

# GIS REGISTRY

## Cover Sheet

March, 2010  
(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"/> Groundwater Contamination > ES (236)                                | <input checked="" type="checkbox"/> Soil Contamination > *RCL or **SSRCL (232)               |
| <input type="checkbox"/> Contamination in ROW  | <input checked="" type="checkbox"/> Contamination in ROW                                     |
| <input type="checkbox"/> Off-Source Contamination  | <input checked="" type="checkbox"/> Off-Source Contamination                                 |
| <i>(note: for list of off-source properties<br/>see "Impacted Off-Source Property" form)</i> | <i>(note: for list of off-source properties<br/>see "Impacted Off-Source Property" form)</i> |

#### Land Use Controls:

- |   |   |
|---|---|
| <input type="checkbox"/> N/A (Not Applicable)   | <input checked="" type="checkbox"/> Cover or Barrier (222)  |
| <input type="checkbox"/> Soil: maintain industrial zoning (220)                                   | <i>(note: maintenance plan for<br/>groundwater or direct contact)</i>   |
| <i>(note: soil contamination concentrations<br/>between non-industrial and industrial levels)</i> | <input type="checkbox"/> Vapor Mitigation (226)   |
| <input checked="" type="checkbox"/> Structural Impediment (224)                                   | <input type="checkbox"/> Maintain Liability Exemption (230)   |
| <input type="checkbox"/> Site Specific Condition (228)  | <i>(note: local government unit or economic<br/>development corporation was directed to<br/>take a response action)</i> |

#### Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? (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 #: 02-02-000002 PARCEL ID #: 201-01963-0000  
ACTIVITY NAME: HARBOR BAIT BULK PLT WTM COORDINATES: X: 452303 Y: 679612

**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.)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- 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 #: 1 Title: Ashland Co. WI GIS Map**

- 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 11 x 17 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 #: 1 Title: Site Location 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 #: 2 Title: Proposed Boring Location Map**

- 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 #: 5 Title: Soil Benzene Concentration Contours**

BRRTS #: 02-02-000002

ACTIVITY NAME: HARBOR BAIT BULK PLT

**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 #: 6**                      **Title: West to East Cross - Section A-A'**

**Figure #: 7**                      **Title: North to South Cross - Section B-B'**

**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).  
NA 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.

NA **Figure #:**                      **Title:**

**Figure #:**                      **Title:**

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

Tables must be no larger than 11 x 17 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 & 3**                      **Title: Results of Chemical Analyses of Soil Samples & Analytical Results - Soil Post Excavation**

**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.

NA **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.

NA **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 #: 02-02-000002

ACTIVITY NAME: HARBOR BAIT BULK PLT

## NOTIFICATIONS

### Source Property

**Not Applicable**

**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.

**Not Applicable**

**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: 1**

**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: 1**

## Impacted Off-Source Property Information

Form 4400-246 (R 3/08)

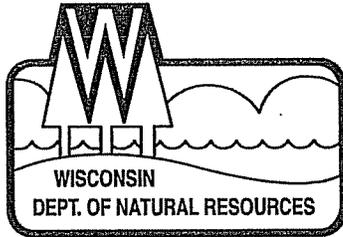
This fillable form is intended to provide a list of information that must be submitted for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request (Section H). The closure of a case means that the Department has determined that no further response is required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

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BRRTS #:

ACTIVITY NAME:

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
<input type="text" value="A"/>	<input type="text" value="315 6th St W"/>	<input type="text" value="201-01969-0000"/>	<input type="text" value="452300"/>	<input type="text" value="679632"/>
<input type="text" value="B"/>	<input type="text" value="No Address Listed (East 42' of Lots 13 to 18 Block 162 Ellis Division)"/>	<input type="text" value="201-01959-0100"/>	<input type="text" value="452261"/>	<input type="text" value="679627"/>
<input type="text" value="C"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="D"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="E"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="F"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="G"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="H"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="I"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
John Gozdziński, Regional Director

Northern Region Headquarters  
107 Sutliff Avenue  
Rhineland, Wisconsin 54501-3349  
Telephone 715-365-8900  
FAX 715-365-8932  
TTY Access via relay - 711

May 17, 2010

MRS LOUETTA BLINKMAN  
3903 LAKE PARK RD  
ASHLAND WI 54806

Subject: Final Case Closure with Continuing Obligations  
Former Harbor Motel Fuel & Bait Bulk Plant, 6<sup>th</sup> Street and 4<sup>th</sup> Avenue West,  
Ashland, Wisconsin  
WDNR BRRTS' Activity #02-02-000002

Dear Mrs. Blinkman:

On July 1, 1999, the Department of Natural Resources' Northern Region Closure Committee reviewed the above referenced 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 August 4, 1999, you were notified that the Closure Committee had granted conditional closure to this case. However, we were unable to approve final case closure because one of the affected off-source property owners would not record a deed restriction that was a required condition of the final closure.

In June 2006, the State of Wisconsin changed Chapter 292, Wisconsin Statutes, the law governing how cases such as this are closed. Under the revised law, the Department no longer requires recording of deed restrictions to insure that the requirements of certain continuing obligations, such as maintaining a pavement cover over contaminated soil, be met. Instead, consistent with the requirements of Section 292.12, Wis. Stats., any continuing obligations in effect at the time of closure are included in the final closure letter. The requirements in the final closure letter carry the weight of law and are conveyed with the property. As such, the requirements must be followed by the current owner as well as any future property owner. The attached DNR fact sheet RR-819, "Continuing Obligations for Environmental Protection" explains a property owner's responsibility for continuing obligations on their property. You may obtain additional copies of the fact sheet at <http://dnr.wi.gov/org/aw/rr/archives/pubs/RR819.pdf>.

Based on the correspondence and data provided, it appears that your case meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

### GIS Registry

Because residual soil contamination exists that must be properly managed should it be excavated or removed in the future, this site will be listed on the Remediation and Redevelopment Program's GIS Registry.

This letter and 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>. If the property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at the web address listed above for the GIS Registry or at <http://dnr.wi.gov/org/water/dwg/3300254.pdf>.

### **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 you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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, Wis. Stats., 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter are met.

### **Residual Soil Contamination**

Two maps have been attached to this letter to show the areas with residual soil contamination remaining at the site: Figure 5 Soil Benzene Concentration Contours (Pre-Remedial), depicting the estimated extent of soil contamination prior to the cleanup; and Figure 1 Excavation Detail and Soil Post-Excavation Sample Locations, showing the limits of the excavation and the location of partially-treated backfill soil. Both of these maps were prepared by Advent Environmental Services, Inc. and subsequently modified by the Department for inclusion with this letter.

If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Wis. 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 is 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.

### **Vapor Migration**

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

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 Chris Saari at 715-685-2920, or by e-mail at [Christopher.Saari@Wisconsin.gov](mailto:Christopher.Saari@Wisconsin.gov).

Sincerely,



John Robinson  
Northern Region Supervisor  
Remediation & Redevelopment Program

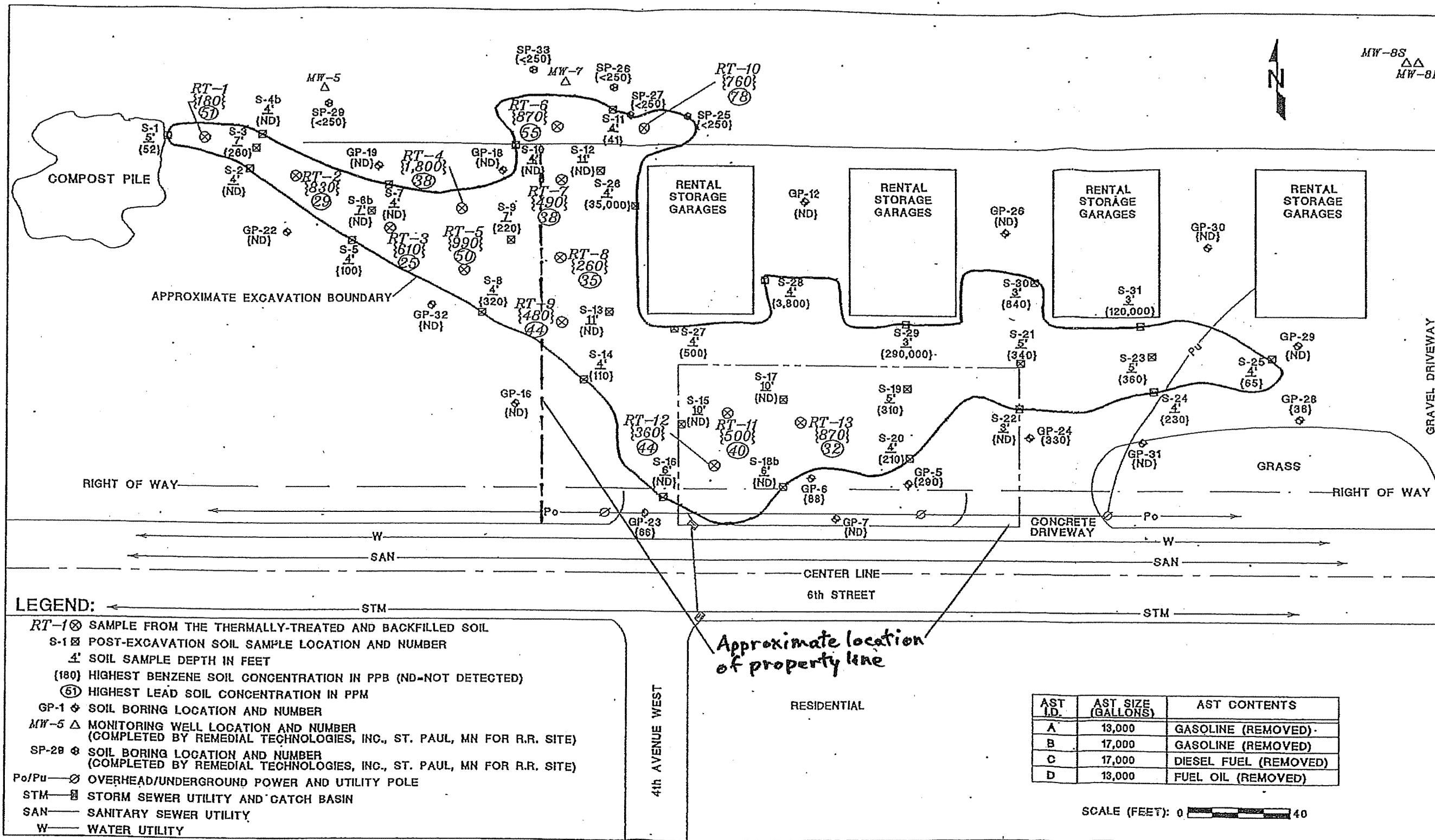
Attachments: RR819, Continuing Obligations for Environmental Protection” Fact Sheet  
Figure 5 Soil Benzene Concentration Contours (Pre-Remedial)  
Figure 1 Excavation Detail and Soil Post-Excavation Sample Locations

cc:

Dewayne Zipperer  
915 2<sup>nd</sup> Ave E  
Ashland, WI 54806

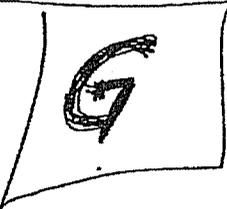
Peter Mann  
City Administrator  
City of Ashland  
601 Main St W  
Ashland, WI 54806

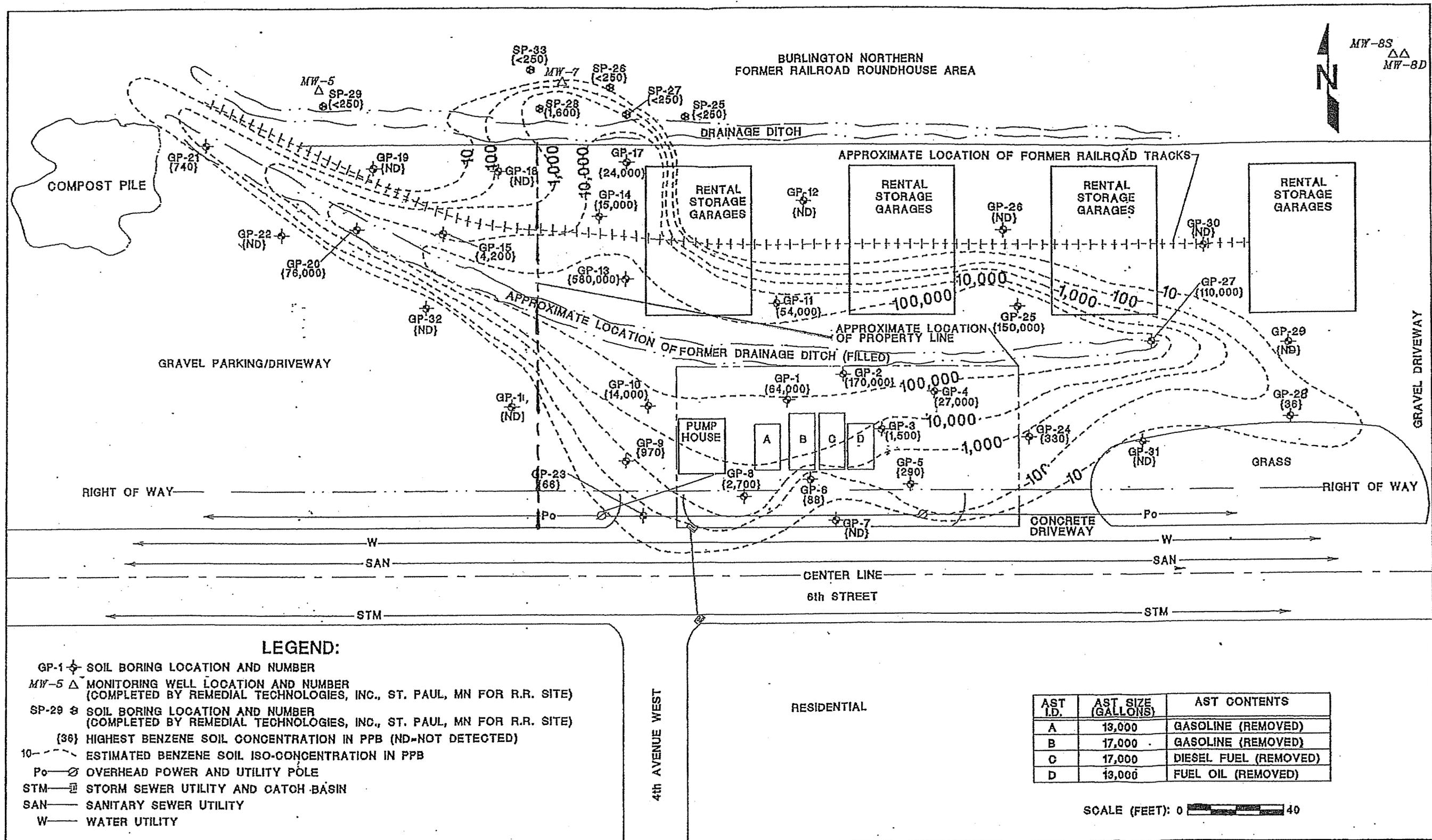
Chris Saari, DNR Ashland  
Dave Blair, Wisconsin Department of Commerce



**FIGURE 1 EXCAVATION DETAIL AND SOIL POST-EXCAVATION SAMPLE LOCATIONS**  
**6th STREET BULK PLANT**  
**ASHLAND, WISCONSIN**

**A D V E N T**  
 ENVIRONMENTAL SERVICES, INC.  
 DATE: 1/26/99  
 DRAWING #97004.04H  
 Modified by WDNR  
 02/04/10





**FIGURE 5 SOIL BENZENE CONCENTRATION CONTOURS (PRE-REMEDIAL)  
6th STREET BULK PLANT  
ASHLAND, WISCONSIN**

**A D V E N T**  
ENVIRONMENTAL SERVICES, INC.  
DATE: 6/27/96  
DRAWING # 97004.02C.

Modified by  
WDNR  
02/04/10



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 restriction 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 deed restriction is no longer binding.

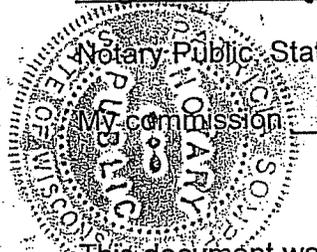
IN WITNESS WHEREOF, the owners of the property have executed this Declaration of Restrictions, this 28th day of April, 2000.

Signature: Louetta M. Blinkman

Printed Name: Louetta M. Blinkman

Subscribed and sworn to before me  
this 28th day of April, 2000.

Beth Ann Senger



Notary Public, State of Wisc.

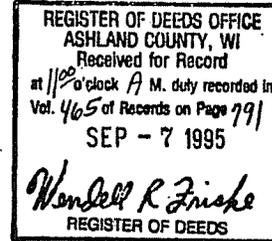
2-02-2003

This document was drafted by Michael K. Neal of Advent Environmental Services, Inc. and was reviewed by the Wisconsin Department of Natural Resources.

**TERMINATION OF DECEDENT'S  
PROPERTY INTEREST**

X248277

DECEDENT'S NAME James Ray Blinkman	
ADDRESS OF DECEDENT AT DATE OF DEATH Rt. 2, Box 515, Ashland, WI	CITY STATE ZIP 54806
DATE OF DEATH June 5, 1994	SOCIAL SECURITY NUMBER 485-54-0241
PRESENTATION OF DEATH CERTIFICATE Vol. 48, Page 503 I certify that I have viewed a certified copy of the decedent's death certificate.	
REGISTER OF DEEDS SIGNATURE <i>Wendell R. Friske</i>	DATE 9-7-95



Record this document with the Register of Deeds in the county where the real estate is located. Recording fee is \$25 as per s. 867.045, 867.046.

Name and return address:

This interest in property is terminated under (check one):

s. 867.045 which pertains to property in which the decedent was a joint tenant,\* had a vendor's or mortgagee's interest, or had a life estate. \*(You must provide a copy of the document establishing joint tenancy or life estate.)

s. 867.046 which pertains to (1) property of a decedent specified in a marital property agreement, and also to (2) survivorship marital property. (You must provide a copy of the document establishing survivorship marital property.)

Presentation of real property tax bill (except in cases of vendor or mortgagee interest). Present with this document a copy of the real property tax bill for each parcel for the year immediately preceding decedent's death.

Presentation of document establishing joint tenancy, life estate, survivorship marital property, life estate, marital property agreement, vendor interest, or mortgagee interest in real property.

This document is found in volume 431 of 431 page/s 515 & 901 of (check one) Records  Deeds

Description of the real estate. Include only the extent of ownership (or vendor or mortgagee's interest) in land at the time of the decedent's death. If the extent of land is exactly the same as on the document, a copy of that document may be attached to describe the real estate.

The legal description of the property is as follows: (If more space is needed, attach pages.)

See attached

DECLARATION: I, we declare that this document is, to the best of my (our) knowledge and belief, true, correct and complete and is in conformity with the provisions and limitations of the Wisconsin Statutes. (If more space is needed, attach pages.)

Name and Address of Person Receiving Property	Relationship to Decedent	Signature (Notarized)	Date
Louetta Blinkman Rt. 2, Box 515 Ashland, WI 54806	Spouse	<i>Louetta Blinkman</i>	9-7-95

**AUTHENTICATION or ACKNOWLEDGEMENT**

The above named person(s) was sworn to before me on (date) 9-7-95

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07) *Wendell R. Friske*

Print or type name Wendell R. Friske Register of

State of Wisconsin, County of Ashland Deeds

Title \_\_\_\_\_ Date commission expires \_\_\_\_\_

This document was drafted by:  
(print or type name below)

DOCUMENT NO.

WARRANTY DEED  
STATE BAR OF WISCONSIN FORM 2-14

TWO SPACES RESERVED FOR RECORDING DATE

X231341

REGISTER OF DEEDS OFFICE  
ASHLAND COUNTY, WI  
Received for Record  
at 10:00 a.m. 11th day recorded in  
Vol 431 of Records on Page 515  
MAY - 2 1991  
Wendell R. Zische  
REGISTER OF DEEDS

LARRY A. OLSON, an unmarried man, Grantor,

do hereby convey and warrant to JAMES BLINKMAN and LOUETTA  
BLINKMAN, husband and wife, in joint tenancy  
with marital survivorship rights, Grantee.

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

Tax Parcel No: \_\_\_\_\_

Lots One (1), Two (2), and Three (3), Block Six (6),  
Ashland Proper, City of Ashland;

and  
Lots One (1) and Two (2), Block One Hundred Sixty-three  
(163), Ellis Division, together with the Easterly One-Half (E $\frac{1}{2}$ )  
of vacated Fourth Avenue West and the Westerly One-Half (W $\frac{1}{2}$ ) of  
the vacated alley adjoining said lots, City of Ashland.

TRANSFER  
\$ 666.00  
FEE

This is NOT homestead property.

(If not)

subject to encumbrance

Reservations, restrictions and easements of record..

Witness my hand and seal this 17<sup>th</sup> day of May 1991

(SEAL)

(SEAL)

LARRY A. OLSON

(SEAL)

(SEAL)

AUTHENTICATION

Subscribed at \_\_\_\_\_

and attested this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not authorized by § 10.04, Wis. Stat.)

This instrument was drafted by

Law Offices of Philip J. Sorenson, S.C.

Ashland, Wisconsin 54806

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

Printed name of grantor appearing in any capacity should be typed or printed below their signature.

ACKNOWLEDGMENT

STATE OF WISCONSIN

Ashland County

Personally came before me this

May 17, 1991

Larry A. Olson



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

Notary Public

My Commission is permanent (if not, state expiration date: 10-16-1999)

VOL. 491 PG. 515

1231559

REGISTER OF DEEDS OFFICE  
ASHLAND COUNTY, WI  
Received for Record  
at 10:00 A.M. Day recorded in  
Vol 481 of Records on Page 901  
MAY 28 1991  
Wendell R. Zwick  
REGISTER OF DEEDS

Edwin R. Malmberg and Carolyn L. Malmberg,  
individually, and as husband and wife,  
grantors,

James E. Blinkman and Louetta M.  
Blinkman, husband and wife, as survivorship  
marital property, grantees.

The following described real estate in Ashland County:

A piece or parcel of land in Government Lot One (1), Section Twenty-six  
(26), Township Forty-eight (48) North, Range Four (4) West of the Fourth  
Principal Meridian in Wisconsin and more particularly described as follows:  
To locate the point of beginning, commence at the point where the northerly  
line of Second Street in Commercial Addition intersects the one-quarter  
section line between Government Lots 1 and 2 in said Section 26, thence  
North 57° 36' E., 527.70 feet on the northerly line of Second Street  
extended to the point of beginning. Said point of beginning is also  
767.7 feet N. 57° 36' E. of the Southwest corner of Block 8 in said  
Commercial Addition.  
Thence from said point of beginning by water and bounds:  
N. 37° 36' E., 150.00 feet on the northerly line of Second Street extended;  
Thence N. 32° 24' W., 255.00 feet more or less to the water's edge of  
Lake Superior;  
Thence Southwesterly along the water's edge of Lake Superior to a point  
which is N. 32° 24' W. of the point of beginning;  
Thence N. 32° 24' E., 237 feet more or less to the point of beginning.

This is  homestead property.  
 (is not)

Excepted to warranties:  
Reservations, restrictions and easements of record.

Given this 24th day of May, 1991

(SEAL) *Edwin R. Malmberg* (SEAL)  
Edwin R. Malmberg  
(SEAL) *Carolyn L. Malmberg*  
Carolyn L. Malmberg

TRANSFER  
\$277.50  
FEE

AUTHENTICATION  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

TITLE: WISCONSIN STATE BAR OF WISCONSIN  
(If not authorized by § 10.08, Wis. Stat.)

THIS INSTRUMENT WAS DRAFTED BY  
Attorney Scott W. Clark  
ASHLAND, WISCONSIN 54808

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

ACKNOWLEDGMENT  
STATE OF WISCONSIN  
Ashland County, Wis.  
Personally came before me this 24th day of  
May, 1991, the above named  
Edwin R. Malmberg and Carolyn  
L. Malmberg.

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

*Scott W. Clark*  
Scott W. Clark  
Notary Public, Ashland County, Wis.  
My Commission expires (if not, state expiration date) October 25, 1992

VOL 481 PG 901

## 2009 Property Record Ashland County, WI

View Assessment Report

Assessed values not finalized until after Board of Review  
Years marked with \* have delinquent taxes

Property information is valid as of 1/31/10

Owner
Louetta Blinkman 3903 Lake Park Rd Ashland Wi 54806

Co-Owner(s)
No co-owners listed

Property Information
Parcel ID: 201-01963-0000
School Districts: Ashland School Dist
Section Township Range Qtr Qtr Section Qtr Section
0 0
Lot:
Block:
Plat Description:

Property Description
Lots 1 & 2 Block 163 Ellis Division Bulk Tanks (6th Street West) Tid#6
Property Address: NO ADDRESS LISTED
Municipality: CITY OF ASHLAND

Deed Information
Volume Page Document #
465 791

Tax Information																																																													
Net Tax Before Lottery	181.34																																																												
Credit																																																													
Lottery Credit	.00																																																												
Net Tax After	181.34																																																												
	<table border="1"> <thead> <tr> <th></th> <th>Amt. Due</th> <th>Amt. Paid</th> <th>Balance</th> </tr> </thead> <tbody> <tr> <td>Tax</td> <td style="text-align: right;">181.34</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">181.34</td> </tr> <tr> <td>Special Assessment</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Special Charges</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Delinquent Charges</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Woodland Tax</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Private Forest Crop</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Managed Forest Land</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Property Tax Interest</td> <td></td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Special Tax Interest</td> <td></td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Property Tax Penalty</td> <td></td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Special Tax Penalty</td> <td></td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>Other Charges</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> <td style="text-align: right;">.00</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>181.34</b></td> <td style="text-align: right;"><b>.00</b></td> <td style="text-align: right;"><b>181.34</b></td> </tr> <tr> <td>Over-Payment</td> <td></td> <td style="text-align: right;">.00</td> <td></td> </tr> </tbody> </table>		Amt. Due	Amt. Paid	Balance	Tax	181.34	.00	181.34	Special Assessment	.00	.00	.00	Special Charges	.00	.00	.00	Delinquent Charges	.00	.00	.00	Woodland Tax	.00	.00	.00	Private Forest Crop	.00	.00	.00	Managed Forest Land	.00	.00	.00	Property Tax Interest		.00	.00	Special Tax Interest		.00	.00	Property Tax Penalty		.00	.00	Special Tax Penalty		.00	.00	Other Charges	.00	.00	.00	<b>Total</b>	<b>181.34</b>	<b>.00</b>	<b>181.34</b>	Over-Payment		.00	
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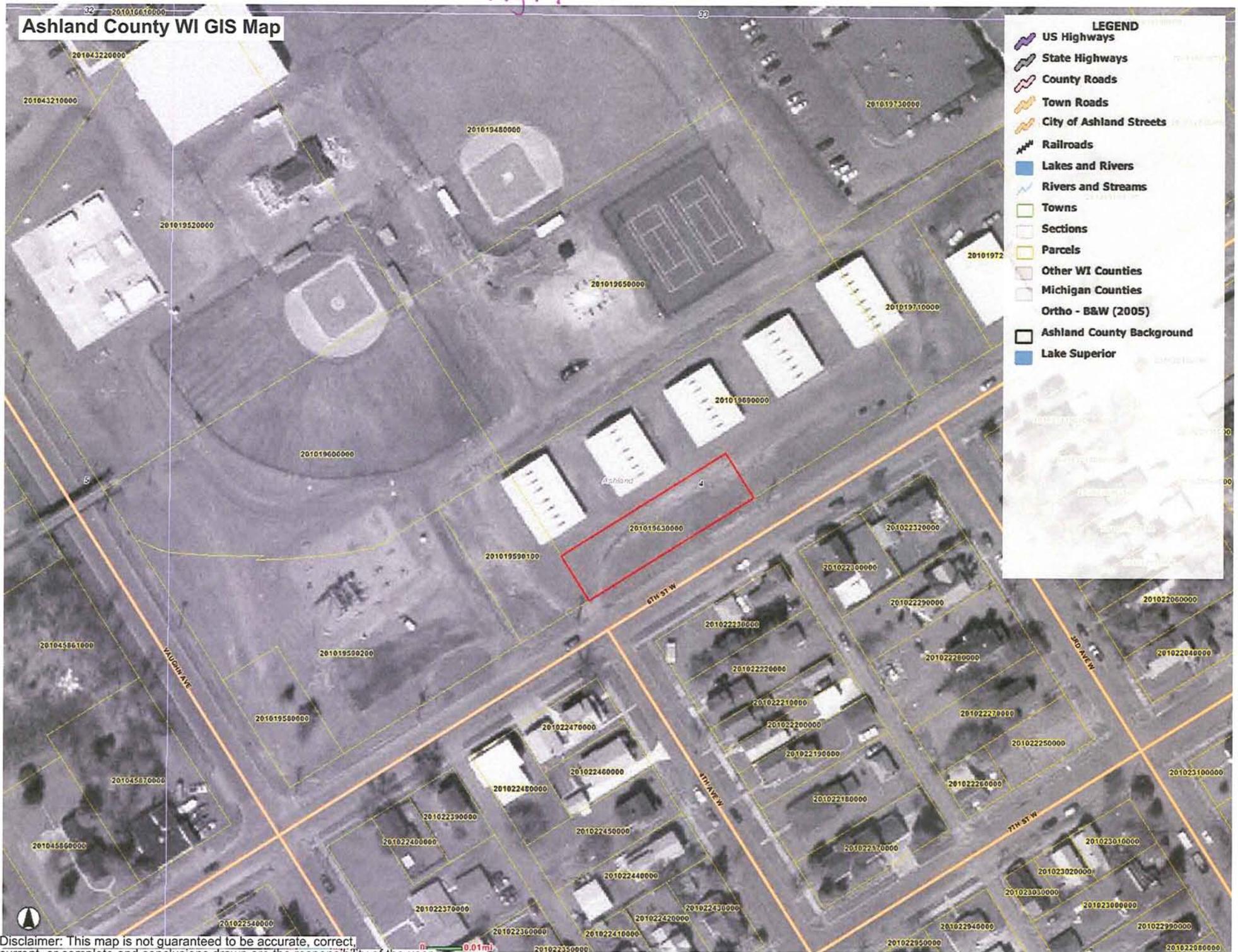
Land Valuation	
Tax Code Acres Value Improvements Total	
G2 7700.00	7700.00
.000 \$7700.00	\$0.00 \$7700.00
Total Acres:	.000
Assessment Ratio:	0.8852
Mill Rate:	0.023551879
Fair Market Value	\$8700.00

Installments
Period End Date Amount Period End Date Amount
1. 01/31/2010 90.67 2. 07/31/2010 90.67

Payment History (Posted Payments)
Date Receipt # Source Type Amount Gen. Tax Balance Spec. Assessment Balance Intrest Penalty Total

Fig. 1

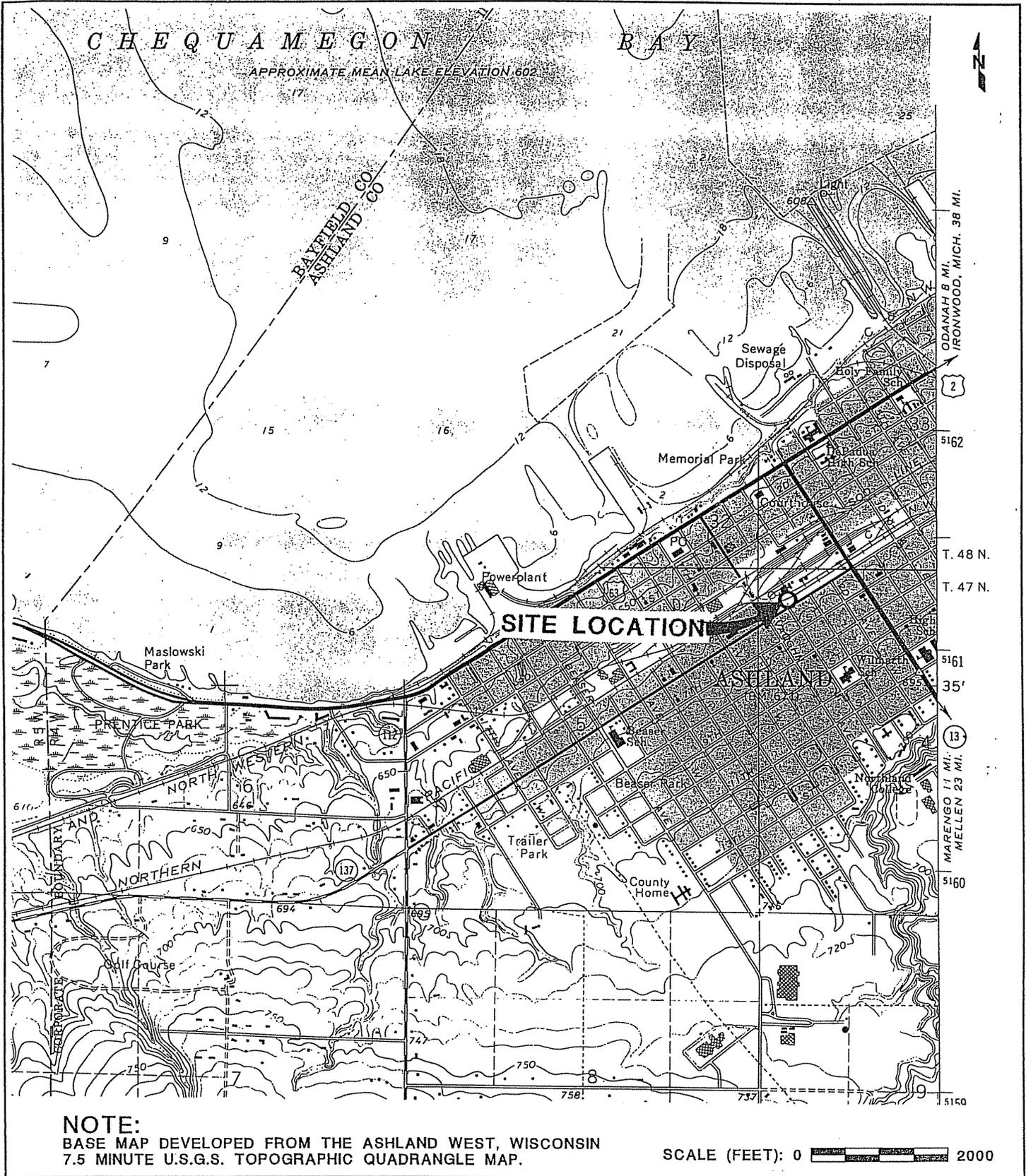
# Ashland County WI GIS Map



**LEGEND**

- US Highways
- State Highways
- County Roads
- Town Roads
- City of Ashland Streets
- Railroads
- Lakes and Rivers
- Rivers and Streams
- Towns
- Sections
- Parcels
- Other WI Counties
- Michigan Counties
- Ortho - B&W (2005)
- Ashland County Background
- Lake Superior

Disclaimer: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



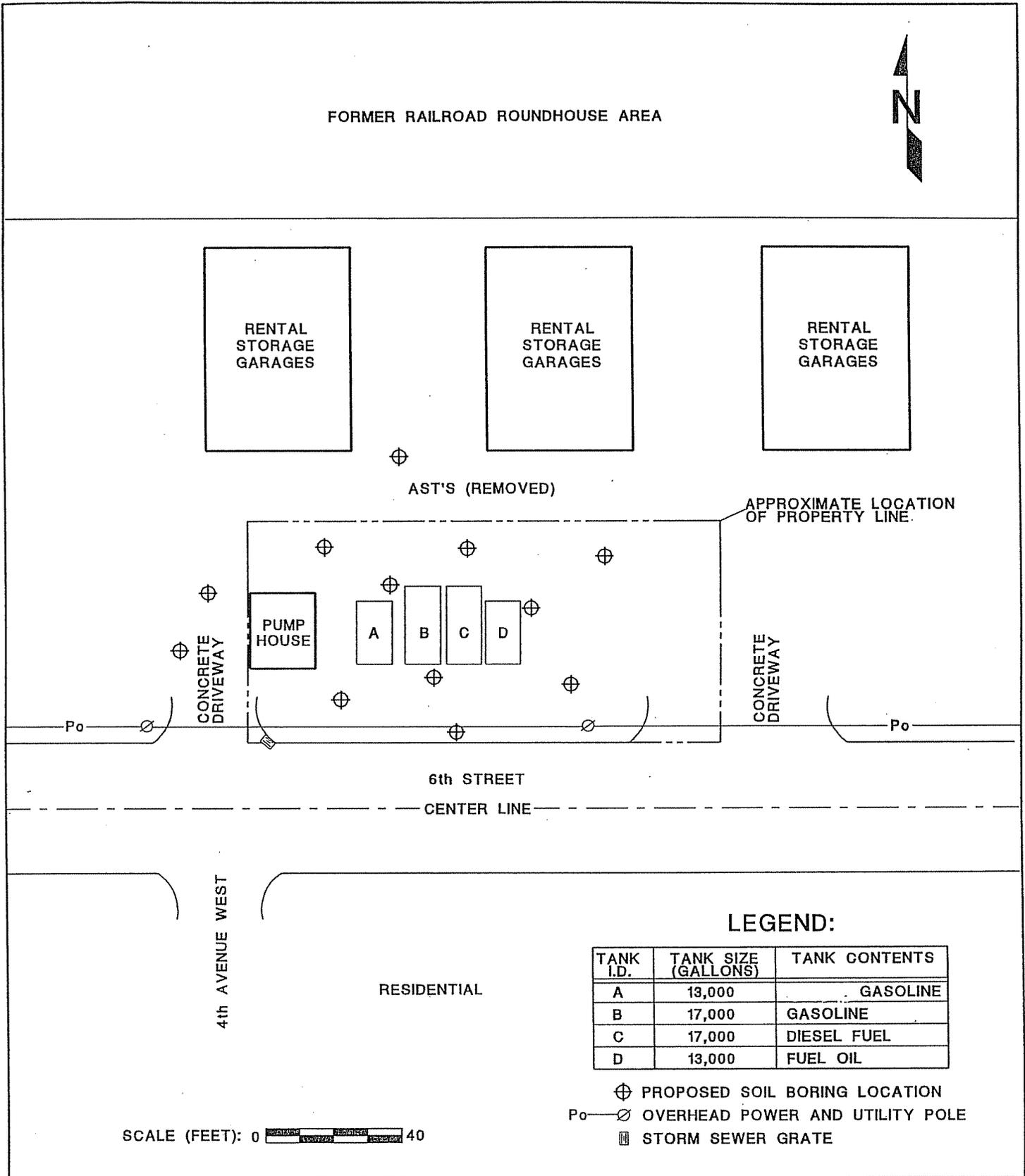
**FIGURE 1 SITE LOCATION MAP**  
**6th STREET BULK PLANT**  
**ASHLAND, WISCONSIN**



QUADRANGLE LOCATION  
NW1/4 NW1/4 SEC.4 T.47N., R.5W.

**A D V E N T**

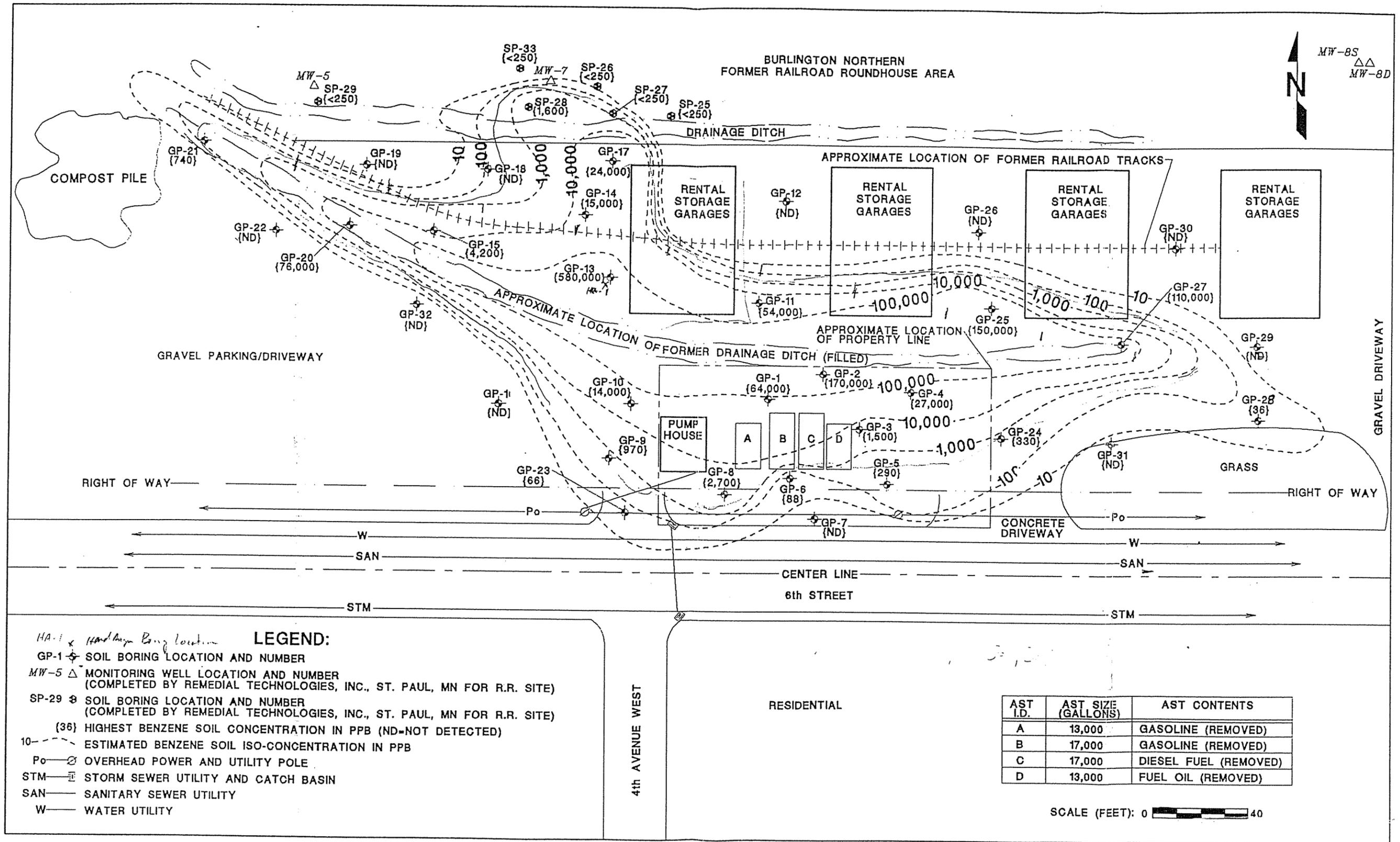
ENVIRONMENTAL SERVICES, INC.  
DATE: 7/5/95  
DRAWING # 97004.02



**FIGURE 2 PROPOSED BORING LOCATION MAP**  
**6th STREET BULK PLANT**  
**ASHLAND, WISCONSIN**

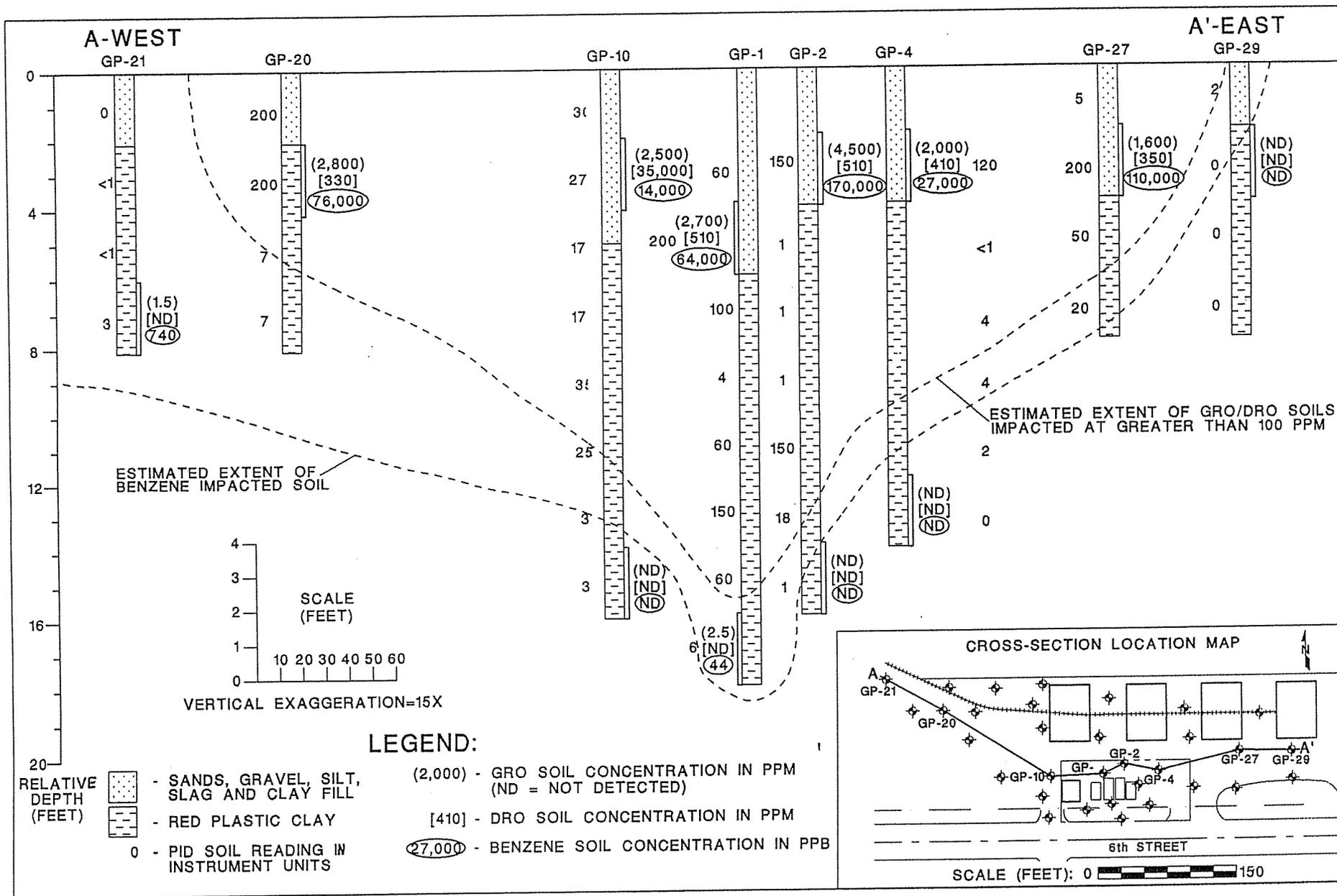
**A D V E N T**

ENVIRONMENTAL SERVICES, INC.  
 DATE: 6/29/95  
 DRAWING # 97004.02A



D-3 FIGURE 5 SOIL BENZENE CONCENTRATION CONTOURS  
6th STREET BULK PLANT  
ASHLAND, WISCONSIN

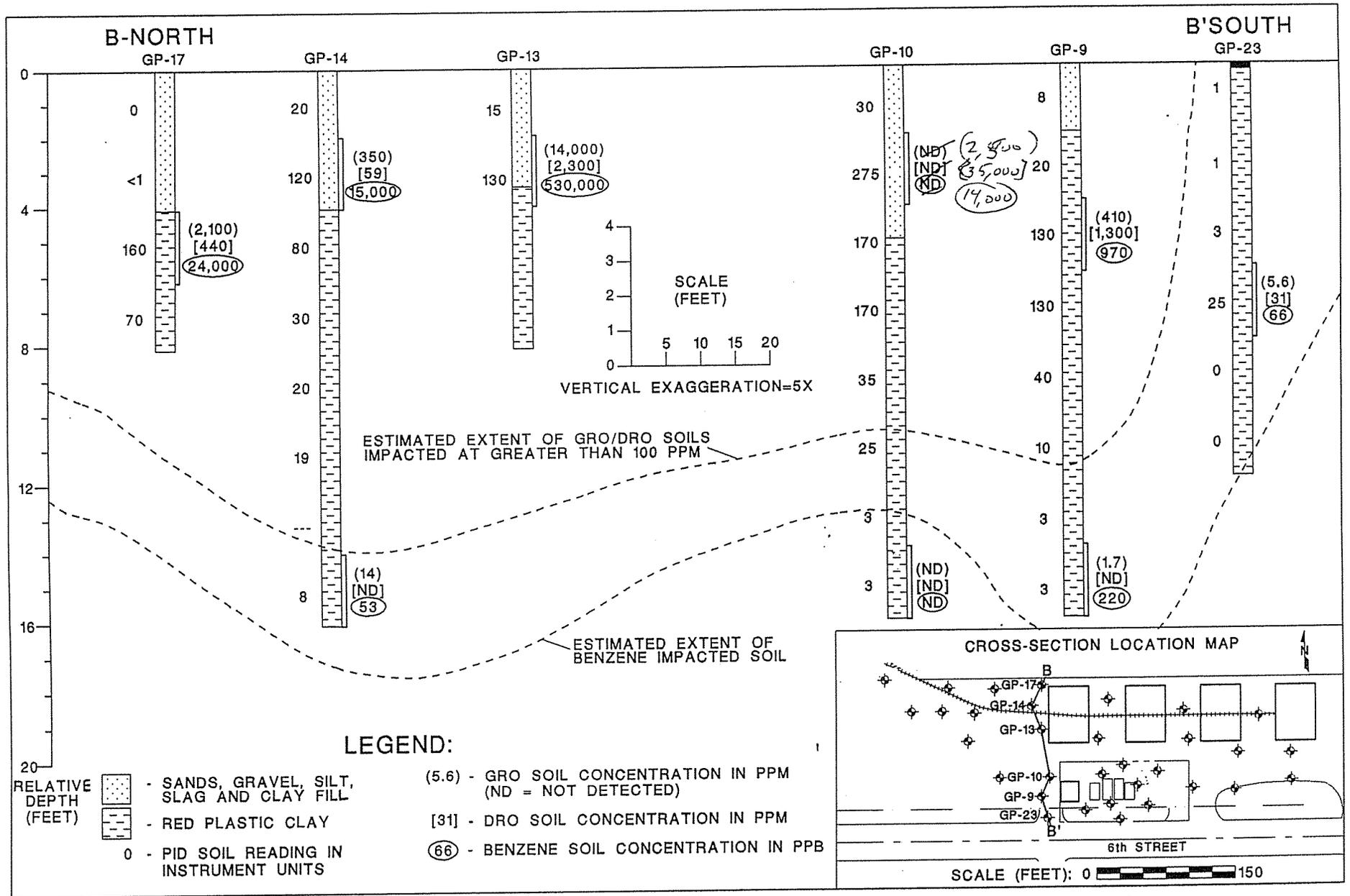
**A D V E N T**  
ENVIRONMENTAL SERVICES, INC.  
DATE: 6/27/96  
DRAWING # 97004.02C



E-1

FIGURE 6 WEST TO EAST CROSS-SECTION A-A'  
6th STREET BULK PLANT  
ASHLAND, WISCONSIN

**A D V E N T**  
ENVIRONMENTAL SERVICES, INC.  
DATE: 6/28/96  
DRAWING # 97004.02D



E-2 FIGURE 7 NORTH TO SOUTH CROSS-SECTION B-B'  
6th STREET BULK PLANT  
ASHLAND, WISCONSIN

**A D V E N T**  
ENVIRONMENTAL SERVICES, INC.  
DATE: 6/27/96  
DRAWING # 97004.02E

TABLE 1 (Page 1 of 2)  
 RESULTS OF CHEMICAL ANALYSES OF SOIL SAMPLES  
 6TH STREET AST DEPOT

Sample ID	Date Collected	Depth Interval (feet)	GRO (ppm)	DRO (ppm)	PID (Instrument Units)	Selected VOCs (ppb)								Total Lead (ppm)
						Benzene	Ethylbenzene	MTBE	Toluene	1,2,4 TMB	1,3,5 TMB	Xylenes	1,2-DCA	
GP-1a	Sep-95	4-6	2,700	510	200	54,000	57,000	ND	260,000	170,000	50,000	ND	ND	16
GP-1b	Sep-95	16-18	2.5	ND	6	44	80	ND	230	230	81	450	ND	6.4
GP-2a	Sep-95	2-4	4,500	510	150	170,000	130,000	ND	580,000	260,000	80,000	650,000	ND	65
GP-2b	Sep-95	14-16	ND	ND	1	ND	ND	ND	ND	ND	ND	40	ND	6.4
GP-3a	Sep-95	2-4	120	28	40	1,500	680	ND	5,100	3,600	2,100	9,100	ND	8
GP-3b	Sep-95	10-12	ND	ND	<1	ND	ND	ND	ND	ND	ND	ND	ND	6.3
GP-4a	Sep-95	2-4	2,000	410	120	27,000	74,000	ND	100,000	170,000	56,000	420,000	ND	94
GP-4b	Sep-95	12-14	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	6.1
GP-5a	Sep-95	4-6	ND	ND	0	290	ND	ND	ND	ND	ND	ND	ND	7.9
GP-5b	Sep-95	18-19	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	6.3
GP-6a	Sep-95	2-4	63	26	120	88	340	ND	350	9,800	7,200	3,500	ND	33
GP-6b	Sep-95	10-12	ND	ND	<1	29	ND	ND	65	ND	ND	ND	ND	8.2
GP-7a	Sep-95	4-6	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	8.7
GP-7b	Sep-95	10-12	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	5
GP-8a	Sep-95	4-6	37	ND	50	2,700	730	ND	1,200	1,600	620	4,100	ND	7.5
GP-8b	Sep-95	10-12	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	6.6
GP-9a	Sep-95	4-6	410	1,300	130	970	4,200	ND	ND	17,000	5,800	17,000	ND	6.1
GP-9b	Sep-95	14-16	1.7	ND	3	220	130	ND	ND	190	67	220	ND	6
GP-10a	Sep-95	2-4	2,500	35,000	275	14,000	39,000	ND	8,000	180,000	53,000	240,000	ND	13
GP-10b	Sep-95	14-16	ND	ND	3	ND	ND	ND	ND	ND	ND	ND	ND	9.5
GP-11a	Sep-95	2-4	240	370	150	54,000	47,000	ND	190,000	87,000	27,000	240,000	ND	58
GP-11b	Sep-95	10-12	ND	ND	30	49	ND	ND	30	ND	ND	ND	ND	5.1
GP-12a	Sep-95	6-8	ND	ND	3	ND	ND	ND	ND	ND	ND	ND	ND	8.6
GP-12b	Sep-95	14-16	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	7.3
GP-13a	Sep-95	2-4	14,000	2,300	130	530,000	450,000	ND	2,400,000	930,000	260,000	2,500,000	ND	210
MeOH Blank 1	Sep-95	---	ND	---	---	---	---	---	---	---	---	---	---	---
MeOH Blank 2	Sep-95	---	ND	---	---	---	---	---	---	---	---	---	---	---
MeOH Blank 3	Sep-95	---	ND	---	---	---	---	---	---	---	---	---	---	---
<b>Case Closeout Limits</b>			<b>100</b>	<b>100</b>		<b>5.5</b>	<b>2,900</b>		<b>1,500</b>			<b>4,100</b>	<b>4.9</b>	

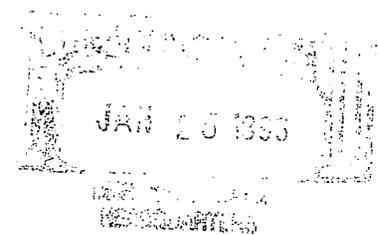
ND

Not Detected

---

Not Applicable

Shading indicates those concentrations that exceed applicable case closeout standards.



**TABLE 1 (Page 2 of 2)**  
**RESULTS OF CHEMICAL ANALYSES OF SOIL SAMPLES**  
**6TH STREET AST DEPOT**

Sample ID	Date Collected	Depth Interval (feet)	GRO (ppm)	DRO (ppm)	PID (Instrument Units)	Selected VOCs (ppb)								Total Lead (ppm)
						Benzene	Ethylbenzene	MTBE	Toluene	1,2,4 TMB	1,3,5 TMB	Xylenes	1,2-DCA	
GP-14a	Oct-95	2-4	350	59	120	15,000	15,000	ND	19,000	33,000	12,000	29,000	ND	18
GP-14b	Oct-95	15-16	14	ND	8	53	41	ND	96	160	53	200	ND	6.2
GP-15a	Oct-95	2-4	11	ND	40	4,200	600	ND	ND	65	230	170	ND	9.7
GP-15b	Oct-95	7-8	2	ND	1	84	ND	ND	ND	ND	ND	ND	ND	7.6
GP-16a	Oct-95	2-4	ND	ND	<1	ND	ND	ND	ND	ND	ND	ND	ND	7.7
GP-16b	Oct-95	6-8	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	7.3
GP-17	Oct-95	4-6	2,100	440	160	24,000	46,000	ND	79,000	120,000	38,000	240,000	ND	25
GP-18a	Oct-95	2-4	840	54	200	ND	7,400	ND	23,000	22,000	6,800	44,000	ND	4.5
GP18b	Oct-95	10-12	ND	ND	12	ND	ND	ND	42	ND	ND	36	ND	5.1
GP-19	Oct-95	2-4	ND	ND	<1	ND	ND	ND	ND	ND	ND	ND	ND	8.7
GP-20	Oct-95	2-4	2,800	330	200	76,000	66,000	ND	250,000	150,000	49,000	330,000	ND	11
GP-21	Oct-95	6-8	1.5	ND	3	740	ND	ND	33	ND	ND	120	ND	5.3
GP-22	Oct-95	4-6	ND	ND	<1	ND	ND	ND	ND	ND	ND	ND	ND	7.3
GP-23	Oct-95	6-8	5.6	31	25	66	ND	ND	35	ND	ND	ND	ND	6.2
GP-24	Oct-95	2-4	2.6	890	6	330	ND	ND	39	ND	ND	45	ND	2.9
GP-25	Oct-95	2-4	6,000	630	200	150,000	200,000	ND	700,000	400,000	130,000	950,000	ND	42
GP-26	Oct-95	4-6	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	9.5
GP-27	Oct-95	2-4	1,600	350	200	110,000	60,000	ND	260,000	81,000	30,000	250,000	ND	98
GP-28	Oct-95	2-4	ND	ND	<1	36	ND	ND	75	ND	ND	59	ND	11
GP-29	Oct-95	2-4	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	3.8
GP-30	Oct-95	2-4	ND	6.5	0	ND	ND	ND	55	ND	ND	ND	ND	4.9
GP-31	Oct-95	4-6	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	8.9
GP-32	Oct-95	2-4	ND	ND	0	ND	ND	ND	ND	ND	ND	ND	ND	5.9
MeOH Blank 1	Oct-95	---	ND	---	---	---	---	---	---	---	---	---	---	---
MeOH Blank 2	Oct-95	---	ND	---	---	---	---	---	---	---	---	---	---	---
MeOH Blank 3	Oct-95	---	ND	---	---	---	---	---	---	---	---	---	---	---
<b>Case Closeout Limits</b>		---	<b>100</b>	<b>100</b>	---	<b>5.5</b>	<b>2,900</b>	---	<b>1,500</b>	---	---	<b>4,100</b>	<b>4.9</b>	---

ND

Not Detected

---

Not Applicable

Shading indicates those concentrations that exceed applicable case closeout standards.

F-1-1

TABLE 3 (Page 1 of 2)  
ANALYTICAL RESULTS - SOIL POST-EXCAVATION SAMPLES  
6th STREET BULK PLANT SITE

	Case Closeout Limits	Samples																				MEOH BLANKS	
		S-1	S-2	S-3	S-4	S-4b	S-5	S-6	S-6b	S-7	S-8	S-9	S-10	S-11	S-12	S-13	S-14	S-15	S-16	S-17	S-18		S-18b
Date Collected		7-11-97	7-11-97	7-11-97	7-11-97	7-28-97	7-11-97	7-11-97	7-28-97	7-11-97	7-11-97	7-11-97	7-29-97	7-29-97	7-29-97	7-30-97	7-30-97	8-7-97	8-7-97	8-15-97	8-15-97	10-8-97	7,8,9,10-97
Depth (feet)		5	4	7	4	4	4	6	7	4	4	7	4	4	11	11	4	10	6	10	6	6	---
PID		1	<1	1	5	<1	1	10	<1	<1	1	<1	<1	1	<1	1	1	1	1	3	3	<1	---
Lead (ppm)	50	---	---	---	---	---	---	---	---	---	---	---	5.9	5.9	5.3	5.4	6.4	6.4	7.0	6.8	5.2	---	---
GROs (ppm)	100	ND	ND	ND	ND	ND	ND	---															
DROs (ppm)	100	41	ND	ND	ND	---	ND	ND	---	ND	ND	ND	8.0	ND	ND	ND	ND	17	ND	ND	ND	---	---
PVOCs/VOCs (ppb) <sup>1</sup>																							
Benzene	505	52	ND	260	580	ND	100	2,100	ND	ND	320	220	ND	41	ND	ND	110	ND	ND	ND	570	ND	ND
Ethylbenzene	150000	52	ND	98	140	ND	40	ND	ND	ND	ND	ND	ND	ND	ND	ND							
Methyl-t-Butyl Ether		ND	ND	ND	87	ND	ND	ND	ND	ND	ND	ND											
Toluene	55000	270	ND	370	ND	ND	ND	34	ND	ND	ND	ND	61	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2,4-TMB		130	ND	260	420	ND	34	ND	ND	ND	ND	ND	ND	ND									
1,3,5-TMB		94	ND	65	130	ND	100	ND	ND	ND	ND	ND	ND	ND	32	ND	36						
Total Xylenes	140000	520	ND	650	390	ND	ND	100	ND	ND	ND	ND	130	ND	ND	ND	ND	ND	ND	ND	32	ND	36
Naphthalene	80000	---	---	---	---	---	ND	ND	---	ND	ND	ND	ND	82	ND	ND	170	ND	ND	ND	ND	---	ND
Total PVOCs/VOCs		1,118	ND	1,693	1,747	ND	100	2,234	ND	ND	320	220	191	263	ND	34	280	ND	ND	32	570	36	ND

ND = not detected

--- = not applicable

Shaded areas indicate concentrations exceeding WDNR Case Closeout limits for petroleum-contaminated soils.

<sup>1</sup> For a complete list of the compounds analyzed and laboratory detection limits, see Appendix A.

<sup>2</sup> Case closeout limit exceeds site-specific soil residual clean-up limits due to methanol preservation.

F-1-2

TABLE 3 (Page 2 of 2)  
 ANALYTICAL RESULTS - SOIL POST-EXCAVATION SAMPLES  
 6th STREET BULK PLANT SITE

	Case Closeout Limits	Samples													MEOH BLANKS
		S-19	S-20	S-21	S-22	S-23	S-24	S-25	S-26	S-27	S-28	S-29	S-30	S-31	
Date Collected		8-25-97	8-25-97	8-25-97	8-25-97	8-25-97	8-25-97	8-25-97	9-12-97	9-12-97	10-8-97	10-8-97	10-8-97	10-8-97	7,8,9,10-97
Depth (feet)		5	4	5	3	5	4	4	4	4	4	3	3	3	---
PID		4	2	4	5	4	20	2	200	180	---	200	---	180	---
Lead (ppm)	50	7.1	7.4	7.1	10	7.7	8.9	10	9.6	7.5	7.3	110	6.3	270	---
GROs (ppm)	100	ND	4,100	800	24	7,100	ND	1,600	---						
DROs (ppm)	100	ND	55	33	8.9	290	ND	200	---						
PVOCs/VOCs (ppb) <sup>1</sup>															
Benzene	505	310	210	340	ND	360	230	65	35,000	500	3,800	290,000	840	120,000	ND
Ethylbenzene	150000	ND	32	ND	ND	ND	ND	ND	41,000	5,000	640	260,000	71	97,000	ND
Methyl-t-Butyl Ether		ND	ND	ND	ND										
Toluene	55000	61	78	ND	ND	ND	ND	ND	43,000	1,000	4,300	1,000,000	48	290,000	ND
1,2,4-TMB		41	ND	ND	ND	ND	ND	ND	110,000	14,000	1,100	500,000	61	180,000	ND
1,3,5-TMB		ND	40,000	5,000	410	210,000	ND	71,000	ND						
Total Xylenes	140000	90	80	ND	ND	ND	ND	ND	240,000	14,000	3,100	1,300,000	110	450,000	ND
Naphthalene	80000	ND	9,300	1,500	45	ND	ND	7,300	ND						
Total PVOCs/VOCs		502	400	340	ND	360	230	65	518,300	41,000	13,395	3,560,000	1,130	1,215,300	ND

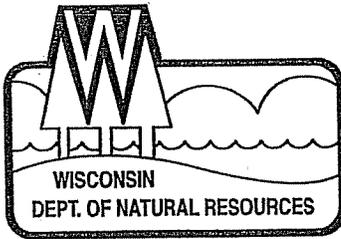
ND = not detected

--- = not applicable

Shaded areas indicate concentrations exceeding WDNR Case Closeout limits for petroleum-contaminated soils.

<sup>1</sup> For a complete list of the compounds analyzed and laboratory detection limits, see Appendix A.

<sup>2</sup> Case closeout limit exceeds site-specific soil residual clean-up limits due to methanol preservation.



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
John Gozdzialski, Regional Director

Northern Region Headquarters  
107 Sutliff Avenue  
Rhineland, Wisconsin 54501-3349  
Telephone 715-365-8900  
FAX 715-365-8932  
TTY Access via relay - 711

May 17, 2010

Mr. DEWAYNE ZIPPERER  
915 2<sup>ND</sup> AVE E  
ASHLAND WI 54806

Subject: Continuing Obligations and Property Owner Requirements  
Parcel Identification Numbers 201-01959-0100 and 201-01969-0000  
Final Case Closure for the Former Harbor Motel Fuel & Bait Bulk Plant  
6<sup>th</sup> Street and 4<sup>th</sup> Avenue West, Ashland, Wisconsin  
WDNR BRRTS Activity #02-02-000002

Dear Mr. Zipperer:

The purpose of this letter is to notify you that certain continuing obligations apply to your property on 6<sup>th</sup> Street, (referred to in this letter as the "Property") due to contamination remaining on the Property. The continuing obligations are part of the cleanup and case closure approved for the above referenced case, located adjacent to the property near the intersection of 6<sup>th</sup> Street and 4<sup>th</sup> Avenue West. (The case is referenced by the location of the source property, i.e. the property where the original discharge occurred, prior to contamination migrating to the Property.) The continuing obligations that apply to the Property are stated as conditions in the attached closure approval letter, and are consistent with s. 292.12, Wis. Stats., and ch. NR 700, Wis. Adm. Code, rule series. They are meant to limit exposure to any remaining environmental contamination at the Property. These continuing obligations will also apply to future owners of the Property, until the conditions no longer exist at the Property.

It is common for properties with approved cleanups to have continuing obligations as part of cleanup/closure approvals. Information on continuing obligations on properties is shown on the Internet at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. How to find further information about the closure and residual contamination for this site can be located at <http://dnr.wi.gov/org/aw/rr/clean.htm>.

The Department reviewed and approved the case closure request regarding the petroleum contamination in soil and groundwater at this site, based on the information submitted by Advent Environmental Services. As required by state law, you were sent notification about the pending closure on March 11, 2010. No further investigation or cleanup is required at this time. However, the closure decision is conditioned on the long-term compliance with certain continuing obligations, as described below.

### Continuing Obligations Applicable to Your Property

As indicated in the March 11 notification letter, the following continuing obligations apply to your Property.

- Structural impediments existing at the time of cleanup, the three westernmost concrete slabs underlying the rental storage garages, as identified on the attached Figure 5 Soil Benzene

Concentration Contours (Pre-Remedial), made complete investigation and cleanup of the contamination on the Property impracticable. Prior to the removal of the structural impediments, you will need to notify the Department, in order to determine if further investigation and cleanup will be required. If the structural impediments on the Property are removed, the owner of the Property will need to investigate the degree and extent of petroleum contamination and is responsible for any further cleanup necessary.

- The parking lot cover that currently exists on your Property to the west and southwest of the westernmost rental storage garage must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

Two maps have been attached to this letter to show the areas with continuing obligations: Figure 5 Soil Benzene Concentration Contours (Pre-Remedial), depicting the estimated extent of soil contamination prior to the cleanup; and Figure 1 Excavation Detail and Soil Post-Excavation Sample Locations, showing the limits of the excavation and the location of partially-treated backfill soil. Both of these maps were prepared by Advent Environmental Services, Inc. and subsequently modified by the Department for inclusion with this letter.

If soil in the specific locations described above is excavated in the future, 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes 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 during excavation activities to prevent a health threat to humans.

If you choose to remove any portion of the parking lot cover, you will need to notify the Department, in order to determine what additional cleanup actions may be needed. The following activities will be prohibited on any portion of the property where the parking lot cover is located, as shown on the attached maps, unless prior written approval has been obtained from the Department: 1) removal of the existing barrier; 2) disturbing the barrier by planting trees or shrubs; 3) replacement with another barrier; 4) excavating or grading of the land surface; 5) filling on capped or paved areas; 6) plowing for agricultural cultivation; or 7) construction or placement of a building or other structure.

### **GIS Registry – Well Construction Approval Needed**

Because of the residual soil contamination and the continuing obligations, this site, which includes your Property, will be listed on the Department's internet accessible GIS Registry, at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If you intend to construct or reconstruct a well on the Property, you will need to get Department approval in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. A well driller can help with this form. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwg/3300254.pdf>. If at some time, all these continuing obligations are fulfilled, and the remaining contamination is either removed or meets applicable standards, you may request the removal of the Property from the GIS Registry.

### **Property Owner Responsibilities**

The owner (you and any subsequent property owner) of this Property is responsible for compliance with these continuing obligations, pursuant to s. 292.12, Wis. Stats. You are strongly encouraged to pass on

the information about these continuing obligations to anyone who purchases this property from you (i.e. pass on this letter). For residential property transactions, you are required to make disclosures under s. 709.02, Wis. Stats. You may have additional obligations to notify buyers of the condition of the property and the continuing obligations set out in this letter and the closure letter.

Please be aware that failure to comply with the continuing obligations may result in enforcement action by the Department. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter, including compliance with referenced maintenance plans, are met.

These responsibilities are the Property owner's. A property owner may enter into a legally binding agreement (such as a contract) with someone else (the person responsible for the cleanup) to take responsibility for compliance with the continuing obligations. If the person with whom any property owner has an agreement fails to adequately comply with the appropriate continuing obligations, the Department has the authority to require the property owner to complete the necessary work.

A legal agreement between you and another party to carry out any of the continuing obligations listed in this letter does not automatically transfer to a new owner of the Property. If a subsequent property owner cannot negotiate a new agreement, the responsibility for compliance with the applicable continuing obligations resides with that Property owner.

When maintenance of a continuing obligation is required, the Property owner is responsible for inspections, repairs, or replacements as needed. Such actions should be documented by the Property owner and the records kept accessible for the Department to review for as long as the Department directs.

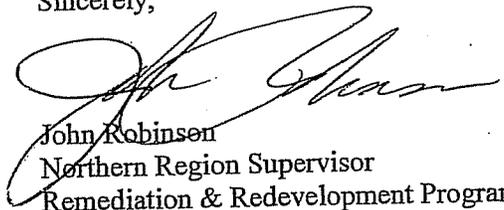
You and any subsequent Property owners are responsible for notifying the Department, and obtaining approval, before making any changes to the property that would affect the obligations applied to the Property. Send all written notifications in accordance with the above requirements to the Northern Region Headquarters at the address listed in the letterhead above, to the attention of the RR Environmental Program Associate.

Under s. 292.13, Wis. Stats., owners of properties affected by contamination from another property are generally exempt from investigating or cleaning up a hazardous substance discharge that has migrated onto a property from another property, through the soil, groundwater or sediment pathway. However, the exemption under s. 292.13, Wis. Stats., does not exempt the property owner from the responsibility to maintain a continuing obligation placed on the property in accordance with s. 292.12, Wis. Stats. To maintain this exemption, that statute requires the current property owner and any subsequent property owners, to meet the conditions in the statute, including:

- Granting reasonable access to DNR or responsible party, or their contractors;
- Avoiding interference with response actions taken; and
- Avoiding actions that make the contamination worse (e.g., demolishing a structure and causing or worsening the discharges to the environment).

If you have any questions concerning this letter or the project in general, please do not hesitate to write or call me at 715-365-8976. If you have specific technical questions, you can contact the project manager, Chris Saari, at 715-685-2920 or by e-mail at [Christopher.Saari@Wisconsin.gov](mailto:Christopher.Saari@Wisconsin.gov).

Sincerely,



John Robinsen  
Northern Region Supervisor  
Remediation & Redevelopment Program

Attachments: Figure 5 Soil Benzene Concentration Contours (Pre-Remedial)  
Figure 1 Excavation Detail and Soil Post-Excavation Sample Locations

cc:

Louetta Blinkman  
3903 Lake Park Rd  
Ashland, WI 54806

Peter Mann  
City Administrator  
City of Ashland  
601 Main St W  
Ashland, WI 54806

Chris Saari, DNR Ashland  
David Blair, Wisconsin Department of Commerce

## 2009 Property Record Ashland County, WI

View Assessment Report

Assessed values not finalized until after Board of Review  
Years marked with \* have delinquent taxes

Property information is valid as of 1/31/10

Owner
Dewayne & Janet Zipperer 915 2nd Avenue E Ashland Wi 54806

Co-Owner(s)
No co-owners listed

Property Information					
Parcel ID:	201-01969-0000				
School Districts:	Ashland School Dist				
<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Qtr</u>	<u>Qtr</u>	<u>Section</u>
		0		0	
Lot:					
Block:					
Plat Description:					

Property Description	
Lots 3 Thru 6 And Lots 13 Thru 18 W1/2 Vac 3rd Ave Adj To Lts 13 Thru 18 E1/2 Vac 4th Ave W Adj To Lts 1 Thru 6 Vacated Alley Adj To Lts 1 Thru 6 And 13 Thru 18 Block 163 Ellis Division Tid#6	
Property Address:	315 6TH ST W
Municipality:	CITY OF ASHLAND

Deed Information		
Volume	Page	Document #

Tax Information			
Net Tax Before Lottery Credit		5442.67	
Lottery Credit		.00	
Net Tax After		5442.67	
	<u>Amt. Due</u>	<u>Amt. Paid</u>	<u>Balance</u>
Tax	5442.67	2721.34	2721.33
Special Assessment	.00	.00	.00
Special Charges	.00	.00	.00
Delinquent Charges	.00	.00	.00
Woodland Tax	.00	.00	.00
Private Forest Crop	.00	.00	.00
Managed Forest Land	.00	.00	.00
Property Tax Interest		.00	.00
Special Tax Interest		.00	.00
Property Tax Penalty		.00	.00
Special Tax Penalty		.00	.00
Other Charges	.00	.00	.00
Total	5442.67	2721.34	2721.33
Over-Payment		.00	

Land Valuation				
Tax Code	Acres	Value	Improvements	Total
G2		34300.00	199000.00	233300.00
	.000	\$34300.00	\$199000.00	\$233300.00
Total Acres:	.000			
Assessment Ratio:				0.8852
Mill Rate:				0.023551879
Fair Market Value				\$263500.00

Installments					
Period	End Date	Amount	Period	End Date	Amount
1.	01/31/2010	2721.34	2.	07/31/2010	2721.33

Payment History (Posted Payments)									
Date	Receipt #	Source	Type	Amount	Gen. Tax Balance	Spec. Assessment Balance	Intrest	Penalty	Total
12/31/2009	4807	M	T	2721.34	P	N	.00	.00	2721.34

## 2009 Property Record Ashland County, WI

View Assessment Report

Assessed values not finalized until after Board of Review  
Years marked with \* have delinquent taxes

Property information is valid as of 1/31/10

Owner
Dewayne & Janet Zipperer 915 2nd Ave E Ashland Wi 54806

Co-Owner(s)
No co-owners listed

Property Information
Parcel ID: 201-01959-0100
School Districts: Ashland School Dist
Section Township Range Qtr Qtr Section Qtr Section
0 0
Lot:
Block:
Plat Description:

Property Description
East 42' Of Lots 13 To 18 Block 162 Ellis Division & 1/2 Vac 4th Ave Adjoining
Property Address: NO ADDRESS LISTED
Municipality: CITY OF ASHLAND

Deed Information		
Volume	Page	Document #

Tax Information			
Net Tax Before Lottery Credit		190.76	
Lottery Credit		.00	
Net Tax After		190.76	
	<u>Amt. Due</u>	<u>Amt. Paid</u>	<u>Balance</u>
Tax	190.76	95.38	95.38
Special Assessment	.00	.00	.00
Special Charges	.00	.00	.00
Delinquent Charges	.00	.00	.00
Woodland Tax	.00	.00	.00
Private Forest Crop	.00	.00	.00
Managed Forest Land	.00	.00	.00
Property Tax Interest		.00	.00
Special Tax Interest		.00	.00
Property Tax Penalty		.00	.00
Special Tax Penalty		.00	.00
Other Charges	.00	.00	.00
Total	190.76	95.38	95.38
Over-Payment		.00	

Land Valuation				
Tax Code	Acres	Value	Improvements	Total
G2		8100.00		8100.00
	.000	\$8100.00	\$0.00	\$8100.00
Total Acres:				.000
Assessment Ratio:				0.8852
Mill Rate:				0.023551879
Fair Market Value				\$9200.00

Installments					
Period	End Date	Amount	Period	End Date	Amount
1.	01/31/2010	95.38	2.	07/31/2010	95.38

Payment History (Posted Payments)										
Date	Receipt #	Source	Type	Amount	Gen. Tax Balance	Spec. Assessment Balance	Intrest	Penalty	Total	
12/31/2009	4809	M	T	95.38	P	N	.00	.00	95.38	

X220030

REGISTER OF DEEDS OFFICE  
 ASHLAND COUNTY, WIS.  
 Received for Record  
 at 2:00 o'clock P.M. duly recorded in  
 Vol. 410 of Records on Page 432  
 JUL 24 1987  
*Wendell R. Friske*  
 REGISTER OF DEEDS

TRANSFER  
 \$ 21.00  
 FEE

Authorization No. Res. Dated  
 Nov. 25, 1980

DEED NO. 85348

THE GRANTOR, CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, whose principal office is located at 165 N. Canal Street, Chicago, Illinois, for the consideration of SEVEN THOUSAND AND NO/100 DOLLARS (\$7,000.00), conveys and quitclaims to DEWAYNE W. ZIPPERER and JANET L. ZIPPERER of 915 - 2nd Avenue E. Ashland, Wisconsin, GRANTEE, all interest in the following described real estate situated in the County of Ashland, and the State of Wisconsin, to wit:

That part of Lots 1 through 11 and Lots 13 through 19 all in Block 162, including the vacated alley therein, in Ellis Division of Ashland, according to the recorded plat thereof, together with those parts of vacated Fourth Avenue West, Vaughn Avenue West and Sixth Street West, all bounded and described as follows: Beginning at the intersection of the center line of vacated Fourth Avenue West and the center line of Sixth Street West; thence Northwesterly along the center line of vacated Fourth Avenue West a distance of 183 feet, more or less, to a point on the Northeasterly extension of the Northwest line of Lot 18 in said Block 162; thence Southwesterly along said Northwesterly line of Lot 18, extended, a distance of 145 feet, more or less, to a point distant 14 feet Northerly, measured radially, from the center line of the main track (now removed) of the Milwaukee, Lake Shore and Western Railway Company (now the Chicago and North Western Transportation Company), as said main track was originally located and established; thence Westerly parallel with said original main track center line a distance of 110 feet, more or less, to a point on the Northwesterly line of Lot 8 in said Block 162; thence Northeasterly along said Northwesterly line of Lot 8 to a point distant 18 feet Northerly, measured radially, from said original main track center line; thence Westerly parallel with said original main track center line a distance of 120 feet, more or less, to a point on the Northwesterly line of Lot 11 in said Block 162; thence Southwesterly along said Northwesterly line of Lot 11 and the Southwesterly extension thereof, a distance of 37 feet, more or less, to a point on the center line of Vaughn Avenue West; thence Southeasterly along said center line of Vaughn Avenue West a distance of 40 feet, more or less, to a point distant 32 feet Southerly, measured radially, from said original main track center line; thence Easterly parallel with said original main track center line a distance of 150 feet, more or less, to a point on the Northwesterly line of Lot 6 in said Block 162; thence Southwesterly along said Northwesterly line of Lot 6, and the Southwesterly extension thereof, a distance of 120 feet, more or less, to a point on the center line of Vaughn Avenue West; thence Southeasterly along said center line of Vaughn Avenue West a distance of 30 feet to a point on the Southwesterly extension of the Southeasterly line of the Northwesterly 5 feet of Lot 5 in said Block 162; thence Northeasterly along the Southeasterly line of the Northwesterly 5 feet of said Lot 5, extended, a distance of 93 feet to a point on the Northeasterly line of the Southwesterly 60 feet of Lot 5 in said Block 162; thence Southeasterly along the Northeasterly line of the Southwesterly 60 feet of said Lot 5, and the Southeasterly extension thereof, a distance of 153 feet to a point on the center line of Sixth Street West; thence Northeasterly along said center line of Sixth Street West a distance of 273 feet, more or less, to the point of beginning.

Subject to the rights of the public in any streets or alleys that may be situated on said premises.

Excepting and Reserving, however, unto the Grantor, its lessees, licensees, successors and assigns, the right to continue to protect, maintain, operate, and use any and all existing drainage, driveways, conduits, sewers, water mains, gas lines, electric power lines, communication lines, wires and other utilities, and easements of any kind whatsoever on said premises, including the repair, reconstruction and replacement thereof.

By the acceptance of this conveyance, the Grantee, for itself and/or its heirs, successors, transferees and assigns, hereby agrees to take all steps necessary, at no expense to Grantor, to comply with any and all governmental requirements relating to land platting and use.

This conveyance is made upon the express condition that the Grantor will not pay any taxes or special assessments which may be due or delinquent upon the real estate hereinabove described.

Grantor certifies that the subject property may and shall, if released from the lien of the Indenture of Mortgage and Deed of Trust, originally executed by Chicago and North Western Railway Company and The First National Bank of Chicago, Trustee, dated as of January 1, 1939, as supplemented and amended, be automatically released from (i) the liens of the Mortgage Indenture and Deed of Trust, Assignment of Leases and Rents, Security Agreement and Financing Statements A and B dated as of June 29, 1983 by Grantor and Midwestern Railroad Properties, Incorporated to Continental Illinois National Bank and Trust Company of Chicago and The First National Bank of Chicago, as Co-Agents, pursuant to clause (a) of Section 4.3 thereof, and (ii) the lien of the Consolidated Mortgage dated as of January 15, 1984, as supplemented and amended, by Grantor to American National Bank and

DEED NO. 85348

Res. Dated  
Authorization No. Nov. 25, 1980

Trust Company of Chicago, as Trustee, pursuant to Article Nine, Section 14 thereof.

DATED this 6th day of July, 1987.

Signed, Sealed and Delivered in Presence of:

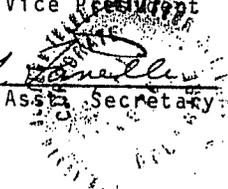
CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY

Marilyn J. Klein

By Robert W. Mickey  
ROBERT W. MICKEY, Vice President

Arthelia Bryant

Attest Lisa M. Fanelli  
LISA M. FANELLI, Asst. Secretary



STATE OF ILLINOIS )  
COUNTY OF COOK ) SS

I, RICHARD S. KENNERLEY, a Notary Public duly commissioned and qualified in and for the County and State aforesaid, DO HEREBY CERTIFY that ROBERT W. MICKEY and LISA M. FANELLI, to me personally known and known to me to be, respectively, Vice President and Assistant Secretary of CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, a Delaware corporation, and the identical persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and being first duly sworn by me, severally acknowledged to me that they are, respectively, Vice President and Assistant Secretary of said corporation; that as such officers they signed, sealed and delivered said instrument in behalf of said corporation by authority and order of its Board of Directors, as the free and voluntary act and deed of said corporation, and as their own free and voluntary act; that the seal affixed to said instrument is the seal of said corporation; and that said corporation executed said instrument for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as such Notary Public, at Chicago, Illinois, this 6th day of July, 1987.

Richard S. Kennerley  
Notary Public, in and for the County of Cook, In the State of Illinois  
RICHARD S. KENNERLEY



My Commission Expires: November 8, 1988

This instrument was prepared by Chicago and North Western Transportation Company, 165 North Canal Street, Chicago, Illinois 60606.

L-69-10

**X280533**

Document Number

**AFFIDAVIT**

Document Title

REGISTER OF DEEDS OFFICE  
ASHLAND COUNTY, WI  
Received for Record  
at 11:55 O'clock 11 M. duly recorded in  
Vol. 547 of Records on Page 322-328

JUN 18 2002

*Karen M. Miller*  
REGISTER OF DEEDS

Recording Area

Name and Return Address

201-1959-0000  
Parcel Identification Number (PIN)

**VOL 547 PG 322**



EXHIBIT A

PARCEL NO. 1

The following described parcel less the easterly 75 feet (E. 75') thereof:

That part of Lots 1 through 11 and Lots 13 through 19 all in Block 162, including the vacated alley therein, in Ellis Division of Ashland, according to the recorded plat thereof, together with those parts of vacated Fourth Avenue West, Vaughn Avenue West and Sixth Street West, all bounded and described as follows: Beginning at the intersection of the center line of vacated Fourth Avenue West and the center line of Sixth Street West; thence Northwesterly along the center line of vacated Fourth Avenue West a distance of 183 feet, more or less, to a point on the Northeastly extension of the Northwest line of Lot 18 in said Block 162; thence Southwesterly along said Northwesterly line of Lot 18, extended, a distance of 145 feet, more or less, to a point distant 14 feet Northerly, measured radially, from the center line of the main track (now removed) of the Milwaukee, Lake Shore and Western Railway Company (now the Chicago and North Western Transportation Company), as said main track was originally located and established; thence Westerly parallel with said original main track center line a distance of 110 feet, more or less, to a point on the Northwesterly line of Lot 8 in said Block 162; thence Northeastly along said Northwesterly line of Lot 8 to a point distant 18 feet Northerly, measured radially, from said original main track center line; thence Westerly parallel with said original main track center line a distance of 120 feet, more or less, to a point on the Northwesterly line of Lot 11 in said Block 162; thence Southwesterly along said Northwesterly line of Lot 11 and the Southwesterly extension thereof, a distance of 37 feet, more or less, to a point on the center line of Vaughn Avenue West; thence Southeastly along said center line of Vaughn Avenue West a distance of 40 feet, more or less, to a point distant 32 feet Southerly, measured radially, from said original main track center line; thence Easterly parallel with said original main track center line a distance of 150 feet, more or less, to a point on the Northwesterly line of Lot 6 in said Block 162; thence Southwesterly along said Northwesterly line of Lot 6, and the Southwesterly extension thereof, a distance of 120 feet, more or less, to a point on the center line of Vaughn Avenue West; thence Southeastly along said center line of Vaughn Avenue West a distance of 30 feet to a point on the Southwesterly extension of the Southeastly line of the Northwesterly 5 feet of Lot 5 in said Block 162; thence Northeastly along the Southeastly line of the Northwesterly 5 feet of said Lot 5, extended, a distance of 93 feet to a point on the Northeastly line of the Southwesterly 60 feet of Lot 5 in said Block 162; thence Southeastly along the Northeastly line of the Southwesterly 60 feet of said Lot 5, and the Southeastly extension thereof, a distance of 153 feet to a point on the center line of Sixth Street West; thence Northeastly along said center line of Sixth Street West a distance of 273 feet, more or less, to the point of beginning; City of Ashland, Ashland County, Wisconsin.

**VOL 547 PG 324**

IN RE: ACQUISITION OF PROPERTY OF  
DEWAYNE W. ZIPPERER AND JANET L.  
ZIPPERER, CONDEMNED BY THE CITY  
OF ASHLAND, A MUNICIPAL CORPORATION  
OF THE STATE OF WISCONSIN, CONDEMNOR

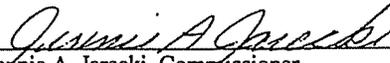
DETERMINATION OF  
CONDEMNATION COMMISSION  
Case Code: 30402  
Condemnation Review

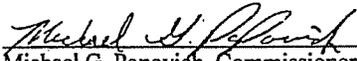
File No. 99 CV 86

The undersigned, as Condemnation Commissioners for the County of Ashland, State of Wisconsin, having received evidence of the market value of the subject property herein, and in accordance with Section 32.08(6) Wisconsin Statutes, hereby determine that as of August 17, 1999, the fair market value of the subject property was \$38,250.00.

Dated this 12<sup>th</sup> day of January, 2000.

  
Michael S. Hines, Chairman

  
Jennie A. Jarecki, Commissioner

  
Michael G. Popovich, Commissioner

This document is a full, true and correct copy of the original on file and of record in my office and has been compared by me.

Attest: January 13 19 2000  
Sandy Fahl, Deputy  
Clerk of Circuit Court, Ashland Circuit Court, State of Wisconsin in and for the County of Ashland.

JAN 14 2000  
CLERK OF THE CIRCUIT COURT  
ASHLAND COUNTY WISCONSIN

**Exhibit B VOL 547 PG 325**

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IN RE: THE ACQUISITION OF PROPERTY OF  
DEWAYNE W. ZIPPERER AND JANET L.  
ZIPPERER, CONDEMNNEES, BY THE CITY  
OF ASHLAND, A MUNICIPAL CORPORATION  
OF THE STATE OF WISCONSIN, CONDEMNOR.

RECEIPT

Case No.: 99 CV 086

---

Received of the City of Ashland, this 24th day of January, 2000, the sum of Thirty-eight  
Thousand Two Hundred Fifty and No/100 Dollars (\$38,250.00), by Check No. 012518, payable  
to the Ashland County Clerk of Circuit Court for the benefit of DeWayne Zipperer and Janet  
Zipperer.

By:

*Sandy Paitl, Deputy*  
Katie Colgrove  
Clerk of Circuit Court

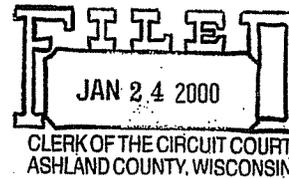


Exhibit C

VOL 547 PG 326

STATE OF WISCONSIN

CIRCUIT COURT

ASHLAND COUNTY

DEWAYNE W. ZIPPERER and  
JANET L. ZIPPERER,

Plaintiffs,

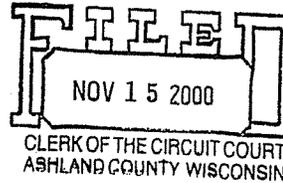
vs

CITY OF ASHLAND, A MUNICIPAL  
CORPORATION OF THE STATE  
OF WISCONSIN,

Defendants.

Stipulation for Dismissal  
and Disbursement of  
Proceeds and Order

File No. 99 CV 86  
Case Code: 30402



The parties in the above matter, by their attorneys, hereby stipulate and agree that the above captioned Circuit Court Case may be dismissed with prejudice without costs to either party and that the proceeds in the amount of \$38,250.00 which are presently on account with the Clerk of Circuit Court for Ashland County may be disbursed to the Ashley, Hannula & Halom Trust Account.

Dated: 11/13/00

Dan Hannula  
Attorney for Plaintiffs  
DeWayne and Janet Zipperer

Dated: 11/14/00

Scott W. Clark  
Attorney for Defendants  
City of Ashland

Exhibit D

VOL 547 PG 327

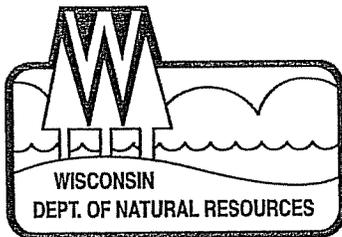
ORDER

Upon the Stipulation of the parties it is hereby ordered that the above captioned action is hereby dismissed with prejudiced without costs and that the \$38,250.00 presently being held by the Ashland County Clerk of Circuit Court is ordered to be disbursed to the Ashley, Hannula & Halom Trust Account.

Dated: 11-15-00

Robert E. Eaton  
Honorable Robert E. Eaton

**VOL 547 PG 328**



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
John Gozdziński, Regional Director

Northern Region Headquarters  
107 Sutliff Avenue  
Rhinelander, Wisconsin 54501-3349  
Telephone 715-365-8900  
FAX 715-365-8932  
TTY Access via relay - 711

May 17, 2010

PETER MANN  
CITY ADMINISTRATOR  
CITY OF ASHLAND  
601 MAIN ST W  
ASHLAND WI 54806

Subject: Continuing Obligations and Property Owner Requirements  
Parcel Identification Numbers 201-01959-0200  
Final Case Closure for the Former Harbor Motel Fuel & Bait Bulk Plant  
6<sup>th</sup> Street and 4<sup>th</sup> Avenue West, Ashland, Wisconsin  
WDNR BRRTS Activity #02-02-000002

Dear Mr. Mann:

The purpose of this letter is to notify you that certain continuing obligations apply to the City of Ashland's property on 6<sup>th</sup> Street, (referred to in this letter as the "Property") due to contamination remaining on the Property. The continuing obligations are part of the cleanup and case closure approved for the above referenced case, located adjacent to the property near the intersection of 6<sup>th</sup> Street and 4<sup>th</sup> Avenue West. (The case is referenced by the location of the source property, i.e. the property where the original discharge occurred, prior to contamination migrating to the Property.) The continuing obligations that apply to the Property are stated as conditions in the attached closure approval letter, and are consistent with s. 292.12, Wis. Stats., and ch. NR 700, Wis. Adm. Code, rule series. They are meant to limit exposure to any remaining environmental contamination at the Property. These continuing obligations will also apply to future owners of the Property, until the conditions no longer exist at the Property.

It is common for properties with approved cleanups to have continuing obligations as part of cleanup/closure approvals. Information on continuing obligations on properties is shown on the Internet at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. How to find further information about the closure and residual contamination for this site can be located at <http://dnr.wi.gov/org/aw/rr/clean.htm>.

The Department reviewed and approved the case closure request regarding the petroleum contamination in soil and groundwater at this site, based on the information submitted by Advent Environmental Services. As required by state law, the City of Ashland was sent notification about the pending closure on March 11, 2010. No further investigation or cleanup is required at this time. However, the closure decision is conditioned on the long-term compliance with continuing obligations, as described below.

**Continuing Obligations Applicable to Your Property**

As indicated in the March 11 notification letter, the following continuing obligations apply to the City of Ashland's Property.

- The fill soil and overlying playground cover material on Parcel Number 201-01959-0200, in the area identified as being within the approximate excavation boundary on Figure 1 Excavation Detail and Soil Post-Excavation Sample Locations, a copy of which is attached, must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

Two maps have been attached to this letter to show the areas with continuing obligations: Figure 5 Soil Benzene Concentration Contours (Pre-Remedial), depicting the estimated extent of soil contamination prior to the cleanup; and Figure 1 Excavation Detail and Soil Post-Excavation Sample Locations, showing the limits of the excavation and the location of partially-treated backfill soil. Both of these maps were prepared by Advent Environmental Services, Inc. and subsequently modified by the Department for inclusion with this letter.

If soil in the specific locations described above is excavated in the future, 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 is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes 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 during excavation activities to prevent a health threat to humans.

If the City of Ashland chooses to remove any portion of the fill soil and playground cover material, the City of Ashland will need to notify the Department, in order to determine what additional cleanup actions may be needed. The following activities will be prohibited on any portion of the property where the fill soil and playground cover material is located, as shown on the attached maps, unless prior written approval has been obtained from the Department: 1) removal of the existing barrier; 2) disturbing the barrier by planting trees or shrubs; 3) replacement with another barrier; 4) excavating or grading of the land surface; 5) filling on capped or paved areas; 6) plowing for agricultural cultivation; or 7) construction or placement of a building or other structure.

### **GIS Registry – Well Construction Approval Needed**

Because of the residual soil contamination and the continuing obligations, this site, which includes your Property, will be listed on the Department's internet accessible GIS Registry, at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If you intend to construct or reconstruct a well on the Property, you will need to get Department approval in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. A well driller can help with this form. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwg/3300254.pdf>. If at some time, all these continuing obligations are fulfilled, and the remaining contamination is either removed or meets applicable standards, you may request the removal of the Property from the GIS Registry.

### **Property Owner Responsibilities**

The owner (you and any subsequent property owner) of this Property is responsible for compliance with these continuing obligations, pursuant to s. 292.12, Wis. Stats. You are strongly encouraged to pass on the information about these continuing obligations to anyone who purchases this property from you (i.e. pass on this letter). For residential property transactions, you are required to make disclosures under s. 709.02, Wis. Stats. You may have additional obligations to notify buyers of the condition of the property and the continuing obligations set out in this letter and the closure letter.

Please be aware that failure to comply with the continuing obligations may result in enforcement action by the Department. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter, including compliance with referenced maintenance plans, are met.

These responsibilities are the Property owner's. A property owner may enter into a legally binding agreement (such as a contract) with someone else (the person responsible for the cleanup) to take responsibility for compliance with the continuing obligations. If the person with whom any property owner has an agreement fails to adequately comply with the appropriate continuing obligations, the Department has the authority to require the property owner to complete the necessary work.

A legal agreement between you and another party to carry out any of the continuing obligations listed in this letter does not automatically transfer to a new owner of the Property. If a subsequent property owner cannot negotiate a new agreement, the responsibility for compliance with the applicable continuing obligations resides with that Property owner.

When maintenance of a continuing obligation is required, the Property owner is responsible for inspections, repairs, or replacements as needed. Such actions should be documented by the Property owner and the records kept accessible for the Department to review for as long as the Department directs.

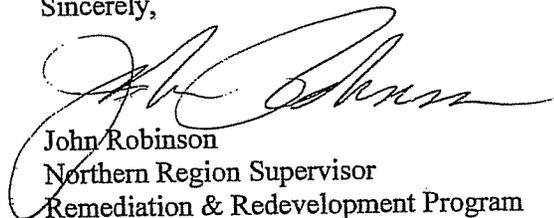
You and any subsequent Property owners are responsible for notifying the Department, and obtaining approval, before making any changes to the property that would affect the obligations applied to the Property. Send all written notifications in accordance with the above requirements to the Northern Region Headquarters at the address listed in the letterhead above, to the attention of the RR Environmental Program Associate.

Under s. 292.13, Wis. Stats., owners of properties affected by contamination from another property are generally exempt from investigating or cleaning up a hazardous substance discharge that has migrated onto a property from another property, through the soil, groundwater or sediment pathway. However, the exemption under s. 292.13, Wis. Stats., does not exempt the property owner from the responsibility to maintain a continuing obligation placed on the property in accordance with s. 292.12, Wis. Stats. To maintain this exemption, that statute requires the current property owner and any subsequent property owners, to meet the conditions in the statute, including:

- Granting reasonable access to DNR or responsible party, or their contractors;
- Avoiding interference with response actions taken; and
- Avoiding actions that make the contamination worse (e.g., demolishing a structure and causing or worsening the discharges to the environment).

If you have any questions concerning this letter or the project in general, please do not hesitate to write or call me at 715-365-8976. If you have specific technical questions, you can contact the project manager, Chris Saari, at 715-685-2920 or by e-mail at [Christopher.Saari@Wisconsin.gov](mailto:Christopher.Saari@Wisconsin.gov).

Sincerely,



John Robinson  
Northern Region Supervisor  
Remediation & Redevelopment Program

Attachments: Figure 5 Soil Benzene Concentration Contours (Pre-Remedial)  
Figure 1 Excavation Detail and Soil Post-Excavation Sample Locations

cc:

Louetta Blinkman  
3903 Lake Park Rd  
Ashland, WI 54806

Dewayne Zipperer  
915 2nd Ave E  
Ashland, WI 54806

Chris Saari – DNR Ashland  
David Blair, Wisconsin Department of Commerce

## 2009 Property Record Ashland County, WI

[View Assessment Report](#)

Assessed values not finalized until after Board of Review  
Years marked with \* have delinquent taxes

Property information is valid as of 1/31/10

Owner
City Of Ashland 601 Main St W Ashland WI 54806

Co-Owner(s)
No co-owners listed

Property Information					
Parcel ID:	201-01959-0200				
School Districts:	Ashland School Dist				
<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Qtr</u>	<u>Qtr</u>	<u>Section</u>
		0		0	
Lot:					
Block:					
Plat Description:					

Property Description	
That Part Of Lots 1 To 11 & 13 To 19 Block 162 Ellis Division; Including Vacated Alley Adj & 1/2 Vacated 4th Ave Adj Desc In V 547 Pg 322 Less East 75'	
Property Address:	NO ADDRESS LISTED
Municipality:	CITY OF ASHLAND

Deed Information		
Volume	Page	Document #
547	322	280533

Tax Information			
Net Tax Before Lottery Credit			.00
Lottery Credit			.00
Net Tax After			.00
	<u>Amt. Due</u>	<u>Amt. Paid</u>	<u>Balance</u>
Tax	.00	.00	.00
Special Assessment	.00	.00	.00
Special Charges	.00	.00	.00
Delinquent Charges	.00	.00	.00
Woodland Tax	.00	.00	.00
Private Forest Crop	.00	.00	.00
Managed Forest Land	.00	.00	.00
Property Tax Interest		.00	.00
Special Tax Interest		.00	.00
Property Tax Penalty		.00	.00
Special Tax Penalty		.00	.00
Other Charges	.00	.00	.00
Total	.00	.00	.00
Over-Payment		.00	

Land Valuation				
Tax Code	Acres	Value	Improvements	Total
X4				
		.000	\$0.00	\$0.00
Total Acres:				.000
Assessment Ratio:				0.8852
Mill Rate:				0.023551879
Fair Market Value				\$0.00

Installments					
Period	End Date	Amount	Period	End Date	Amount
1.	01/31/2010	.00	2.	07/31/2010	.00

Payment History (Posted Payments)									
Date	Receipt #	Source	Type	Amount	Gen. Tax Balance	Spec. Assessment Balance	Intrest	Penalty	Total