

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Oshkosh Service Center  
625 East County Road Y, STE 700  
Oshkosh, Wisconsin 54901-9731  
TELEPHONE 920-424-3050  
FAX 920-424-4404

July 29, 1999

William Lewis  
PO Box 22190  
Green Bay, WI 54305

SUBJECT: Groundwater Use Restriction for Gardner Bakery, 1007 Winneconne Ave.,  
Neenah, WI  
WDNR LUST CASE #: 03-71-000493

Dear Mr. Lewis:

Enclosed please find the completed groundwater use restriction for the Gardner Bakery site located at 1007 Winneconne Avenue in Neenah, Wisconsin. This final draft has been reviewed and approved by the Department of Natural Resources' Bureau of Legal Services.

Several steps are necessary to obtain final closure for this site:

1. Sign the final groundwater use restriction in the presence of a notary public and have it notarized.
2. The document must then be filed with the Winnebago County Register of Deeds Office in Oshkosh, Wisconsin. There will be a fee to file the groundwater use restriction. The groundwater use restriction will be recorded within one or two days from submitting it to the Register of Deeds Office, dependent upon their work load.
3. The Register of Deeds Office will return the original groundwater use restriction to you once the restriction is filed. This may take two to six weeks, dependent upon the office's workload.
4. Send a copy of the stamped groundwater use restriction to the Department to confirm that the restriction has been filed.

In a letter from Thomas Leonard of Summit EnviroSolutions, Mr. Leonard stated that monitoring well two (MW-2) was covered with asphalt pavement and could not be located or properly abandoned. Please write Rick Stoll at the Department at 1789 Shawano Avenue, Green Bay, WI 54303 to request a monitoring well abandonment exemption for MW-2. Mr. Stoll's phone number is (920) 492-5896. All other abandonment forms have been received. **Once the Department receives confirmation that the restriction has been filed along with the monitoring well abandonment exemption approval, the Department will track this site as closed.**

No further remedial action is necessary at the site at this time. However, the case may be reopened pursuant to s. NR 726.09, Wis. Admin. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare or the environment.



July 29, 1999

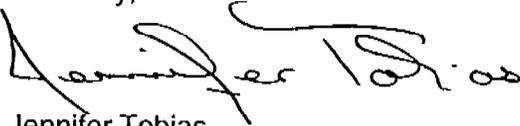
Gardner Bakery

2

Docu...

The Department appreciates your cooperation in restoring the environment and working to finalize the necessary paperwork. If you have any questions regarding this letter, please feel free to call me at the number below.

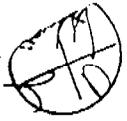
Sincerely,



Jennifer Tobias  
Hydrogeologist  
Bureau for Remediation & Redevelopment  
(920) 424-7887

Enclosures: Gardner Bakery Groundwater Use Restriction, Attachment A

cc: Metz Bakery, Richard Bonahoom, PO Box 448, Sioux City, IA 51102  
Thomas Leonard, Summit Environmental, 2323 Bluemound Road, Unit H,  
Waukesha, WI 53186



STATE BAR OF WISCONSIN FORM 1 - 1982  
WARRANTY DEED

DOCUMENT NO.

✓ 1049259  
REGISTER'S OFFICE  
WINNEBAGO COUNTY, WI  
RECORDED ON

03-05-1999 10:40 AM

SUSAN WINNINGHOFF  
REGISTER OF DEEDS

RECORDING FEE 12.00  
TRANSFER FEE 555.00  
# OF PAGES 2

This Deed, made between Metz Baking Company, an  
Iowa Corporation

and William G. Lewis, Grantor,

Witnesseth, That the said Grantor, for a valuable consideration

conveys to Grantee the following described real estate in Winnebago  
County, State of Wisconsin:

See reverse side for legal description.

THIS SPACE RESERVED FOR RECORDING DATA  
NAME AND RETURN ADDRESS

GRANTEE  
P.O. BOX 22190  
GREEN BAY, WI 54305

804-0580-00-2

PARCEL IDENTIFICATION NUMBER

0463326

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

Together with all and singular the hereditaments and appurtenances thereunto belonging;  
And Metz Baking Company

warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except and subject to easements,  
restrictions and covenants of record

and will warrant and defend the same.

Dated this 26<sup>th</sup> day of February, 1999

METZ BAKING COMPANY

(SEAL) By: Alexander D. Raine (SEAL)

\* VICE PRESIDENT - REAL ESTATE

(SEAL) Attest: Alexander D. Raine (SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s)

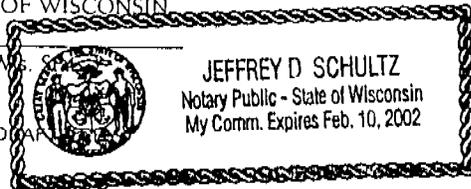
State of Wisconsin,

authenticated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Outagamie County, ss.  
Personally came before me this 26<sup>th</sup> day of  
February, 1999, the above named

TITLE: MEMBER STATE BAR OF WISCONSIN

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



THIS INSTRUMENT WAS DRAWN BY

Attorney Steven P.

me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Jeffrey D. Schultz

Notary Public, \_\_\_\_\_ County, Wis.  
My commission is permanent. (If not, state expiration date: \_\_\_\_\_, 19\_\_\_\_.)

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

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

Parcel I: That portion of the Southwest 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 20 North, Range 17 East, in the Fourth Ward, City of Neenah, Winnebago County, Wisconsin, described as follows: Commencing at the intersection of the centerline of South Lake Street (formerly State Trunk Highway No. 125) with the centerline of Western Avenue; thence Southwesterly along the centerline of said South Lake Street 826 feet; thence south 30°40' East 33.83 feet to the Southeasterly line of said South Lake Street; thence Southwesterly along the southeasterly line of South Lake Street 248 feet; thence South 43°21' East 79.1 feet to the point of beginning; thence North 43°21' West 79.1 feet; thence North 46°39' East 100 feet along the southeasterly line of South Lake Street; thence South 43°21' East 117.7 feet; thence South 1°10' East approximately 163 feet to the North line of Winneconne Avenue; thence Westerly along said North line approximately 100 feet to a point that is 118.5 feet South 1° 10' East of the point of beginning; thence North 1° 10' West 118.5 feet to the point of beginning, excepting lands conveyed to the State of Wisconsin, Department of Transportation by Deed recorded as Document No. 914716.

Parcel II: Easement by and between Murphy Oil Corporation and Gardner Baking Company, dated September 9, 1975, and recorded on July 9, 1975, as Document No. 468557 for ingress and egress purposes.





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 2<sup>ND</sup> day of AUG, 1999.

Signature: [Handwritten Signature]

Printed Name: William G. Lewis

Subscribed and sworn to before me  
this 2<sup>ND</sup> day of August, 1999  
[Handwritten Signature]  
Notary Public, State of Wisc  
My Commission Expires August 29, 1999

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



Map reproduced from ESRI StreetMap data.

**LEGEND**

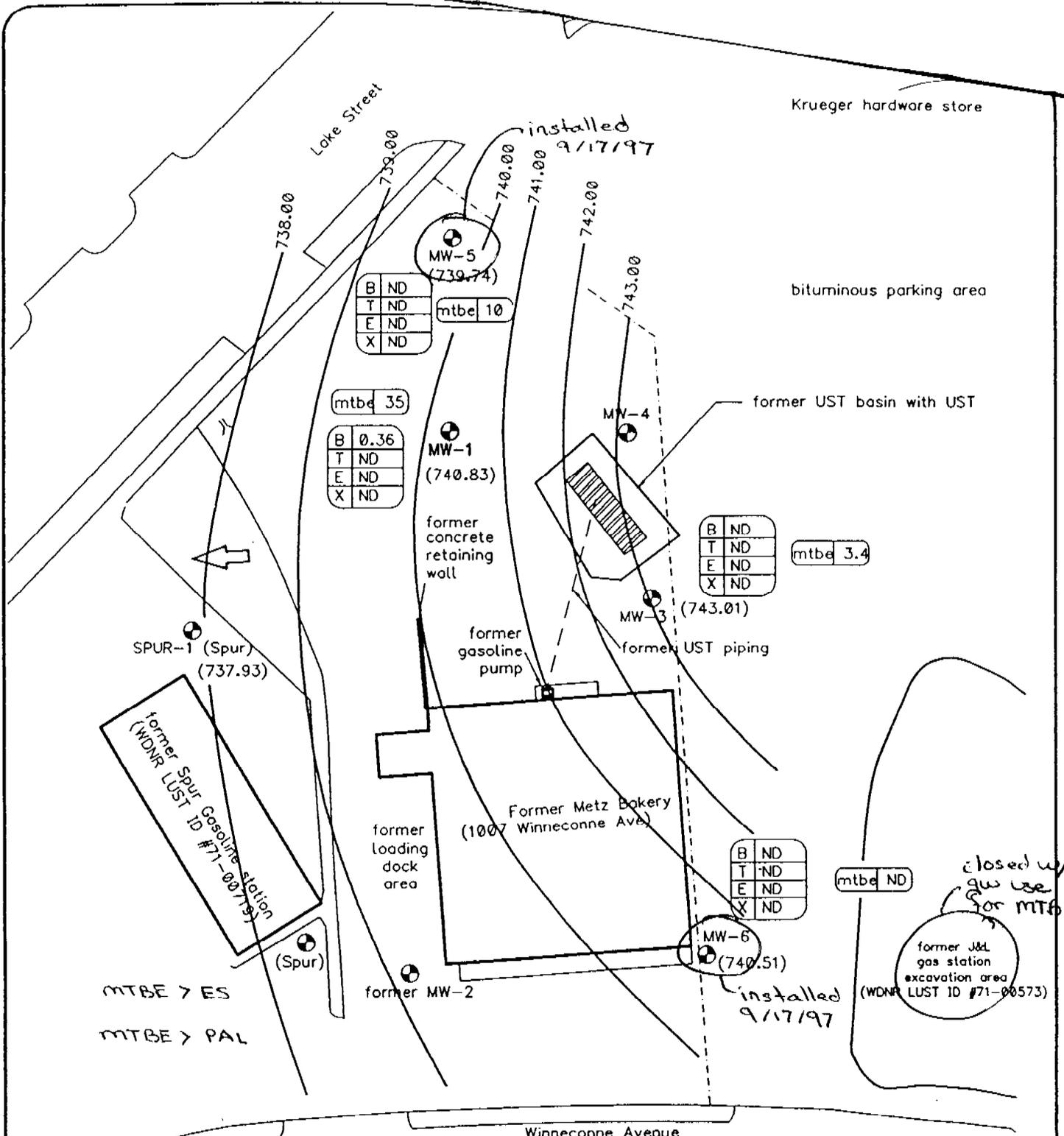



**SITE LOCATION MAP**  
 Metz Baking Company  
 1007 Winneconne Avenue  
 Neenah, Wisconsin



**Figure 1**

File: 0145-016.apr  
 Summit Proj. No.: 0145-016  
 Plot Date: 01-12-98  
 Arc Operator: PAC  
 Reviewed by: BHB



**LEGEND**

(740.65) monitoring well with groundwater elevation

building

property line

curb

groundwater contour

B	benzene
T	toluene
E	ethylbenzene
X	total xylenes

(in ppm) mtbe

SCALE 0' 40'

N

**GROUNDWATER ELEVATION AND CONTAMINANT CONCENTRATION MAP, 11/98**  
**METZ BAKING COMPANY**  
**1007 WINNECONNE AVENUE**  
**NEENAH, WISCONSIN**

**Summit EnviroSolutions**

**FIGURE 2**

AutoCAD File: GW1198  
 Summit Proj. No: 0145-037  
 Plot Date: 01-12-1999  
 CAD Operator: PAC  
 Reviewed by: TAL

TABLE 1  
GROUNDWATER ANALYTICAL RESULTS  
Metz Baking Company  
Neenah, Wisconsin  
Summit Project No. 0145-037

Well Location	Date	Benzene	Toluene	Ethyl-Benzene	Total Xylenes	MTBE	1,2,4-TMB	1,3,5-TMB	TPH as Gas	GRO	Lead
MW-1	10/30/91*	NA	1	4.4	13.5**	<1	2.2	1.5	<20	NA	<2
	3/7/95	<0.51	<0.21	<0.23	<0.88	28	<0.40	<0.73	NA	NA	<2
	3/25/95	<0.51	<0.21	<0.23	<0.88	42	<0.40	<0.73	NA	<100	NA
	6/14/95	<0.5	<0.5	<0.6	<0.6	29.1	<0.6	<0.6	NA	<100	NA
	9/14/95	<0.5	<0.5	<0.6	<0.6	38.7	<0.6	<0.6	NA	<100	NA
	12/19/95	<0.5	<0.5	<0.6	<0.6	21.6	<0.6	<0.6	NA	<100	NA
	3/21/96	<0.6	<1.0	<1.0	<1.0	6.1	<1.0	<1.0	NA	<50	NA
	6/5/96	<0.6	<1.0	<1.0	<1.0	33	<1.0	<1.0	NA	<50	NA
	9/19/96	<0.6	<1.0	<1.0	<1.0	33	<1.0	<1.0	NA	<50	NA
	12/17/96	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
	6/6/97	<0.41	<0.28	<0.23	<0.51	27	<0.30	<0.25	NA	NA	NA
5/8/98	0.34	<0.20	<0.22	<0.23	37	<0.22	<0.29	NA	<50	NA	
11/12/98	0.36	<0.20	<0.22	<0.23	35	<0.22	<0.29	NA	<50	NA	
MW-2	10/30/91*	NA	<1	2.5	3.8**	7.5	1.6	<1	<20	NA	<2
	3/7/95	<0.51	<0.21	<0.23	<0.88	<0.12	<0.40	<0.73	NA	NA	<2
	3/25/95	<0.51	<0.21	<0.23	<0.88	<0.12	1.7	<0.73	NA	<100	NA
	6/14/95	<0.5	<0.5	<0.6	<0.6	<1.0	<0.6	<0.6	NA	<100	NA
	9/14/95	<0.5	<0.5	<0.6	<0.6	<1.0	<0.6	<0.6	NA	<100	NA
	12/19/95	<0.5	<0.5	<0.6	<0.6	<1.0	<0.6	<0.6	NA	<100	NA
	3/21/96	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	NA	<50	NA
	6/5/96	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	NA	<50	NA
	9/19/96	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	NA	<50	NA
	12/17/96	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	NA	<50	NA
	3/6/97	ND	ND	ND	ND	ND	ND	ND	NA	NA	NA
6/6/97	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	
11/12/98	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS	
ES		5	343	700	620	60	NE	NE	NE	NE	15
PAL		0.5	68.6	140	124	12	NE	NE	NE	NE	1.5

> PAL

TABLE 1  
GROUNDWATER ANALYTICAL RESULTS

Metz Baking Company  
Neenah, Wisconsin  
Summit Project No. 0145-037

Well Location	Date	Benzene	Toluene	Ethyl-Benzene	Total Xylenes	MTBE	1,2,4-TMB	1,3,5-TMB	TPH as Gas	GRO	Lead
MW-3	10/30/91*	NA	1.7	1.9	3.0**	130	<1	<1	35	NA	<2
	3/7/95	<0.51	<0.21	<0.23	<0.88	19	<0.40	<0.73	NA	NA	<2
	3/25/95	<0.51	<0.21	<0.23	<0.88	11	0.6	<0.73	NA	NA	NA
	6/14/95	<0.5	<0.5	<0.6	<0.6	17.3	<0.6	<0.6	NA	<100	NA
	9/14/95	<0.5	<0.5	<0.6	<0.6	17.2	<0.6	<0.6	NA	<100	NA
	12/19/95	<0.5	<0.5	<0.6	<0.6	<1.0	<0.6	<0.6	NA	<100	NA
	3/21/96	<0.6	<1.0	<1.0	<1.0	6.2	<1.0	<1.0	NA	<50	NA
	6/5/96	<0.6	<1.0	<1.0	<1.0	9.4	<1.0	<1.0	NA	<50	NA
	9/19/96	<0.6	<1.0	<1.0	<1.0	6.1	<1.0	<1.0	NA	<50	NA
	12/17/96	<0.6	<1.0	<1.0	<1.0	5.5	<1.0	<1.0	NA	<50	NA
	3/6/97	ND	ND	ND	ND	5.7	ND	ND	NA	NA	NA
	6/6/97	<0.41	<0.28	<0.23	<0.51	5.4	<0.30	<0.25	NA	NA	NA
	11/19/97	<0.13	0.27	<0.22	0.53	<4.6	<0.22	<0.29	NA	<50	NA
	5/8/98	<0.13	<0.20	<0.22	<0.23	<3.5	<0.22	<0.29	NA	<50	NA
	11/12/98	<0.13	<0.20	<0.22	<0.23	3.4	<0.22	<0.29	NA	<50	NA
MW-4	10/30/91*	NA	<1	4.3	13.5**	<1	2.5	1.5	290	NA	<2
	3/7/95	<2.6	<1.0	<1.2	<4.4	290	<2.0	<3.6	NA	NA	<2
	3/25/95	4.6	1.1	<0.46	<1.8	250	<0.80	<1.5	NA	220	NA
	6/14/95	<0.5	<0.5	<0.6	<0.6	383	<0.6	<0.6	NA	442	NA
	9/14/95	<0.5	4.74	<0.6	<0.6	235	<0.6	<0.6	NA	239	NA
	12/19/95	4.03*	<0.5	<0.6	<0.6	188	<0.6	<0.6	NA	191	NA
	3/21/96	<0.6	<1.0	<1.0	<1.0	130	<1.0	<1.0	NA	79	NA
	6/5/96	<0.6	<1.0	<1.0	<1.0	160	<1.0	<1.0	NA	130	NA
	9/19/96	<0.6	<1.0	<1.0	<1.0	150	<1.0	<1.0	NA	120	NA
	12/17/96	<0.6	<1.0	<1.0	<1.0	110	<1.0	<1.0	NA	120	NA
	6/6/97	<0.41	<0.28	<0.23	<0.51	98	<0.30	<0.25	NA	NA	NA
	11/12/98	NS	NS	NS	NS	NS	NS	NS	NS	NS	NS
ES		5	343	700	620	60	NE	NE	NE	NE	15
PAL		0.5	68.6	140	124	12	NE	NE	NE	NE	1.5

> ES  
> PAL

TABLE 1  
GROUNDWATER ANALYTICAL RESULTS  
Metz Baking Company  
Neenah, Wisconsin  
Summit Project No. 0145-037

Well Location	Date	Benzene	Toluene	Ethyl-Benzene	Total Xylenes	MTBE	1,2,4-TMB	1,3,5-TMB	TPH as Gas	GRO	Lead
MW-5	11/19/97	<0.10	0.12	<0.25	<0.25	3.9	<0.10	<0.10	NA	NA	NA
	5/8/98	<0.13	<0.20	0.24	1	<5.3	0.49	<0.29	NA	<50	NA
	11/12/98	<0.13	<0.20	<0.22	<0.23	10	<0.22	<0.29	NA	<50	<0.89
MW-6	12/9/97	<0.31	<0.39	<0.38	<1.1	<0.14	<0.32	<0.33	NA	NA	NA
	5/8/98	<0.13	<0.2	<0.22	<0.23	<0.16	<0.22	<0.29	NA	<50	NA
	11/12/98	<0.13	<0.20	<0.22	<0.23	<0.16	<0.22	<0.29	NA	<50	<0.89
Trip Blank	10/30/91*	NA	<1	<1	<2**	<1	<1	<1	NA	NA	NA
	3/7/95	<0.51	<0.21	<0.23	<0.88	<0.12	<0.40	<0.73	NA	NA	NA
	3/25/95	<0.51	<0.21	<0.23	<0.88	<0.12	<0.40	<0.73	NA	NA	NA
	6/14/95	<0.5	<0.5	<0.6	<0.6	<1.0	<0.6	<0.6	NA	<100	NA
	9/14/95	<0.5	<0.5	<0.6	<0.6	<1.0	<0.6	<0.6	NA	<100	NA
	12/19/95	<0.5	<0.5	<0.6	<0.6	<1.0	<0.6	<0.6	NA	<100	NA
	3/21/96	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	NA	<50	NA
	12/17/96	<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	NA	NA	NA
	11/19/97	<0.13	0.28	<0.22	<0.23	<0.16	<0.22	<0.29	NA	NA	NA
	3/6/97	ND	ND	ND	ND	ND	ND	ND	NA	<50	NA
	6/6/97	<0.16	<0.36	<0.29	<0.94	<0.20	<0.30	<0.34	NA	NA	NA
5/8/98	<0.13	0.21	<0.22	<0.23	<0.16	<0.22	<0.29	NA	<50	NA	
11/12/98	<0.13	0.21	<0.22	<0.23	<0.16	<0.22	<0.29	NA	<50	NA	
ES		5	343	700	620	60	NE	NE	NE	NE	15
PAL		0.5	68.6	140	124	12	NE	NE	NE	NE	1.5

Concentrations reported as micrograms per liter (ug/l).  
 \*: VOC analysis conducted using GC/MS method.  
 \*\*: Duplicate analysis conducted using GC only method.  
 ES: Enforcement Standard, Wis. Adm. Code NR 140.10, October 1996.  
 PAL: Preventive Action Limit, Wis. Adm. Code NR 140.10, October 1996.  
 TPH: Total Petroleum Hydrocarbons  
 GRO: Gasoline Range Organics  
 NE: Not Established  
 NS: Not Sampled  
 ND: Not Detected  
 MTBE: Methyl-tert-butyl ether  
 TMB: Trimethylbenzene  
 NA: Not Analyzed