

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Shawano Office
647 Lakeland Rd.
Shawano, Wisconsin 54166
Telephone 715-524-2183
FAX 715-524-3214

October 13, 1998

Mr. Doug Knope
Toni Company
634 East Division St.
Shawano, WI 54166

COPY

Subject: Well Use Deed Restriction for Contamination Case # 03-59-110147; Shawano Ford Tractor, 1455 East Green Bay St., Shawano, WI

Dear Mr. Knope:

I have enclosed the well use restriction that needs to be filed by you, at the Shawano County Register of Deeds. Please review this document for accuracy of ownership and property description. If the information is correct, please sign and record the document at the Register of Deed Office and return a copy to me indicating that it has been filed. You were informed of this requirement in my letter of September 2, 1998.

I have received the monitoring well abandonment forms as requested in my previous letter. The Department will formally close this case when documentation has been received that the well use restriction has been filed.

Please contact me at 715-526-4230 if you have any questions regarding this letter.

Sincerely,

Tom Sturm

Tom Sturm
Hydrogeologist
Remediation and Redevelopment Program

cc: Mark Foht - Northern Environmental, 954 Circle Dr., Green Bay, WI 54304



Quality Natural Resources Management
Through Excellent Customer Service



Douglas K. Knope and Antoinette Knope

conveys and warrants to Toni Company, a Limited Partnership

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

FEE
15m
EXEMPT

REGISTERS OFFICE
SHAWANO COUNTY, WI SS
Received for Record this 4th
day of Apr, A.D. 1997 at 2:25
o'clock P.M. AND Recorded in Vol. 850
of Records, Pages 418
Maura Ruppel Register
REGISTERS OFFICE

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

281-28330-0060

PARCEL IDENTIFICATION NUMBER

Commencing at the Southeast corner of the SW 1/4 of the SW 1/4 of Section No. 28 in Township No. 27 North, of Range No. 16 East, Shawano County, Wisconsin; thence North to North line of Highway as it existed on January 1, 1953; thence West along North boundary of Highway to a point 450 feet due West of the East line of aforesaid quarter-quarter, and there shall be place of beginning; thence North, parallel with said East line 340.65 feet to South line of the right of way of the Chicago and North Western Railway Company; thence Northwesterly along South line of said right of way, 286.91 feet, more or less, to a point 583 feet due East of the West line of aforesaid quarter-quarter; thence South, parallel with said West line, to the North line of said highway; and thence East along North line of Highway 286.8 feet, more or less, to place of beginning. Excepting that part thereof sold for Highway purposes and subject to agreement for driveway access recorded in Volume 407 of Records on pages 153-4.

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

Exception to warranties: Subject to easements and restrictions of record.

Dated this 25th day of March, A.D., 1997.

(SEAL) Douglas K. Knope (SEAL)
• Douglas K. Knope

(SEAL) Antoinette Knope (SEAL)
• Antoinette Knope

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____, 19____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Arnold R. Greenhill

BARTHOLOMEW & GREENHILL

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

State of Wisconsin,

Shawano County, } ss.

Personally came before me this 25th day of March, 1997, (the above named

Douglas K. Knope,

Antoinette Knope

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

Allen C. Schlorf

Notary Public, Shawano County, Wis.

My commission is permanent. (If not, state expiration date: 6/6/99 19____)

Y TITLE AND ABSTRACT, INC. ST-1-1026
-copy made by - \$10

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

Document Number

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: Commencing at the Southeast corner of the SW 1/4, of the SW 1/4 of Section No. 28 in Township No. 27 North, of Range No. 16 East, Shawano County, Wisconsin; thence North to North Line of Highway as it existed on January 1, 1953; thence West along North Boundary of Highway to a point 450 feet due West of the East line of aforesaid quarter-quarter, and there shall be a place of beginning; thence North parallel with said East line 340.65 feet to South line of the right of way of the Chicago and Northwestern Railway Company; thence Northwesterly along South line of said right of way, 286.91 feet, more or less, to a point 583 feet due East of the West line of aforesaid quarter-quarter; thence South, parallel with said West line, to the North line of said highway; and thence East along North line of Highway 286.8 feet more or less, to place of beginning. Excepting that part thereof sold for Highway purposes and subject to agreement for driveway access recorded in Volume 407 of Records on pages 153-4.

REGISTERS OFFICE SS
SHAWANO COUNTY, WI
Received for Record this 28th
day of Oct A.D. 1978 at 10:30
o'clock A. M. AND Recorded in Vol. 894
of Records. Pages 848-850
Maura Beugler Register
REGISTERS OFFICE

Recording Area

Name and Return Address
Douglas Knipe
Toni Company
220 N. Main Street
Shawano, WI 54981
\$14.00 10:30 AM.

STATE OF WISCONSIN)
) ss
COUNTY OF SHAWANO)

Parcel Identification Number (PIN)

- WHEREAS, Toni Company, a Limited Partnership, is the owner of the above-described property.
- WHEREAS, one or more petroleum discharges have occurred at this property. Benzene and Xylene contaminated groundwater above NR 140 enforcement standards exists on this property at the following location(s): MW400, Benzene at 13 ug/L (micrograms per liter) and Xylene at 1190 ug/L. Location of monitoring wells are 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.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 23 day of October, 1998.

By signing this document, Douglas Knope acknowledges that [he/she] is duly authorized to sign this document on behalf of Toni Company.

Signature: Douglas Knope

Printed Name: Douglas Knope

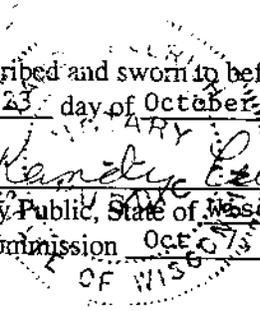
Title: President

Subscribed and sworn to before me this 23 day of October, 1998

Kandy Beluch

Notary Public, State of Wisconsin

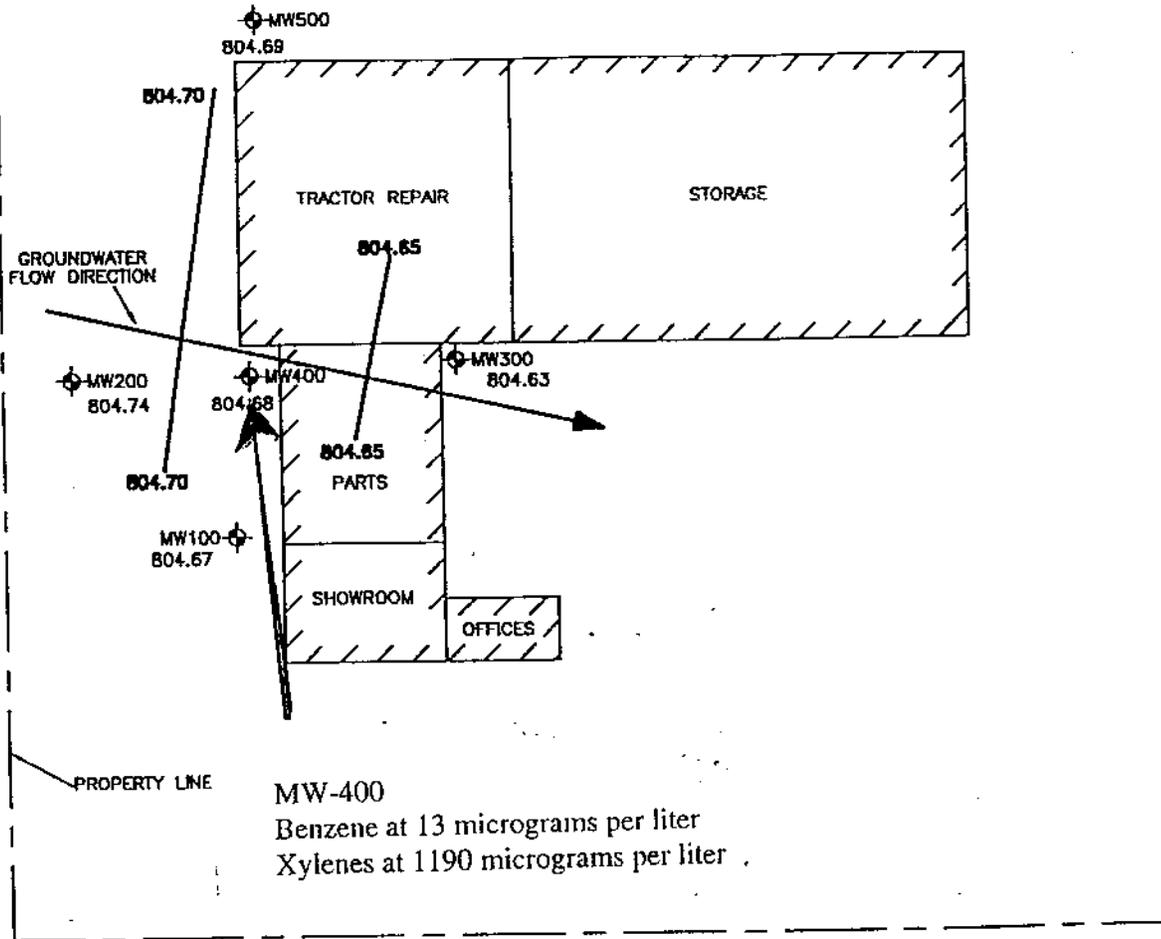
My commission Oct 07 2001



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

[FILENAME : O:\mgwrestr.dot]

FIGURE 1

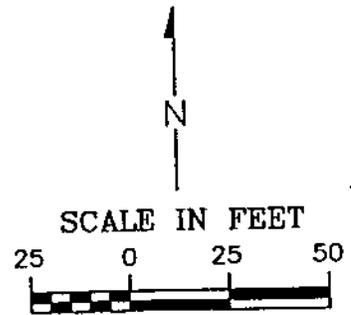


MW-400
Benzene at 13 micrograms per liter
Xylenes at 1190 micrograms per liter

EAST GREEN BAY ROAD

LEGEND

-  MW100
804.67
MONITORING WELL LOCATION WITH GROUND WATER ELEVATION ON 11/17/97
-  804.65
GROUND WATER CONTOUR LINE
CONTOUR LINE INTERVAL = 0.05 FT



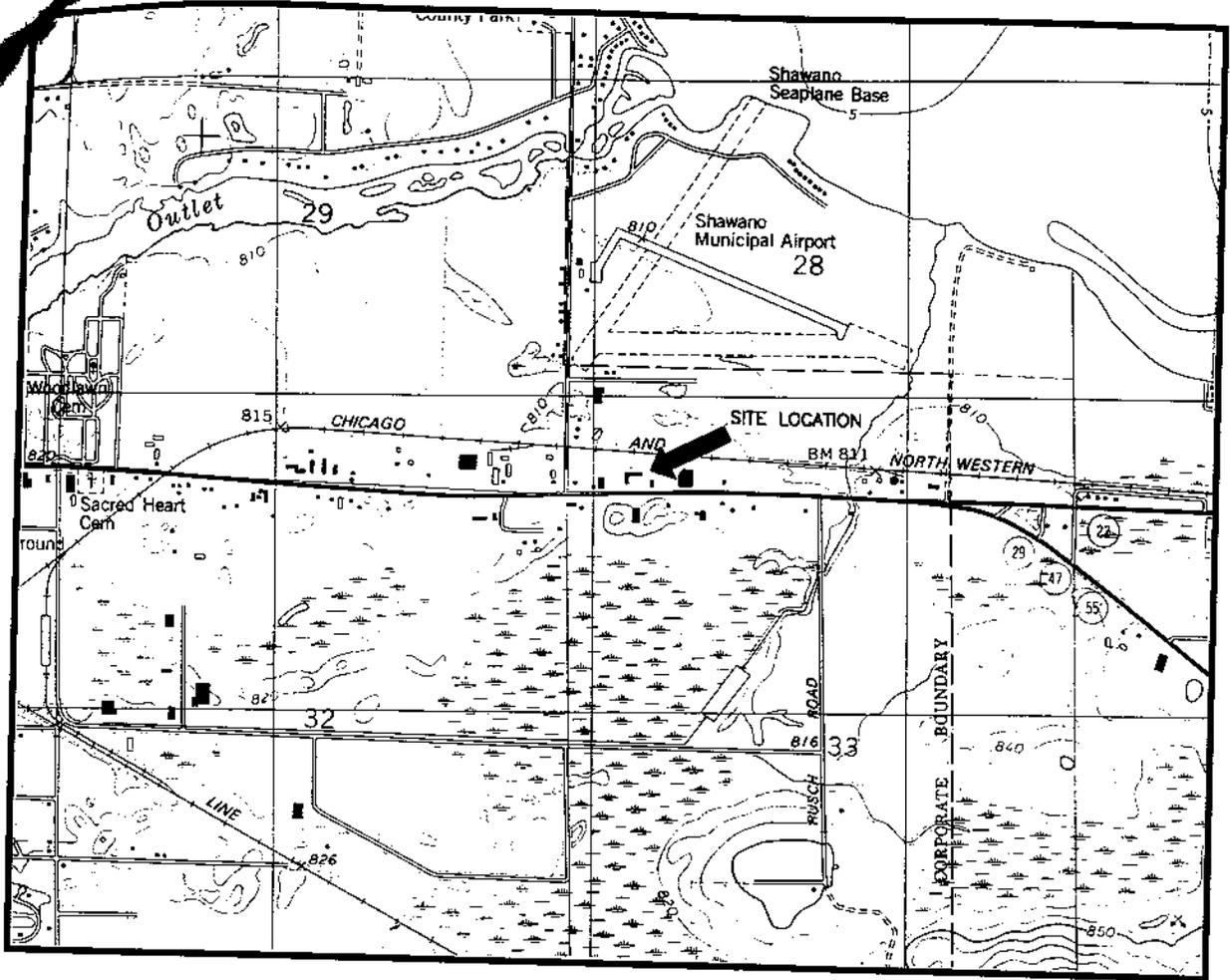
DRAWN BY: LFC | PROJECT: APC330536 | DATE: 1/16/98

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

GROUND WATER ELEVATION MAP (11/17/97)
SHAWANO FORD TRACTOR
SHAWANO, WISCONSIN

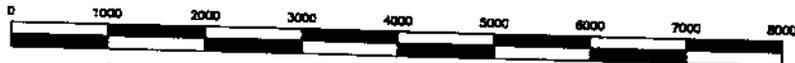
Northern EnvironmentalSM
Hydrologists • Engineers • Geologists

FOR: SHAWANO FORD TRACTOR



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



BASE MAP SOURCE: USGS SHAWANO, WISCONSIN 7.5 MINUTE QUADRANGLE (REVISED 1982)

DRAWN BY: LFC PROJECT: APC330536 DATE: 1/26/98

QUADRANGLE LOCATION

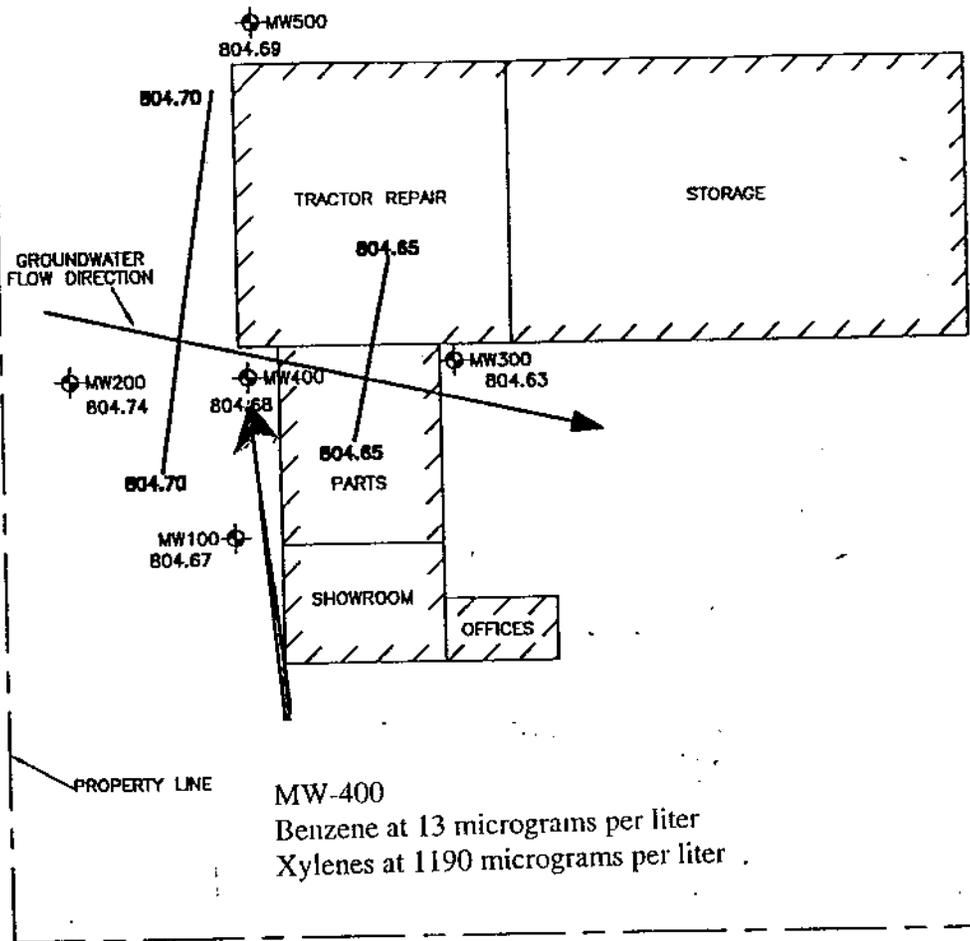
REV. DATE THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF NORTHERN ENVIRONMENTAL INCORPORATED AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

FIGURE 1
SITE LOCATION AND LOCAL TOPOGRAPHY
SHAWANO FORD TRACTOR
SHAWANO, WISCONSIN

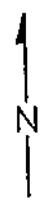
Northern EnvironmentalSM
Hydrologists • Engineers • Geologists

FOR: SHAWANO FORD TRACTOR

FIGURE 1

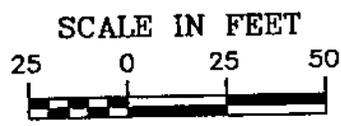


EAST GREEN BAY ROAD



LEGEND

-  MW100
804.67 MONITORING WELL LOCATION WITH GROUND WATER ELEVATION ON 11/17/97
-  804.65 GROUND WATER CONTOUR LINE
CONTOUR LINE INTERVAL = 0.05 FT



DRAWN BY: LFC PROJECT: APC330536 DATE: 1/16/98

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GROUND WATER ELEVATION MAP (11/17/97)
SHAWANO FORD TRACTOR
SHAWANO, WISCONSIN

Northern Environmental
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FOR: SHAWANO FORD TRACTOR

Table 4 Ground-Water Analytical Results, Shawano Ford Tractor, Shawano, WI

GW MONITORING RESULTS

Well ID	Date	Concentrations of Analytes Detected (µg/l)	Sampled	GRO	Lead	Benzene	n-Butylbenzene	sec-Butylbenzene	Ethylbenzene	Isopropylbenzene	p-Isopropyltoluene	Methylene Chloride	Naphthalene	n-Propylbenzene	Toluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	Xylenes
MW100		WDNR Preventive Action Limit (PAL) (µg/l)	NE	15	0.5	0.5	NE	NE	140	NE	NE	0.5	8	NE	88.6	NE	NE	124
		WDNR Enforcement Standard (ES) (µg/l)	NE	15	5	5	NE	NE	700	NE	NE	5	40	NE	343	NE	NE	620
MW200	10/24/96	< 100	< 0.28	0.51	< 0.49	< 0.32	< 0.36	< 0.46	< 4	< 0.41	< 0.89	< 1.5	< 0.86	< 1.8	< 0.57	< 0.57	< 1.23	< 1.23
	11/17/97	---	< 0.21	---	< 0.68	---	---	---	---	---	---	< 1	< 1.5	< 1	< 0.86	< 1.8	< 1.8	< 1.8
	02/17/98	---	< 0.21	< 0.38	< 0.6	< 0.38	< 0.37	< 0.29	< 1	< 0.4	< 1.5	< 1	< 0.86	< 1.78	< 0.57	< 0.57	< 1.23	< 1.23
	10/24/96	< 100	< 0.28	< 0.46	< 0.49	< 0.32	< 0.46	< 4	< 0.41	< 0.89	< 1.5	< 1	< 0.86	< 1.8	< 0.57	< 0.57	< 1.23	< 1.23
MW300	11/17/97	---	< 0.21	---	< 0.68	---	---	---	---	---	---	---	---	---	< 1.5	< 1	< 0.86	< 1.8
	02/17/98	---	< 0.21	< 0.45	< 0.49	< 0.32	< 0.46	20	< 0.41	< 0.89	< 0.57	< 0.57	< 1.23	< 0.57	< 0.57	< 1.23	< 1.23	< 1.23
MW400	10/24/96	< 100	< 0.21	< 0.38	< 0.6	< 0.38	< 0.37	< 0.29	< 1	< 0.4	< 1.5	< 1	< 0.86	< 1.78	< 0.57	< 0.57	< 1.23	< 1.23
	11/17/97	---	< 0.21	< 0.38	< 0.6	< 0.38	< 0.37	< 0.29	< 1	< 0.4	< 1.5	< 1	< 0.86	< 1.78	< 0.57	< 0.57	< 1.23	< 1.23
	02/17/98	---	< 0.21	< 0.38	< 0.6	< 0.38	< 0.37	< 0.29	< 1	< 0.4	< 1.5	< 1	< 0.86	< 1.78	< 0.57	< 0.57	< 1.23	< 1.23
	10/24/96	37000	40	120	390	42	1800	16	< 60	370	4000	2400	870	9200	2400	870	9200	9200
MW500	11/17/97	---	4	17	---	94	---	---	---	---	---	---	4.6	---	100	200	87	177
	02/17/98	---	6	13	150	15	49	< 3.7	< 2.9	14	140	380	220	1190	380	220	1190	1190
	10/24/96	< 100	< 0.28	< 0.45	< 0.49	< 0.32	< 0.46	< 4	< 0.41	< 0.89	< 1.5	< 1	< 0.86	< 1.8	< 0.57	< 0.57	< 1.23	< 1.23
	11/17/97	---	< 0.21	---	< 0.68	---	---	---	---	---	---	---	---	---	< 1.5	< 1	< 0.86	< 1.8
MW500	02/17/98	---	< 0.21	< 0.38	< 0.6	< 0.38	< 0.37	< 0.29	< 1	< 0.4	< 1.5	< 1	< 0.86	< 1.78	< 0.57	< 0.57	< 1.23	< 1.23
	10/24/96	---	< 0.21	< 0.38	< 0.6	< 0.38	< 0.37	< 0.29	< 1	< 0.4	< 1.5	< 1	< 0.86	< 1.78	< 0.57	< 0.57	< 1.23	< 1.23

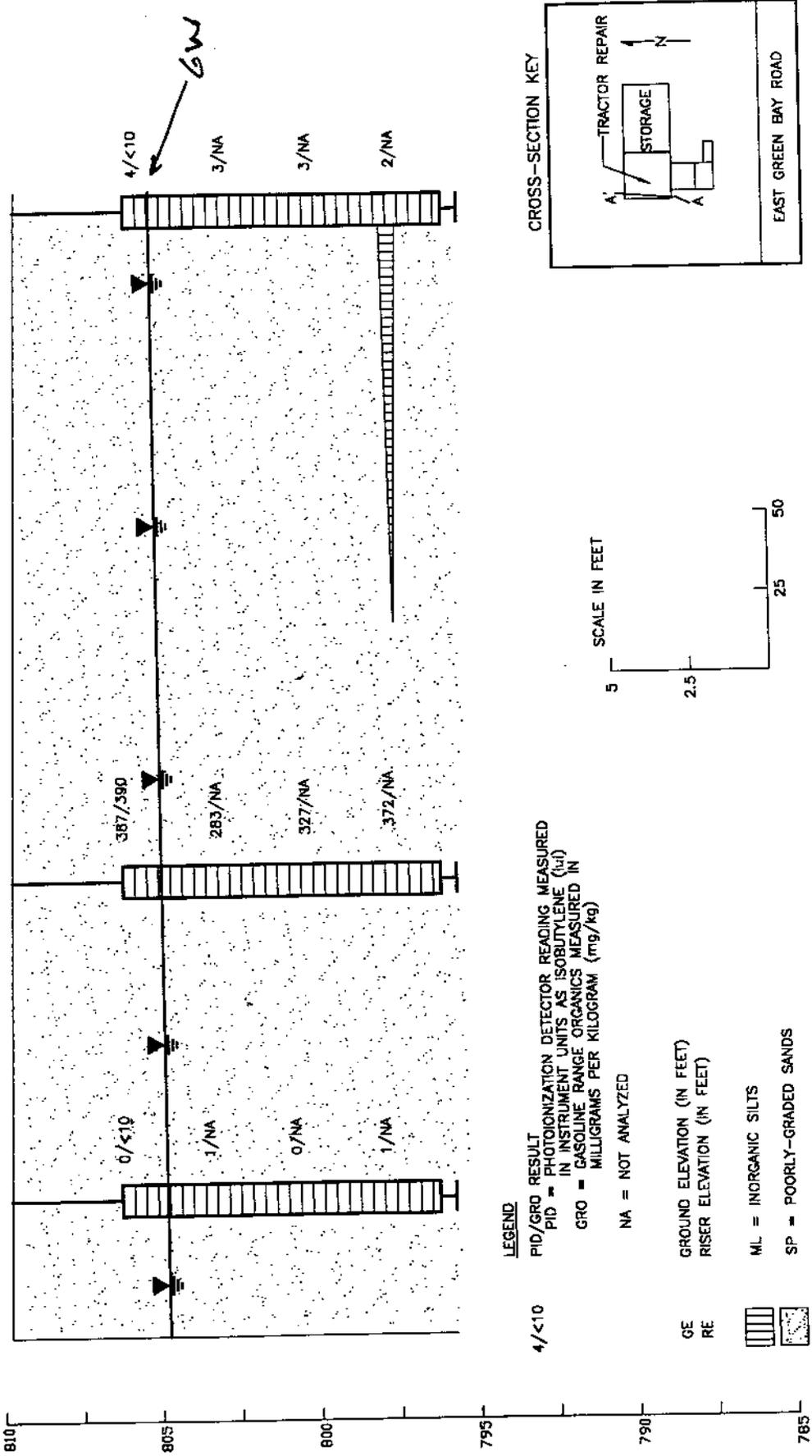
Key:
 GRO = Gasoline Range Organics
 ES = enforcement standards
 PAL = preventive action limits
 µg/l = micrograms per liter
 NE = Not established by Wisconsin Department of Natural Resources (WDNR)
 --- = Not analyzed
 J = Analyte detected between limit of detection and limit of quantitation
 J = WDNR Preventive Action Limit Exceeded
 J = WDNR Enforcement Standard Exceeded

MW 1 } clean
 MW 2 }
 MW 3 }
 MW 5 }
 MW 4: ES EXCEEDENCES
 BENZENE 13ppb
 XYLENE 1190ppb
 PAL EXCEEDENCES
 LEAD 61ppb
 PAL 124
 ES 5
 15
 1.5

B100/MW100
 GE: 808.74
 RE: 809.34
 WE: 804.67

B400/MW400
 GE: 808.45
 RE: 808.98
 WE: 804.68

B500/MW500
 GE: 808.58
 RE: 808.09
 WE: 804.69



LEGEND
 4/<10 PID/GRO RESULT
 PID - PHOTOIONIZATION DETECTOR READING MEASURED
 IN INSTRUMENT UNITS AS ISOBUTYLENE (IUI)
 GRO - GASOLINE RANGE ORGANICS MEASURED IN
 MILLIGRAMS PER KILOGRAM (mg/kg)
 NA = NOT ANALYZED

GE GROUND ELEVATION (IN FEET)
 RE RISER ELEVATION (IN FEET)
 ML = INORGANIC SILTS
 SP = POORLY-GRADED SANDS

WATER TABLE LEVEL AS OF 11/17/97

DRAWN BY: TGH PROJECT: APC330536 DATE: 1/12/97
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 PROPERTY OF NORTHERN ENVIRONMENTAL, INCORPORATED AND SHALL
 NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH
 IT IS EXPRESSLY FURNISHED.

NOTE:
 ° ELEVATIONS REFERENCED TO SITE DATUM
 ° COLUMN WIDTHS ARE NOT TO SCALE

FIGURE 5
 GEOLOGIC CROSS SECTION
 SHAWANO FORD TRACTOR
 SHAWANO, WISCONSIN

FOR: SHAWANO FORD TRACTOR

Northern Environmental
 Hydrologists • Engineers • Geologists

