 1957 and recorded March 2, 1957 in Volume 337 of Deeds on Pages 50-51 in the office of the Register of Deeds for Shawano County, Wisconsin. Said exemption being more specifically described as: A triangular piece of land in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter in Section 9, Township 26 North, Range 12 East, in the Village of Tigerton, described as follows: Commencing at the South one-quarter of said Section 9; thence S 88° 15' W 88 feet to the centerline of STH 45; thence N 47° 45' W along the centerline of STH 45, 200 feet; thence southeasterly to a point 96 feet N 88° 15' E of the point of commencement; thence S 88° 15' W 96 feet to the point of commencement. Also that part of the said SW 1/4-SE 1/4 that lies between the south line of the SW 1/4-SE 1/4 and a line 40 feet north of and parallel with the new centerline of CTH "M" as laid out under Project S 0881 (4), Tigerton-Caroline Road, said centerline being described as follows: Commencing at the south one quarter corner of said Section 9; thence N 88° 15' E 96 feet to the east line of said grantors property. As more particularly described in Document No. 353201, Vol. 523, Page 747, Shawano County Register of Deeds office;

So excepting from both of the above described parcels that part conveyed to the State of Wisconsin, Department of Transportation. The following tract of land in the Village of Tigerton, Shawano County, State of Wisconsin. Described as follows: All that land of the owner in the SE 1/4-SW 1/4 of Section 9, T26N, R12E, lying within the following described traverse: Beginning at the South one-quarter corner of Section 9; Thence along the South line of Section 9, S 88° 37' 42" E for 183 feet; Thence N 01° 22' 18" E for 53.82 feet to the existing North line of CTH "M"; Thence along the proposed 100 foot right of way line of CTH "M", N 80° 45' 05" W for 325.53 feet to a Point PC446; Thence Westerly 137.67 feet along the North right of way line and a 206.69 foot radius curve, deflecting to the left, with a chord bearing S 84° 09' 06" W, and a chord distance 135.14 feet to the existing Northeast line of USH 45 and a Point PT446; Thence S 43° 38' 08" W for 60.00 feet to the USH 45 reference line; Thence along said reference line, S 46° 21' 52" E for 55.08 feet; Thence S 88° 37' 42" E for 87.29 feet to the Point of Beginning. As more particularly described in Document No. 508302, Vol. 886, Page 490 of Shawano County Register of Deeds office. Said new right of way contains 0.19 acre, more or less. Also included therein is 0.25 acre, more or less, lying within the existing right of way.

REGISTERS OFFICE  
SHAWANO COUNTY, WI 6S  
Received for Record this 14th  
day of Sept. A.D. 1992 at 1:50  
o'clock P.M. AND Recorded in Vol. 922  
of Records, Pages 909-912  
Mona Peoples Register  
REGISTERS OFFICE

Recording Area

Name and Return Address  
Charles Sams \$16-50.00  
102 USH 45N PO BOX 172  
Tigerton, Wisconsin 54486

Parcel Identification Number (PIN)

A parcel of land in the Southeast Quarter of the Southwest Quarter of Section 9, Township 26 North, of Range 12 East, in the Village of Tigerton, Shawano County, Wisconsin, bounded and described as follows: Commencing at the South Quarter Corner of the said Section 9; thence N. 89°-36'-36" W. along the Section Line 3.91 feet to the Easterly line of State Trunk Highway "45"; thence N. 47°-37' W. along the said Easterly line 278.54 feet; thence N. 80°-40'-28" E. 33.00 feet to the place of beginning; thence continue on the same line 170.99 feet to the Quarter line: thence N. 02°-10'-06"W. along the said Quarter line 66.00 Feet; thence S. 80°-40'-28"W. 170.99 feet; thence S. 02°-10'-06" E. 66.00 feet to the place of beginning, Containing 0.26 acre., as more particularly described in Document No. 377705, Vol. 568, Page 811, Shawano County Register of Deeds office.

STATE OF WISCONSIN )  
 ) ss  
COUNTY OF SHAWANO )

WHEREAS, Charles A. Sams and Annette D. Sams, his wife, as joint tenants, are the owners of the above-described property.

WHEREAS, one or more petroleum and lead discharges have occurred at this property. Trimethylbenzene (1,2,4 and 1,3,5) contaminated groundwater above NR 140 enforcement standard exists on this property at the following location: Near former groundwater monitoring well MW-1 at a concentration of 1120 parts per billion (ppb), which is above the NR 140 Enforcement Standard of 480 ppb for Trimethylbenzene (1,2,4 and 1,3,5). Lead contaminated ground water above NR 140 enforcement standard also exists on this property near former groundwater monitoring well MW-1 at a concentration of 20 ppb, which is above the NR 140 Enforcement Standard of 15 ppb for lead. Location of the monitoring well MW-1 is provided on Figure 1 attached and 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 additional soil or groundwater remediation activities on the property at the present time.

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

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. 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 prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

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 and 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 the restrictions set forth in this covenant are no longer required. Upon 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, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 14 day of sept. 1999.

Signature: Annette Sambs

Printed Name: ANNETTE SAMBS

Signature: Charles A. Sambs

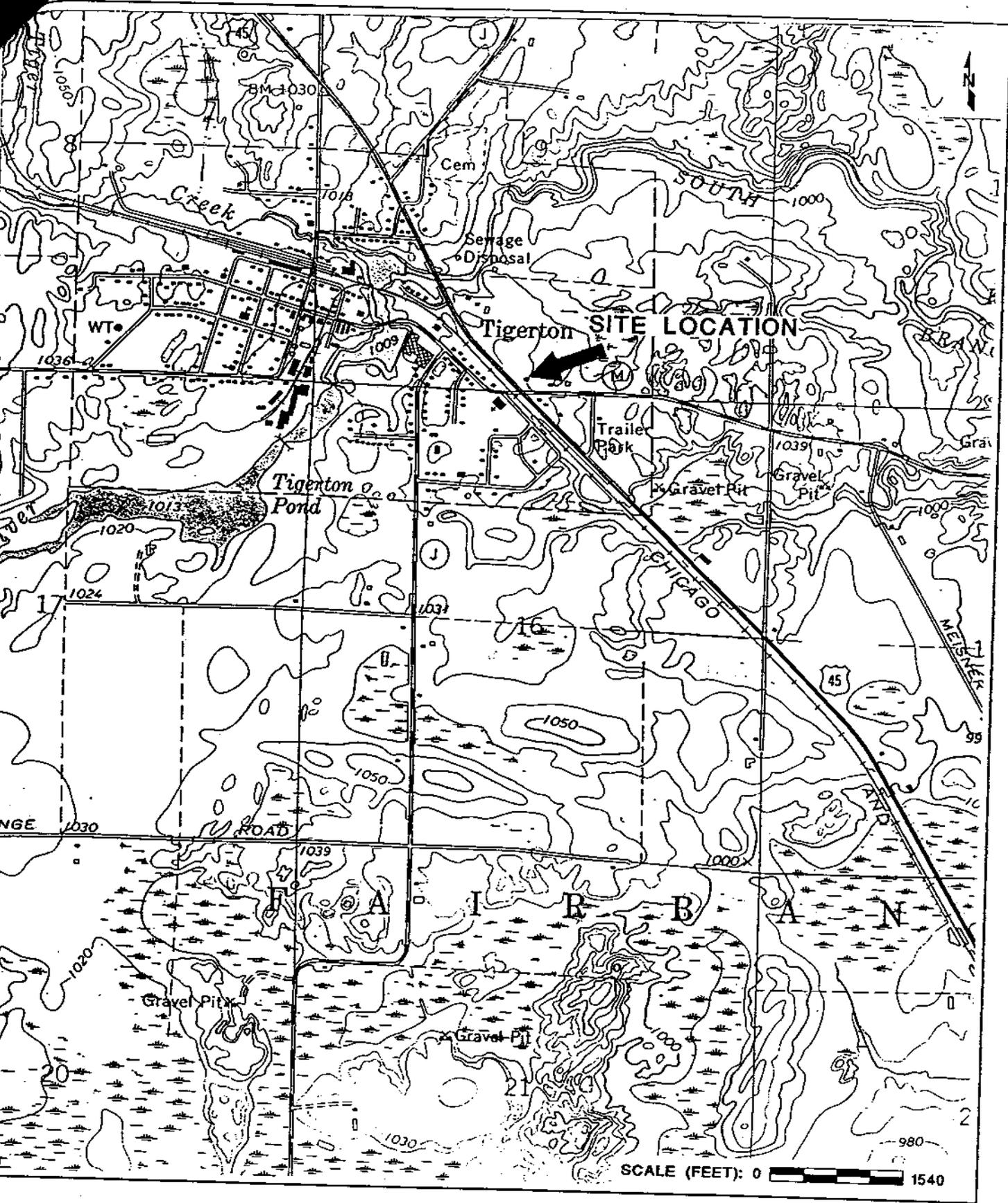
Printed Name: CHARLES SAMBS

Subscribed and sworn to before me is 14 day of September 1999.

Lynne M. Bartz  
Notary Public, State of Wisconsin  
My commission 6-16-2002

This document was drafted by the Wisconsin Department of Natural Resources.



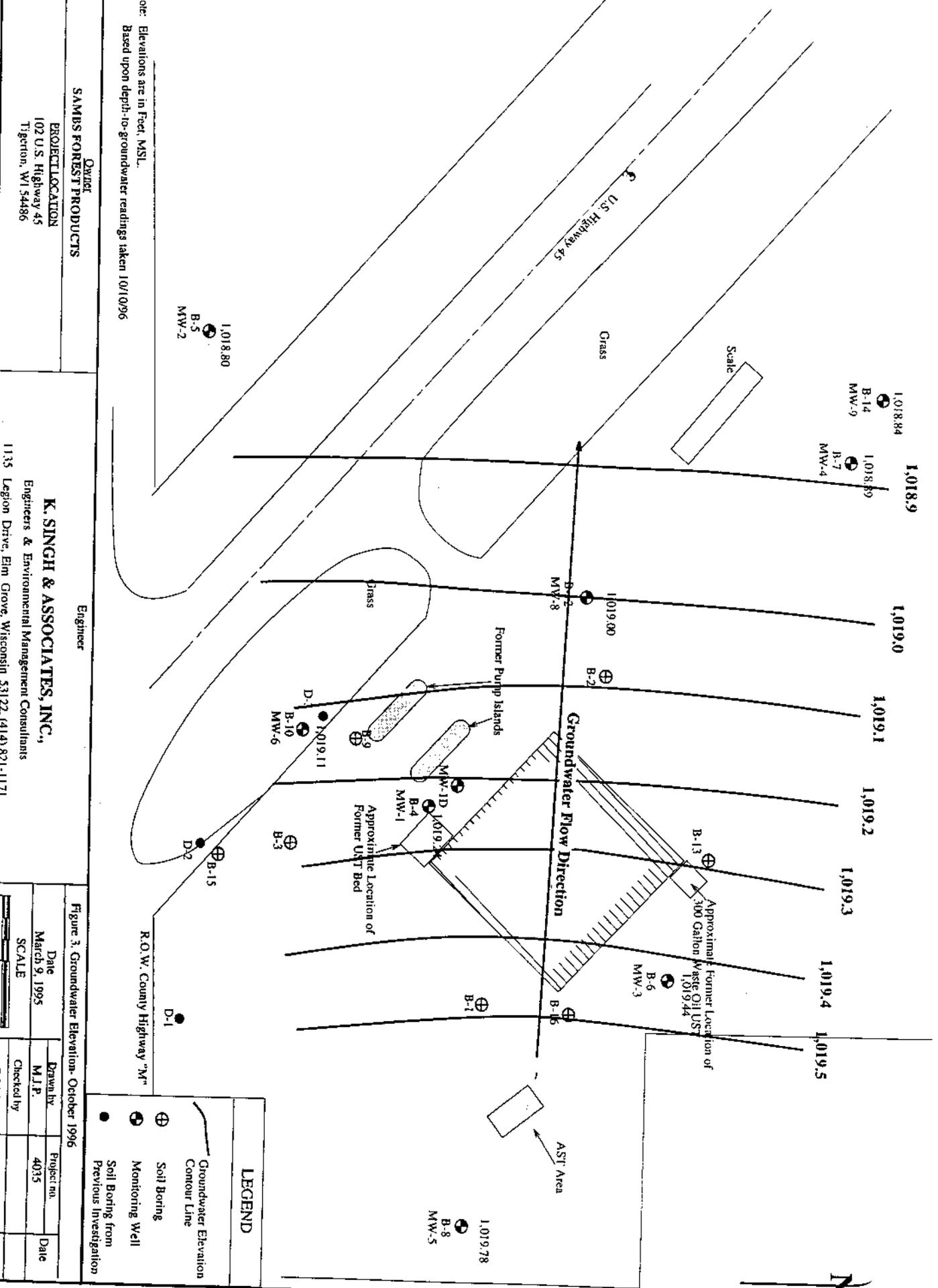


**FIGURE 2-1 SITE LOCATION MAP  
SAMB'S LOGGING (SITE #12)  
TIGERTON, WISCONSIN**



2-2 QUADRANGLE LOCATION

**A D V E N T**  
 ENVIRONMENTAL SERVICES, INC.  
 DATE: 7/1/93  
 DRAWING # 96921



Note: Elevations are in Feet, MSL.  
 Based upon depth-to-groundwater readings taken 10/10/96

Owner  
**SAMBS FOREST PRODUCTS**  
 PROJECT LOCATION  
 102 U.S. Highway 45  
 Tipton, WI 54486

Engineer  
**K. SINGH & ASSOCIATES, INC.,**  
 Engineers & Environmental Management Consultants  
 1135 Legion Drive, Elm Grove, Wisconsin 53122, (414) 821-1171

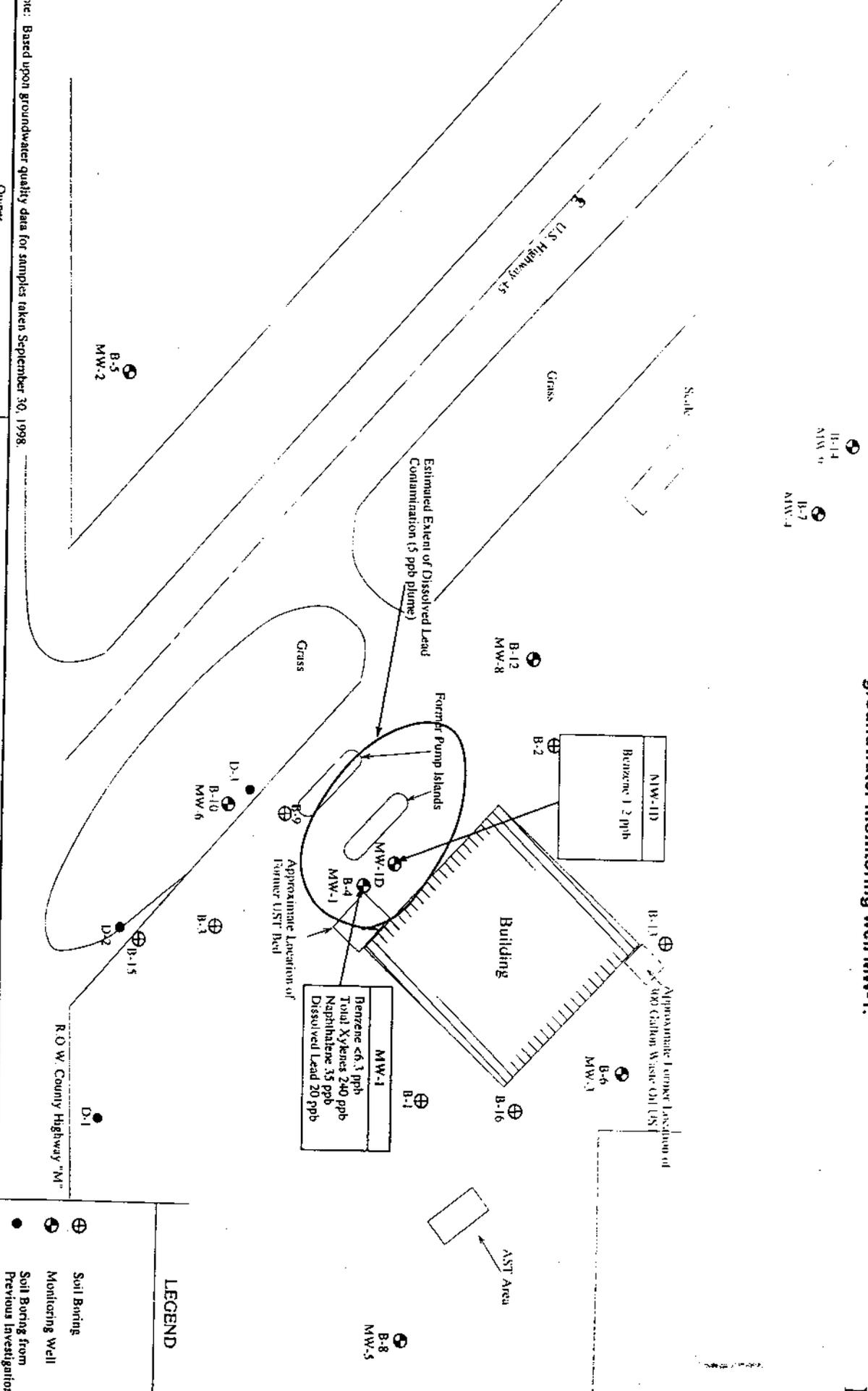
Figure 3. Groundwater Elevation- October 1996

Date	March 9, 1995	Drawn by	M.J.P.	Project no.	4035	Date	
SCALE		Checked by	B.M.S.				

**LEGEND**

	Groundwater Elevation Contour Line
	Soil Boring
	Monitoring Well
	Soil Boring from Previous Investigation

**Petroleum and lead impacted groundwater remains near the former locations of groundwater monitoring well MW-1.**



Based upon groundwater quality data for samples taken September 30, 1998.

**OWNER:**  
SAMB'S FOREST PRODUCTS

**PROJECT LOCATION:**  
102 U.S. Highway 45  
Tigerton, WI 54486

**Engineer:**

**K. SINGH & ASSOCIATES, INC.,**  
Engineers & Environmental Management Consultants  
1135 Legion Drive, Elm Grove, Wisconsin 53122, (414) 821-1171

**Figure 1: Site Layout and Extent of Groundwater Contamination**

<b>Date</b>	March 9, 1995	<b>Drawn by</b>	M.J.P.	<b>Project no.</b>	4035	<b>Date</b>
<b>SCALE</b>		<b>Checked by</b>	R.M.S.			

**Table 6**  
**Summary of Groundwater Quality Test Results**

Location	Date	Benzene	Ethylbenzene	Toluene	Total Xylenes	1,2,4-TMB	1,3,5-TMB	MTBE	Naphtalene	Cadmium	Dissolved Lead
		ppb	ppb	ppb	ppb	ppb	ppb	ppb	ppb	ppb	ppb
MW-1	7/5/94	21	120	6.3	820	760	270	<1	260	<0.5	46
MW-2	7/5/94	<1	<1	<1	<2	<1	<1	<1	1.8	NT	NT
MW-3	7/5/94	<1	<1	<1	<2	<1	<1	<1	<1	NT	NT
MW-4	7/5/94	4.7	<1	<1	<2	5.1	6.2	2.8	<1	NT	NT
MW-5	7/5/94	<1	<1	<1	<2	<1	<1	<1	<1	NT	NT
Field Blank	7/5/94	<1	<1	<1	<2	<1	<1	<1	<1	NT	NT
ES		5	<del>1360</del>	343	620	--	--	60	40	<del>10</del>	<del>50</del>
PAL		0.5	<del>272</del>	68.6	124	--	--	12	8	<del>&gt;1</del>	<del>5</del>

Note: TMB= Trimethyl Benzene  
 MTBE= Methyl tert-butyl ether  
 NT =Not Tested