

GIS REGISTRY INFORMATION

SITE NAME: Yahara Square

BRRTS #: 03-13-000509 **FID # (if appropriate):**

COMMERCE # (if appropriate): 53703-3029-55

CLOSURE DATE: 05-Jun-06

STREET ADDRESS: 1451 East Washington Avenue

CITY: Madison

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 571904 Y= 290970

CONTAMINATED MEDIA: Groundwater Soil Both

OFF-SOURCE GW CONTAMINATION >ES: Yes No

IF YES, STREET ADDRESS 1:

GPS COORDINATES (meters in WTM91 projection): X= Y=

OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL): Yes No

IF YES, STREET ADDRESS 1:

GPS COORDINATES (meters in WTM91 projection): X= Y=

CONTAMINATION IN RIGHT OF WAY: Yes No

DOCUMENTS NEEDED:

- Closure Letter, and any conditional closure letter issued
- Copy of most recent deed, including legal description, for all affected properties
- Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties
- County Parcel ID number, if used for county, for all affected properties
- Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.
- Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)
- Tables of Latest Soil Analytical Results (no shading or cross-hatching)
- Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.
- GW: Table of water level elevations, with sampling dates, and free product noted if present
- GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)
- SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour
- Geologic cross-sections, if required for SI. (8.5x14" if paper copy)
- RP certified statement that legal descriptions are complete and accurate
- Copies of off-source notification letters (if applicable)
- Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)
- Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Lloyd L. Eagan, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TTY Access via relay - 711

July 12, 2006

File Ref: 03-13-000509

Ms Carol Mullins
Yahara Square Associates
401 North Carroll Street
Madison, WI 53703

Subject: Case Closure for Yahara Square Associates Property, 1451 E. Washington Ave., Madison

Dear Ms. Mullins:

On January 14, 1999 your site was reviewed for closure by the South Central Region Closure Committee. On March 17, 1999, you were notified that the Closure Committee had granted conditional closure to this case. On May 7, 2003, the Department sent a letter stating that we had received the information regarding the abandonment of monitoring wells. On June 5, 2006, and July 6, 2006, the Department received information that documented the submittal of the Deed Restriction materials to the Dane County Register of Deeds.

Based on the correspondence and data provided, it appears that the requirements of ch. NR 726, Wisconsin Administrative Code has been met. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

FUTURE EXCAVATION OF RESIDUAL CONTAMINATED SOIL

Residual soil contamination remains at areas shown on Exhibit A map attached to the deed restrictions and also indicated in the information submitted to the Department of Natural Resources. If soil in these specific locations is excavated in the future, the property owner at the time of excavation will be required to sample and analyze the excavated soil to determine whether the contamination still remains. If contamination remains, 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 at the time of excavation. **Special precautions may need to be taken during excavation activities to prevent a direct contact health threat to humans.** Based upon the results of sample analysis, the current owner will also have to properly store, treat, or dispose of any excavated materials, in accordance with state and federal laws.

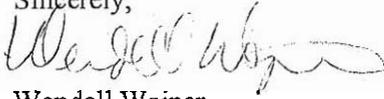
Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry and you intend to construct or reconstruct a well, you will need Department approval. Department approval is required before construction or reconstruction of a well on a property listed on the GIS Registry, in accordance with s. NR 812.09(4)(w). 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 <http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

Your site was closed with the requirement that a deed restriction for soil contamination be recorded at the county Register of Deeds office, and that maintenance of the pavement (parking lot) be conducted as described in the maintenance and inspection plan, dated January 15, 2006. The maintenance plan and inspection log are to be kept up-to-date and on-site, and the inspection log need only be submitted to the Department upon request. A copy of the deed restriction and the referenced maintenance plan can be found in the Department's regional files, or they can be viewed on the GIS Registry for this site, at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

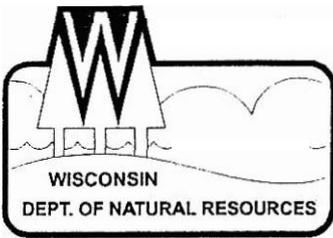
The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (608) 275-3297.

Sincerely,



Wendell Wojner
Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Brian Mullins, Axley Brynelson LLP, 2 E. Mifflin Street, Suite 200, PO Box 1767,
Madison, WI 53701-1767



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

March 17, 1999

File Ref.: 03-13-000509

Mr Jerry Mullins
Yahara Square Associates
401 North Carroll Street
Madison, WI 53703

Subject: Closure Request, Yahara Square, 1455 East Washington Ave., Madison

Dear Mr. Mullins:

On January 14, 1999 the above-named site was reviewed by the South Central Regional Closure Committee to determine whether the case could be closed. Based on the investigative and remedial documentation provided to the Department, the closure committee has decided that the contamination has been investigated and remediated to the extent practicable under current site conditions. Therefore, the Department has agreed to close the case pending a deed restriction.

However, residual lead contaminated soil remains at the property, which may become accessible in the future should site conditions change. For example, excavation at the depth of contamination may occur for construction or installation of facilities. If the residual contamination is excavated, the property owner at that time will be required to sample and analyze the excavated material, in order to properly store, treat and dispose of it. Special precautions may need to be taken during construction to prevent a direct contact or inhalation threat to humans.

Due to its concentration and location on the property, residual soil contamination at the site is not readily accessible. For this reason, the closeout committee requires, as a condition of the closeout, that the property owner sign and record a deed restriction at the County Register of Deeds office, giving notice of residual lead contamination at the property. When the deed restriction has been properly filed, and the groundwater quality monitoring wells at the site have been abandoned in accordance with NR 141.25, Wis. Adm. Code, the site may receive final closure. To document that this condition has been complied with, the property owner must submit to the Department, copies of the well abandonment forms and the properly recorded deed restriction. The affidavit may be amended in the future if conditions change at the site and the residual contamination is fully remediated.

To complete the deed restriction, the Department requires that a copy of the most recent property deed (including the complete, unabbreviated legal description) be provided. This may be obtained from the County Register of Deeds. Upon receipt of the property deed, the Department will send you a draft copy of the deed restriction, for your comment. Upon your acceptance of the draft language, a revised copy will be sent for your signature. You are to then return a signed copy with proof of filing. At that time, the site may receive final closure.

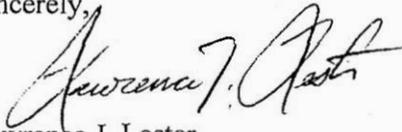
This deed restriction is an option the Department offers to close this site. If you choose not to accept this option, you may perform additional investigation and cleanup of the remaining contamination.

*Quality Natural Resources Management
Through Excellent Customer Service*



The Department appreciates your efforts in the restoration of the environment. Should you have any questions, feel free to contact me at the above address, or by telephone at (608) 275-3465.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence J. Lester". The signature is written in a cursive style with a large, stylized initial "L".

Lawrence J. Lester
Remediation & Redevelopment Hydrogeologist
Telephone: (608) 275-3465

cc: Barry, Resource Engineering Associates, Inc.

1572836

WARRANTY DEED
THIS SPACE RESERVED FOR RECORDING DATA

Office of Register of Deeds
Dane County, Wisconsin

THIS DEED, made between DONALD C. SAMPSON

Received for Record May 22 1978 at 11:45 o'clock A.M.

YANARA SQUARE ASSOCIATES, a partnership

and recorded in vol. 948 of records on page 605

Witnesseth, That the said Grantor for a valuable consideration

Grantee: *James J. Mullins*
Register

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

RETURN TO
YANARA SQUARE ASSOC.
JAMES J. MULLINS
401 N. CARROLL ST. MADISON 53703

Tax Key # _____
This is NOT homestead property.

See Reverse Side for Legal Description

Together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining:
And Donald C. Sampson

warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except subject to easements and restrictions of record, municipal and zoning ordinances and subject to taxes for 1978 and subsequent years

and will warrant and defend the same.

Executed at Madison, Wisconsin this 18th day of May, 1978

SIGNED AND SEALED IN PRESENCE OF

Donald C. Sampson (SEAL)
Donald C. Sampson

(SEAL)
(SEAL)
(SEAL)

Signatures of Donald C. Sampson

authenticated this 18th day of May, 1978

Donald R. Huggett
Donald R. Huggett

Title: Member State Bar of Wisconsin or Other Party
Authorized under Sec. 706.06 viz. _____

STATE OF WISCONSIN }
County. } ss.

Personally came before me, this _____ day of _____, 19____,
the above named _____

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

This instrument was drafted by
Atty. Donald R. Huggett

\$5.50.00
FEE PAID

Notary Public _____ County, Wis.

My Commission (Expires) (Is) _____

The use of witnesses is optional.
Names of persons signing in any capacity should
be typed or printed below their signatures.

VOL 948 PAGE 605

FURNISHED BY
Dane County
Title Company
Founded 1846

Parcel A: All that part of Lots 4 and 5 of Block 240 of Farwell's Replat of part of the City of Madison, described as follows: Beginning at a point on the Northwest boundary line of said Lot 4, distant 368.3 feet Northeast from West corner of Block 224, said point of beginning also being 332.7 feet Southwest from Southwest margin of Thornton Avenue measured along said Northwest line of Block 240, and said point of beginning also being 71 feet Northeast from point where Easterly boundary line of lands owned by Chicago, Milwaukee, St. Paul and Pacific Railroad Company intersects Northwest boundary lines of Block 240; thence Southeast at right angles to Northwest boundary line of Block 240, 165.5 feet to Southeast line of said Lot 4; thence Northeast along Southeast line of said Lots 4 and 5, 60.7 feet; thence Northwest at right angles to Northwest boundary line of Block 240, 165.5 feet to Northwest line of Lot 5; thence Southwest along said Northwest boundary line of Block 240, 60.7 feet to place of beginning.

PARCEL B: Also that part of Blocks 224 and 240 of Farwell's Replat of part of Madison, and that part of the street formerly known as Bridge Street, now vacated, described as follows: Beginning at the South corner of Block 224; thence Northwest along the Southwest line of said Block 224, 66.5 feet to the intersection of the Easterly boundary line of lands owned by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company with the Southwest line of Block 224; thence Northerly along said Easterly line of said railroad property, said line being parallel to and 40 feet Easterly from the center of the main track of said railroad, 149.2 feet to a point on the boundary line between Lots 2 and 5 of Block 224; thence Northeast along the center line of Blocks 224 and 240 to the point of intersection of the line between Lots 18 and 19 in Block 240; thence Southeast along the line between Lots 18 and 19 in Block 240 and said line extended to the Southeast line of said Blocks 224 and 240, being the Northwest line of East Main Street; thence Southwest along the said Southeast line of Blocks 224 and 240 to point of beginning.

PARCEL C: That portion of Blocks 224 and 240 in the City of Madison, more particularly bounded and described in the following manner: Commencing at the intersection of the South line of East Washington Avenue in the City of Madison, with the property line of the Chicago, Milwaukee and St. Paul Railway Company in Blocks 224 and 240 of the City of Madison; thence proceeding Northeast along East Washington Avenue a distance of 71 feet; thence at right angles to the center line of the said Blocks 224 and 240 a distance of 165.5 feet be the same more or less; thence at right angles along the median line of said Blocks 224 and 240 to the said property line of the Chicago, Milwaukee, and St. Paul Railway Company; thence in a Northerly direction along said property line to the point of beginning.

PARCEL D: Part of Lots 5 and 6, Block 240, City of Madison, according to Farwell's Replat, described as follows: Commencing at a point on East Washington Avenue 228 feet Southwesterly from the intersection of Washington Avenue and Thornton Avenue; thence Southwesterly along East Washington Avenue 44 feet; thence Southeasterly at right angles 165.6 feet; thence Northeasterly at right angles 44 feet; thence Northwesterly at right angles 165.6 feet to the point of beginning.

PARCEL E: Commencing at a point on the Southeast line of East Washington Avenue 128 feet Southwesterly from the intersection of Washington Avenue, and Thornton Avenue; thence Southwesterly along East Washington Avenue, 100 feet; thence at right angles in a Southeasterly direction 165.6 feet; thence at right angles in a Northeasterly direction approximately 112 1/2 feet more or less to the property now belonging to the City of Madison; thence in a Northwesterly direction along the Southwest line of the City property and parallel to and 128 feet from Thornton Avenue to the point of beginning, all in Block 240 of Farwell's Replat of a part of the City of Madison.

Reserving the right to construct a spur track from and adjoining the Southeasterly end of the property hereby conveyed for Railway purposes for the use in common by all of the owners, present and future of land in said Block and Block 224 abutting the said spur track, the center line of which said spur track shall be the center line of said Blocks running Northeasterly and Southwesterly.

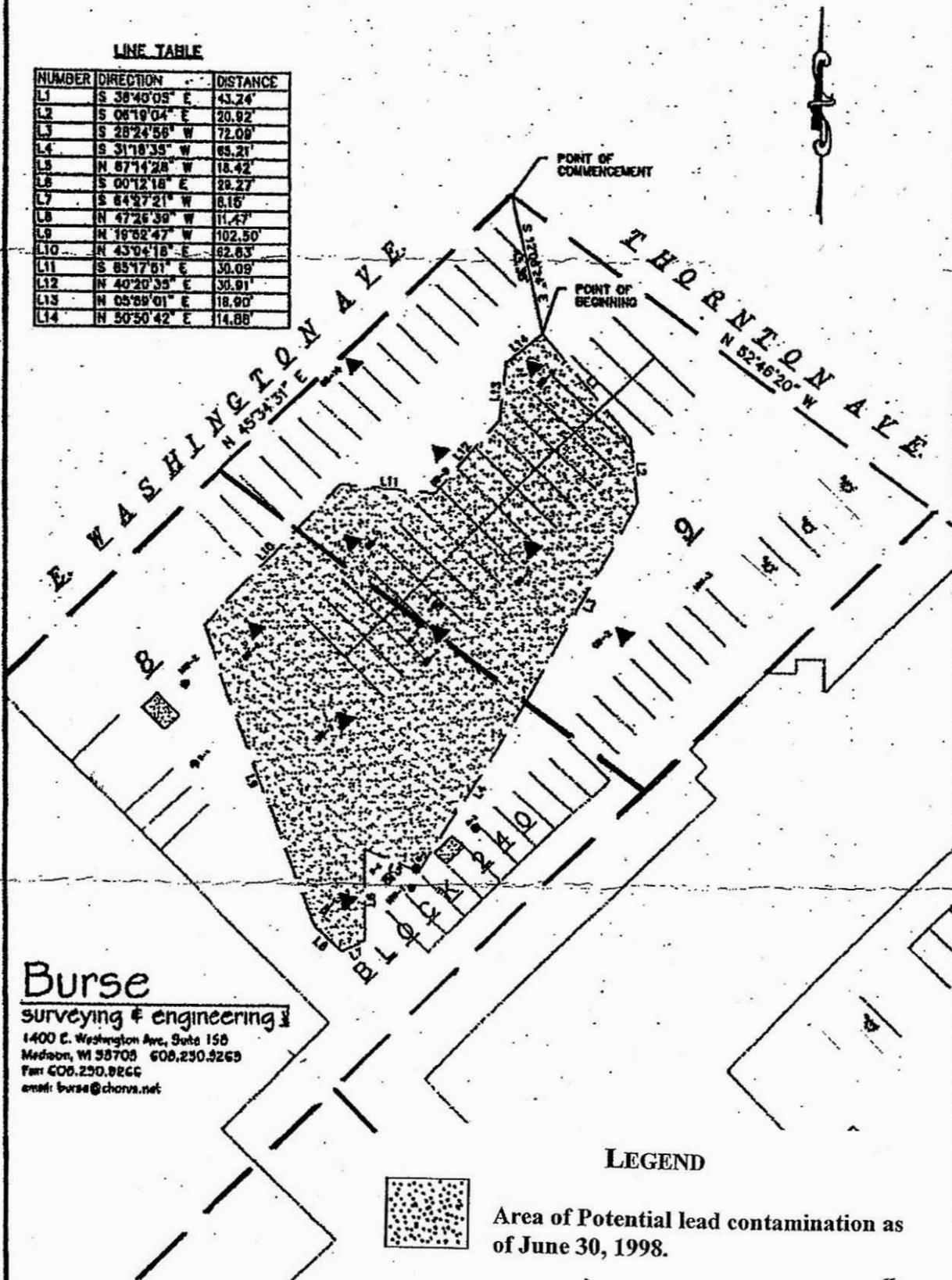
PARCEL F: Lots 17 and 18, Block 240, in the City of Madison.

Subject to reservation for spur track across the rear of said lots and subject to agreement recorded in Vol. 158 of Miscellaneous, page 591, #655002.

Exhibit A to Deed Restriction

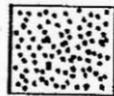
LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 38°40'05" E	43.24'
L2	S 08°19'04" E	20.82'
L3	S 28°24'56" W	72.09'
L4	S 31°19'35" W	65.21'
L5	N 67°14'28" W	18.42'
L6	S 00°12'18" E	28.27'
L7	S 84°27'21" W	8.16'
L8	N 47°26'38" W	11.47'
L9	N 16°52'47" W	102.50'
L10	N 43°04'18" E	62.63'
L11	S 85°17'51" E	30.09'
L12	N 40°20'35" E	30.91'
L13	N 05°58'01" E	18.90'
L14	N 50°50'42" E	14.88'



Burse
 surveying & engineering
 1400 E. Washington Ave, Suite 158
 Madison, WI 53705 608.230.9269
 Fax: 608.250.9266
 email: burse@chona.net

LEGEND



Area of Potential lead contamination as of June 30, 1998.

STATE BAR OF WISCONSIN FORM 3 - 2000
QUIT CLAIM DEED

Document Number

This Deed, made between Yahara Square Associates, LLP, a Wisconsin limited liability partnership, Grantor, and 1451 East Washington, LLC, a Wisconsin limited liability company, Grantee. Grantor quit claims to Grantee the following described real estate in Dane County, State of Wisconsin (if more space is needed, please attach addendum):

Part of Lots 7, 8, 9, 10 and 11, Block 240, FARWELL'S REPLAT OF A PART OF THE VILLAGE OF MADISON, as recorded in Volume A of Plats, on page 7, as Document Number 166985, Dane County Registry, located in the Northwest Quarter of Section 07, Township 07 North, Range 10 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at the intersection of the southerly right-of-way line of South Thornton Avenue with the easterly right-of-way line of East Washington Avenue; thence South 52° 46' 20" East along said southerly right-of-way line, 167.25 feet; thence South 45° 27' 30" West, 128.03 feet; thence North 52° 43' 30" West, 167.49 feet to a point on the southerly right-of-way line of East Washington Avenue; thence North 45° 34' 31" East along said southerly right-of-way line, 127.93 feet to the point of beginning.

Recording Area

Name and Return Address

Jon D. Becker
Reinhart Boerner Van Deuren s.c.
P.O. Box 2018
Madison, WI 53701-2018

251-0710-072-1102-3
Parcel Identification Number (PIN)
This is not homestead property.

Dated as of the 1st day of January, 2005.
YAHARA SQUARE ASSOCIATES, LLP

BY: Carol M. Mullins
* Carol M. Mullins, Managing Partner

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____

TITLE: MEMBER STATE BAR OF WISCONSIN

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

THIS INSTRUMENT WAS DRAFTED BY

Jon D. Becker
Reinhart Boerner Van Deuren s.c.

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

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
Dane County)

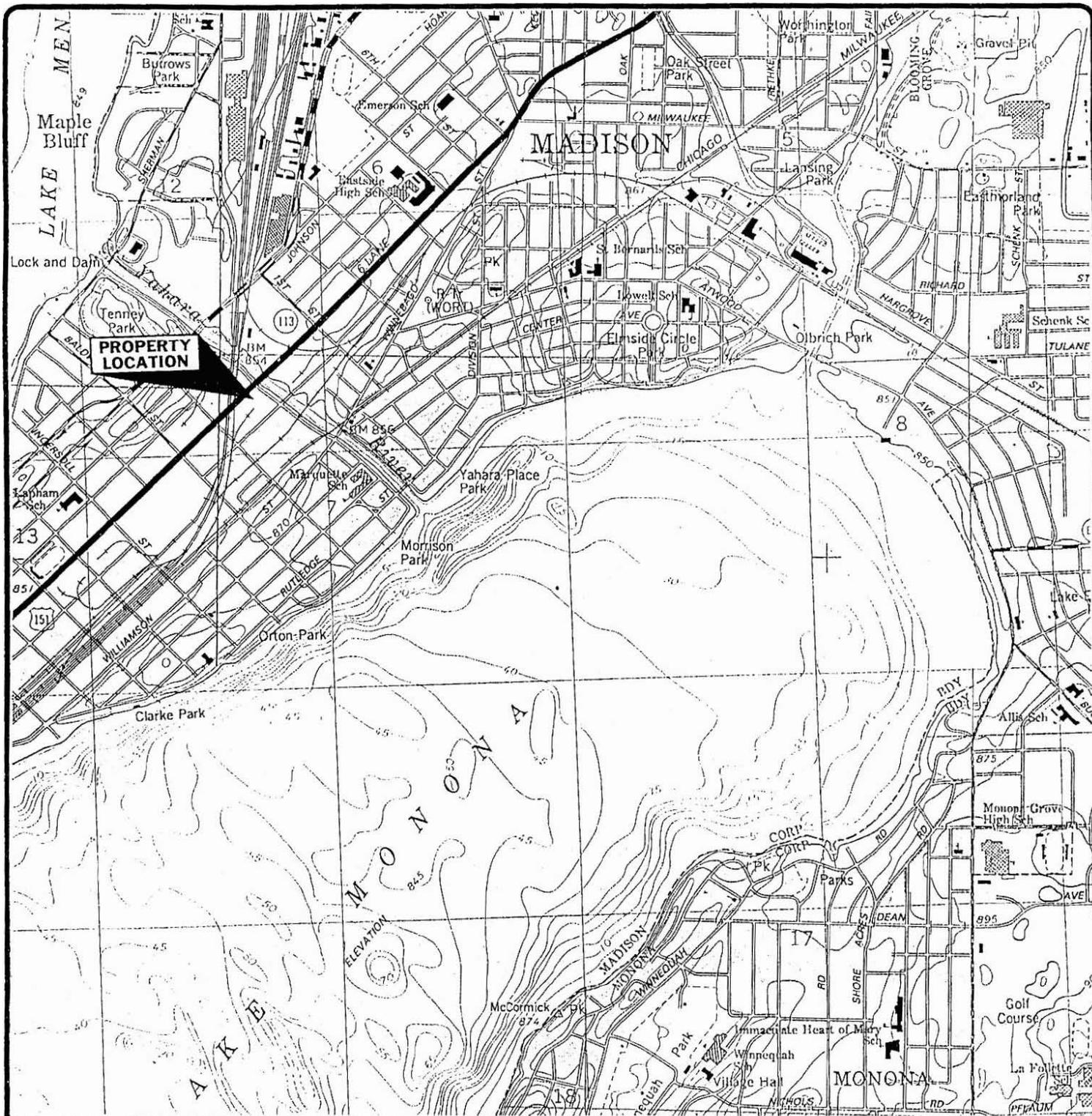
Personally came before me this 27 day of
December, 2004 the above named
Carol M. Mullins, as Managing Partner of Yahara
Square Associates, LLP

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

Bradley C. Mullins
* Bradley C. Mullins
Notary Public, State of Wisconsin

My Commission is permanent. (If not, state expiration date:
June 11, 2006)

* Names of persons signing in any capacity must be typed or printed below their signature.



NOTES

Site is located in the NW1/4 of the NW1/4 of Section 7, T7N, R10E, City of Madison, Dane County, Wisconsin

Base map from Madison East, Wisconsin 7.5 minute USGS topographic quadrangle map (1983)

See Figures 2 & 3 for additional site maps.



QUADRANGLE LOCATION



SCALE: 1" = 2000'

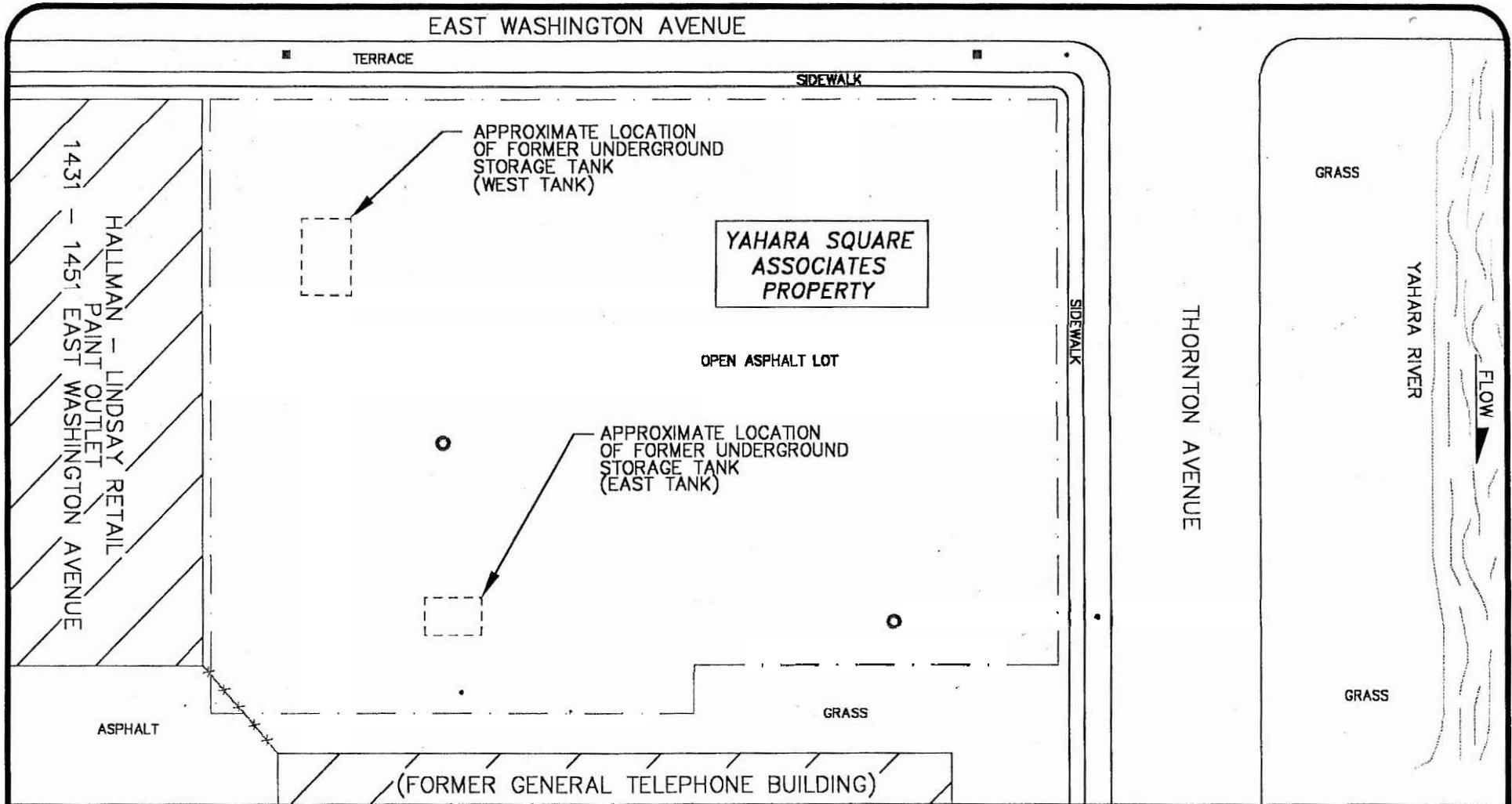
REA RESOURCE ENGINEERING ASSOCIATES, INC.
 8505 University Green, Suite 200
 Middleton, Wisconsin 53562-2507
 608-831-6563 (Fax 831-6564)

YAHARA SQUARE ASSOCIATES
 1455 East Washington Avenue
 Madison, Wisconsin

Oct. 1998
 Drawn: SKB
 Ck'd: RJP
 Proj: 980017.1

SITE VICINITY MAP

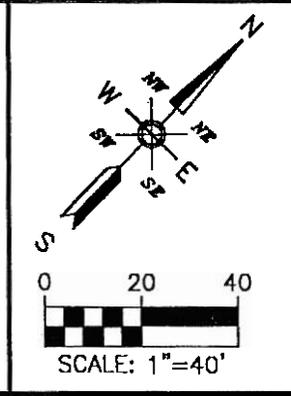
Mullin17.DWG
 FIGURE 1



LEGEND	
	APPROXIMATE LOCATION OF MANHOLE TO STORM SEWER
	FIRE HYDRANT
	POWER POLE (OVERHEAD ELECTRIC)
	APPROXIMATE PROPERTY BOUNDARY

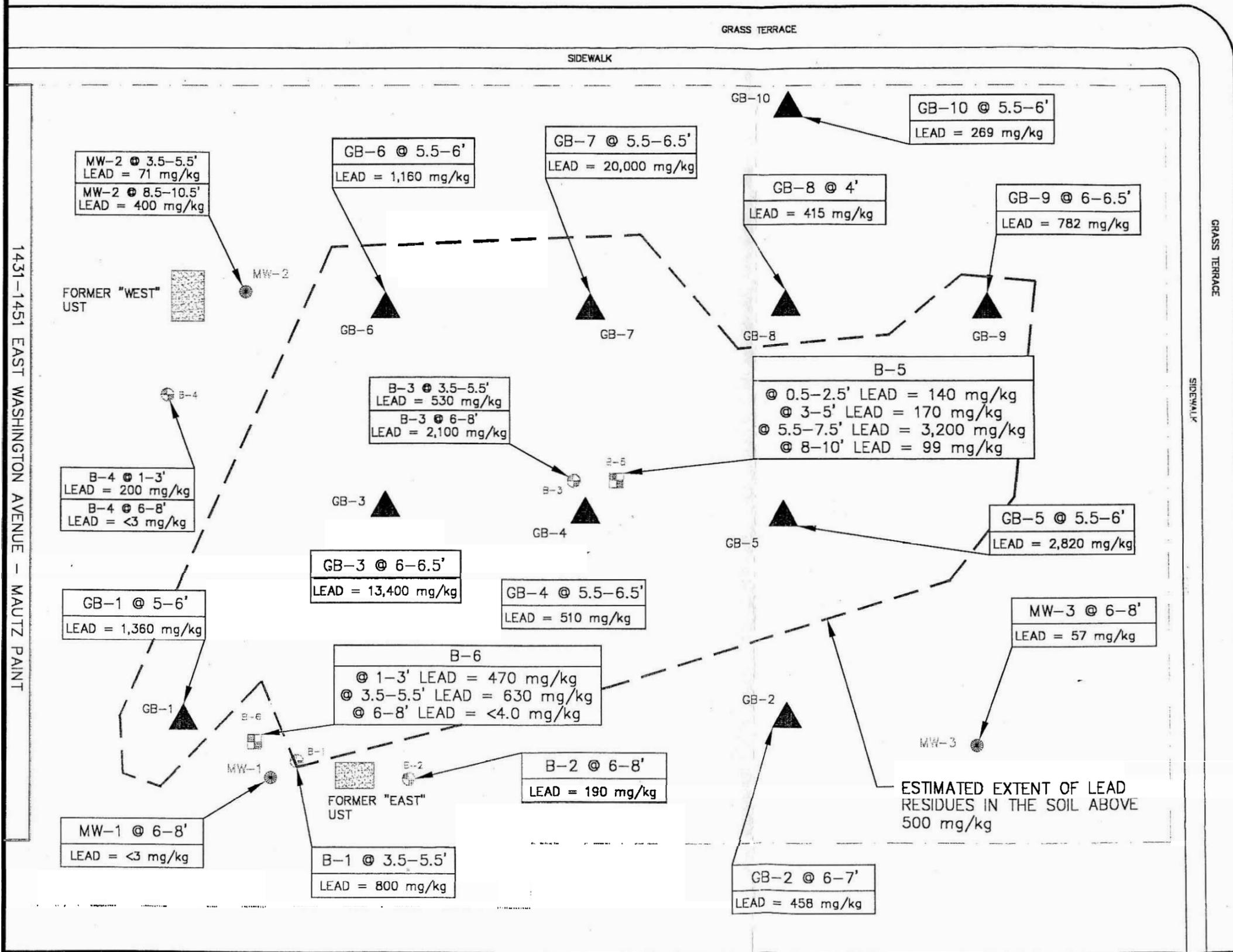
NOTES

- 1) All dimensions and locations are approximate and are based on field measurements, observations, and aerial photographs.
- 2) See Figure 1 for site location relative to Madison, Wisconsin.
- 3) See Figure 3 for soil boring and groundwater monitoring well locations showing analytical results for lead sampling at the site.



YAHARA SQUARE ASSOC. 1455 East Washington Avenue Madison, Wisconsin		
SITE LOCATION MAP		
OCT 1998	980017.1	MULLINS.DWG
RESOURCE ENGINEERING ASSOCIATES, INC.		Drawn By: SKB
		Checked By: RJP
FIGURE 2		

EAST WASHINGTON AVENUE (EAST BOUND TRAFFIC)

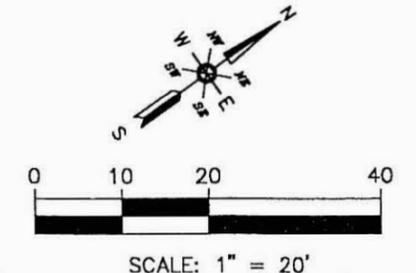


1431-1451 EAST WASHINGTON AVENUE - MAUTZ PAINT

THORNTON AVENUE

- LEGEND**
- APPROXIMATE LOCATION OF SOIL BORING ADVANCED DURING PREVIOUS SITE INVESTIGATIONS BY SES
 - APPROXIMATE LOCATION OF EXISTING MONITORING WELL INSTALLED BY SES
 - APPROXIMATE LOCATION OF GEOPROBE SOIL BORING ADVANCED BY SOIL ESSENTIALS
 - APPROXIMATE LOCATION OF FORMER UNDERGROUND STORAGE TANKS
 - ESTIMATED EXTENT OF TOTAL LEAD RESIDUES GREATER THAN 500 mg/kg.

- NOTES**
- 1) All dimensions and locations are approximate and are based on limited field measurements and aerial photographs.
 - 2) Monitoring wells and soil borings B-1 to B-4 were installed by SES on 4/6/1994.
 - 3) Soil borings B-5 and B-6 were advanced by SES on 12/7/1995.
 - 4) Geoprobe soil borings GP-1 to GP-10 were advanced by Soil Essentials on 6/30/1998.
 - 5) Groundwater laboratory analytical results are not presented on this map as detects from four rounds of sampling did not identify lead above the laboratory detection levels.



YAHARA SQUARE ASSOC.
1455 East Washington Avenue
Madison, Wisconsin

LABORATORY ANALYTICAL RESULTS FOR LEAD ANALYSIS IN THE SOIL

OCT 1998	980017.1	MULLINS19.DWG
RESOURCE ENGINEERING ASSOCIATES, INC.		Drawn By: SKB Checked By: RJP FIGURE 3

Table 4.
Summary of Groundwater Sampling
April 1994 through May 1997
1455 East Washington Avenue

Parameter (units)	NR 140 ES	NR 140 PAL	MW-1				MW-2				MW-3			
			April 1994	Dec. 1995	Feb. 1997	May 1997	April 1994	Dec. 1995	Feb. 1997	May 1997	April 1994	Dec. 1995	Feb. 1997	May 1997
benzene ($\mu\text{g/l}$)	5	0.5	<1.0	0.93	<0.13	4.0	<1.0	1.0	<0.13	<0.13	<1.0	<0.5	<0.13	<0.13
ethylbenzene ($\mu\text{g/l}$)	700	140	<1.0	<1.0	<0.22	3.7	<1.0	<1.0	<0.22	<0.22	<1.0	<1.0	<0.22	<0.22
toluene ($\mu\text{g/l}$)	343	68.6	3.9	<1.0	<0.20	2.4	9.8	2.4	<0.20	<0.20	<1.0	<1.0	<0.20	<0.20
1,2,4-trimethylbenzene ($\mu\text{g/l}$)	---	---	<1.0	1.5	<0.22	17	<1.0	<1.0	<0.22	<0.22	<1.0	<1.0	<0.22	<0.22
1,3,5-trimethylbenzene ($\mu\text{g/l}$)	---	---	<1.0	<1.0	<0.29	2.4	<1.0	<1.0	<0.29	<0.29	<1.0	<1.0	<0.29	<0.29
total xylenes ($\mu\text{g/l}$)	620	124	8.0	3.9	<0.23	42	<3.0	<3.0	<0.23	<0.23	<3.0	<3.0	<0.23	<0.23
MTBE ($\mu\text{g/l}$)	60	12	<1.0	<1.0	<0.16	<0.16	<1.0	<1.0	<0.16	<0.16	<1.0	<1.0	<0.16	<0.16
GRO ($\mu\text{g/l}$)	---	---	180	91	<50	390	<50	<50	<50	<50	<50	<50	<50	<50
DRO (mg/l)	---	---	<0.10	NA	NA	0.96	<0.10	NA	NA	0.16	<0.10	NA	NA	0.22
DRO +5 (mg/l)	---	---	NA	NA	NA	1.2	NA	NA	NA	0.20	NA	NA	NA	0.30
dissolved lead (mg/l)	15	1.5	<0.003	<0.0015	<0.00089	<0.00089	<0.003	<0.0015	<0.00089	<0.00089	0.0036	<0.0015	<0.00089	<0.00089

Notes: mg/l milligrams per liter $\mu\text{g/l}$ micrograms per liter (1,000 $\mu\text{g/l}$ = 1 mg/l)
 MTBE methyl tertiary butyl ether GRO gasoline range organics
 DRO diesel range organics NR 140 Wisconsin Administrative Code NR 140 (groundwater quality)
 ES enforcement standard --- not applicable
 NA not analyzed

SHADING INDICATES COMPOUND CONCENTRATION EXCEEDS NR 140 PAL

Note: none of the samples exceeded NR 140 Enforcement Standards

Table 1.
Soil Sampling Results
April 1994
1455 East Washington Avenue

Parameter (units)	NR 720 RCL	B-1-2	B-2-3	B-3-2	B-3-3	B-4-1	B-4-3	MW-1-3	MW-2-2	MW-2-4	MW-3-3
Sample depth (feet)	---	3.5 - 5.5	6 - 8	3.5 - 5.5	6 - 8	1 - 3	6 - 8	6 - 8	3.5 - 5.5	8.5 - 10.5	6 - 8
benzene (mg/kg)	0.0055	0.076	0.073	<0.05	<0.05	<0.05	<0.05	0.1	<0.05	<0.25	<0.05
ethylbenzene (mg/kg)	2.9	0.06	0.074	<0.05	<0.05	<0.05	<0.05	<0.1	<0.05	<0.25	<0.05
MTBE (mg/kg)	---	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.1	<0.05	<0.25	<0.05
toluene (mg/kg)	1.5	0.11	0.13	0.068	<0.05	<0.05	<0.05	0.36	<0.05	<0.25	<0.05
1,2,4-trimethylbenzene (mg/kg)	---	0.21	0.17	<0.05	<0.05	<0.05	<0.05	<0.1	<0.05	<0.25	<0.05
1,3,5-trimethylbenzene (mg/kg)	---	0.079	0.099	<0.05	<0.05	<0.05	<0.05	<0.1	<0.05	<0.25	<0.05
total xylenes (mg/kg)	4.1	0.3	0.31	<0.15	<0.15	<0.13	<0.15	0.21	<0.15	<0.75	<0.15
GRO (mg/kg)	100	<5	<5	<5	<5	<5	<5	<5	<5	55	<5
Lead (mg/kg)	50	800	190	530	2,100	200	<3	<3	71	400	57

Notes: mg/kg milligrams per kilogram
 --- not applicable

MTBE methyl tertiary butyl ether
 RCL residual contaminant level

GRO gasoline range organics
 NR 720 Wisconsin Administrative Code NR 720

Shading indicates compound concentration exceeds NR 720 RCL.

Table 2.
Soil Sampling Results
December 7, 1995
1455 East Washington Avenue

Parameter (units)	NR 720 RCL	B-5-1	B-5-2	B-5-3	B-5-4	B-6-1	B-6-2	B-6-3
Sample Depth (ft)	---	0.5 - 2.5	3.0 - 5.0	5.5 - 7.5	8.0 - 10.0	1.0 - 3.0	3.5 - 5.5	6.0 - 8.0
Total Lead (mg/kg)	50	140	170	3,200	99	470	630	<4.0
TCLP Lead (mg/l)	---	NA	NA	21	NA	NA	1.8	NA
benzene ($\mu\text{g}/\text{kg}$)	5.5	NA	NA	NA	NA	<10	59	11
ethylbenzene ($\mu\text{g}/\text{kg}$)	2,900	NA	NA	NA	NA	<25	47	<25
MTBE ($\mu\text{g}/\text{kg}$)	---	NA	NA	NA	NA	<25	<28	<25
toluene ($\mu\text{g}/\text{kg}$)	1,500	NA	NA	NA	NA	32	160	26
1,2,4-trimethylbenzene ($\mu\text{g}/\text{kg}$)	---	NA	NA	NA	NA	33	91	38
1,3,5-trimethylbenzene ($\mu\text{g}/\text{kg}$)	---	NA	NA	NA	NA	<25	44	<25
total xylenes ($\mu\text{g}/\text{kg}$)	4,100	NA	NA	NA	NA	<75	310	<75
GRO (mg/kg)	100	NA	NA	NA	NA	<5.0	<5.5	<5.0

Notes: TCLP toxicity characteristics leaching parameter
 GRO gasoline range organics
 $\mu\text{g}/\text{kg}$ micrograms per kilogram (1,000 $\mu\text{g}/\text{kg}$ = 1 mg/kg)
 NA not analyzed
 Shading indicates compound concentration exceeds NR 720 RCL.

MTBE methyl tertiary butyl ether
 mg/kg milligrams per kilogram
 mg/l milligrams per liter

Table 3.
Water Table Elevations
April 1994 through May 1997
1455 East Washington Avenue

Monitoring Well	TOC (msl)	BOS (msl)	April 21, 1994	June 3, 1994	Dec. 7, 1995	Feb. 25, 1997	May 29, 1997
MW-1	850.77	837.3	844.00	843.43	843.27	842.76	843.87
MW-2	850.99	837.3	844.10	843.40	843.23	842.84	843.84
MW-3	850.33	836.6	843.30	844.09	843.80	842.88	844.34

Notes: TOC top-of-casing
 BOS bottom-of-screen
 msl mean sea level

SOIL INVESTIGATION

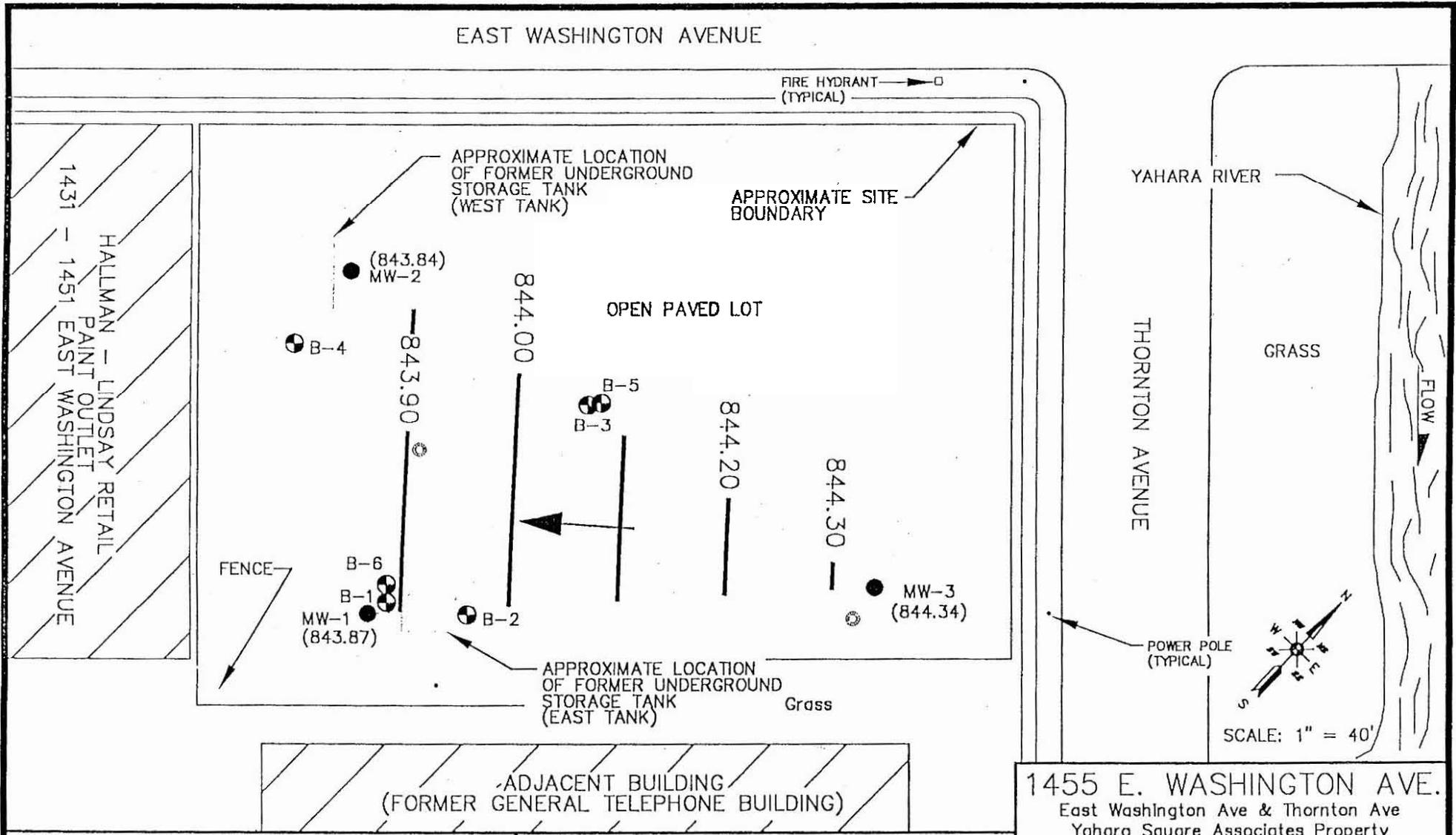
1455 EAST WASHINGTON AV.

TABLE 1
Soil Analytical Results (June 1998)
Total Lead Sampling
1455 East Washington Avenue, Madison, WI

Geoprobe	Lead (mg/kg)	% Solids	TCLP-Lead (mg/l)	SPLP-Lead (mg/l)
GP-1 @ 5-6'	1,360	75.5	--	--
GP-2A @ 6-7'	458	69.8	--	--
GP-3 @ 6-6.5'	13,400	70.5	--	--
GP-4 @ 5.5-6.5'	510	76.0	--	--
GP-5A @ 5.5-6'	2,820	56.8	3.5	--
GP-6 @ 5.5-6'	1,160	83.8	--	--
GP-7 @ 5.5-6.5'	20,000	73.4	90	<0.10
GP-8 @ 4'	415	79.5	--	--
GP-9 @ 6-6.5'	782	61.4	--	--
GP-10 @ 5.5-6'	269	85.5	--	--
NR 720RCL (mg/kg)	500	na	na	na
CFR 261.24 Concentration (mg/L)	na	na	5	na

Notes: mg/kg milligrams per kilogram mg/L micrograms per liter
 NR 720 Wisconsin Administrative Code TCLP toxic characteristic leaching procedure
 SPLP synthetic precipitation leaching procedure -- not tested
 RCL residual contaminant level na not applicable

Shading indicates compound concentration exceeded RCL



LEGEND

- MANHOLE TO STORM DRAIN
- ▨ OFF-SITE BUILDING
- ⊗ B-1 APPROXIMATE LOCATION OF SOIL BORING ADVANCED DURING REMEDIAL INVESTIGATION (4/8/1994)
- MW-1 APPROXIMATE LOCATION OF EXISTING MONITORING WELL (844.34)
- WATER TABLE ELEVATION AS MEASURED FROM TOP OF PVC CASING IN MONITORING WELL (MEAN SEA LEVEL)
- WATER TABLE CONTOUR LINE (0.10 FOOT INTERVAL)
- ESTIMATED DIRECTION OF GROUNDWATER FLOW

NOTES

- 1) All dimensions and locations are approximate and are based on previous site work, limited field measurements and aerial photographs.
- 2) Actual size and locations of the two former USTs was not obtained.
- 3) See Figure 1 for site location relative to Madison, Wisconsin.
- 4) Soil borings and monitoring wells were advanced/installed by SES on April 6, 1994.
- 5) Water table elevations were collected by REA on May 28, 1997.

1455 E. WASHINGTON AVE.
 East Washington Ave & Thornton Ave
 Yehara Square Associates Property
 Madison, Wisconsin

MONITORING WELL/SOIL BORING
 LOCATOR MAP & WATER TABLE
 CONTOUR MAP (5/29/1997)

RESOURCE ENGINEERING
 ASSOCIATES, INC.

DATE: JULY 1997	PROJECT # 87035.3	# MULLIN4.DWG FIGURE 2
--------------------	----------------------	---------------------------

YAHARA SQUARE ASSOCIATES LLP
401 NORTH CARROLL STREET
MADISON, WISCONSIN 53703

To Whom It May Concern:

I, Jerome J. Mullins, do hereby certify that, to the best of my knowledge, the legal description listed below and submitted in the closure packet to the Wisconsin DNR for Yahara Square Associates LLP, property located at 1455 East Washington Avenue, Madison, Wisconsin, is complete and accurate:

Commencing at a point on the Southeast line of East Washington Avenue 128 feet Southwesterly from the intersection of Washington Avenue, and Thornton Avenue; thence Southwesterly along East Washington Avenue, 100 feet; thence at right angles in a Southeasterly direction 165.6 feet; thence at right angles in a Northeasterly direction approximately 112 ½ feet more or less; thence in a Northwesterly direction parallel to and 128 feet from Thornton Avenue and to the point of beginning, all in Block 240 of Farwell's Replat of a part of the City of Madison.

YAHARA SQUARE ASSOCIATES LLP

Signature: Jerome J. Mullins DATE 6-12-06
Printed Name: Jerome J. Mullins, Managing Partner

1451 EAST WASHINGTON, LLC
401 NORTH CARROLL STREET
MADISON, WISCONSIN 53703

To Whom It May Concern:

I, Carol Mullins, do hereby certify that, to the best of my knowledge, the legal description listed below and submitted in the closure packet to the Wisconsin DNR for the 1451 East Washington, LLC, property located at 1451 East Washington Avenue, Madison, Wisconsin, is complete and accurate:

Part of Lots 7, 8, 9, 10 and 11, Block 240, FARWELL'S REPLAT OF A PART OF THE VILLAGE OF MADISON, as recorded in Volume A of Plats, on page 7, as Document Number 166985, Dane County Registry, located in the Northwest Quarter of Section 07, Township 07 North, Range 10 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at the intersection of the southerly right-of-way line of South Thornton Avenue with the easterly right-of-way line of East Washington Avenue; thence South 52° 46' 20" East along said southerly right-of-way line, 167.25 feet; thence South 45° 27' 30" West, 128.03 feet; thence North 52° 43' 30" West, 167.49 feet to a point on the southerly right-of-way line of East Washington Avenue; thence North 45° 34' 31" East along said southerly right-of-way line, 127.93 feet to the point of beginning.

1451 EAST WASHINGTON, LLC

Signature: Carol M. Mullins DATE 6-12-06
Printed Name: Carol M. Mullins, Member

The pavement (a parking lot) that existed on the Subject Property in the location 0 0 2 8 2 shown on the attached map, labeled Exhibit A on the date that this restriction was signed shall be maintained in compliance with the 1455 East Washington Avenue Site Maintenance Plan dated January 15, 2006, that was submitted to the Wisconsin Department of Natural Resources by 1451 East Washington LLC, as required by section NR 724.13 (2), Wis. Adm. Code (October 1999). The pavement in the Subject Property must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil that remains on the property in the location or locations described above where there is residual contamination is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains and must be stored, treated and disposed in compliance with applicable statutes and rules.

In addition, the following activities are prohibited on any portion of the Subject Property where pavement is required, as shown on Exhibit A, unless prior oral or written approval has been obtained from the Wisconsin Department of Natural Resources (DNR) or its successor or assign: (1) Replacement with another barrier; (2) Excavating or grading of the land surface; (3) Filling on capped or paved areas; (4) Plowing for agricultural cultivation; and (5) Construction or placement of a building or other structure in an area where pavement is required; provided that prior oral or written approval is not required for excavation if: (a) the owner provides prior notice to DNR or its successor or assign; (b) contaminated soil is excavated to below the then-applicable residual contamination regulatory standard; and (c) the owner complies with all statutes and rules applicable to the excavation and management of the excavated materials. Additionally, prior oral or written approval is not required for underground utility work if: (a) the owner provides prior notice to DNR or its successor or assign; (b) the owner repairs or replaces the affected paved surface with a barrier that is equally impervious; and (c) the owner complies with all statutes and rules applicable to the excavation and management of the excavated materials.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring any portion of the Subject Property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or 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 an owner of the Subject Property may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the 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, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party

to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

000283

By signing this document, Carol M. Mullins asserts that she is duly authorized to sign this document on behalf of 1451 East Washington, LLC.

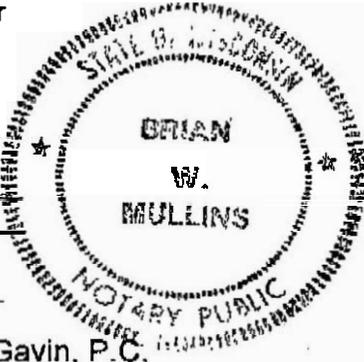
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 7 day of April, 2006.

1451 EAST WASHINGTON, LLC

Signature: *Carol M. Mullins*
Printed Name: Carol M. Mullins, Manager

Subscribed and sworn to before me this 9th day of April, 2006.

Brian W. Mullins
Print Name: Brian W. Mullins
Notary Public, State of Wisconsin
My commission is permanent



This document was drafted by Wickwire Gavin, P.C.
by Carla Sinderbrand

000284

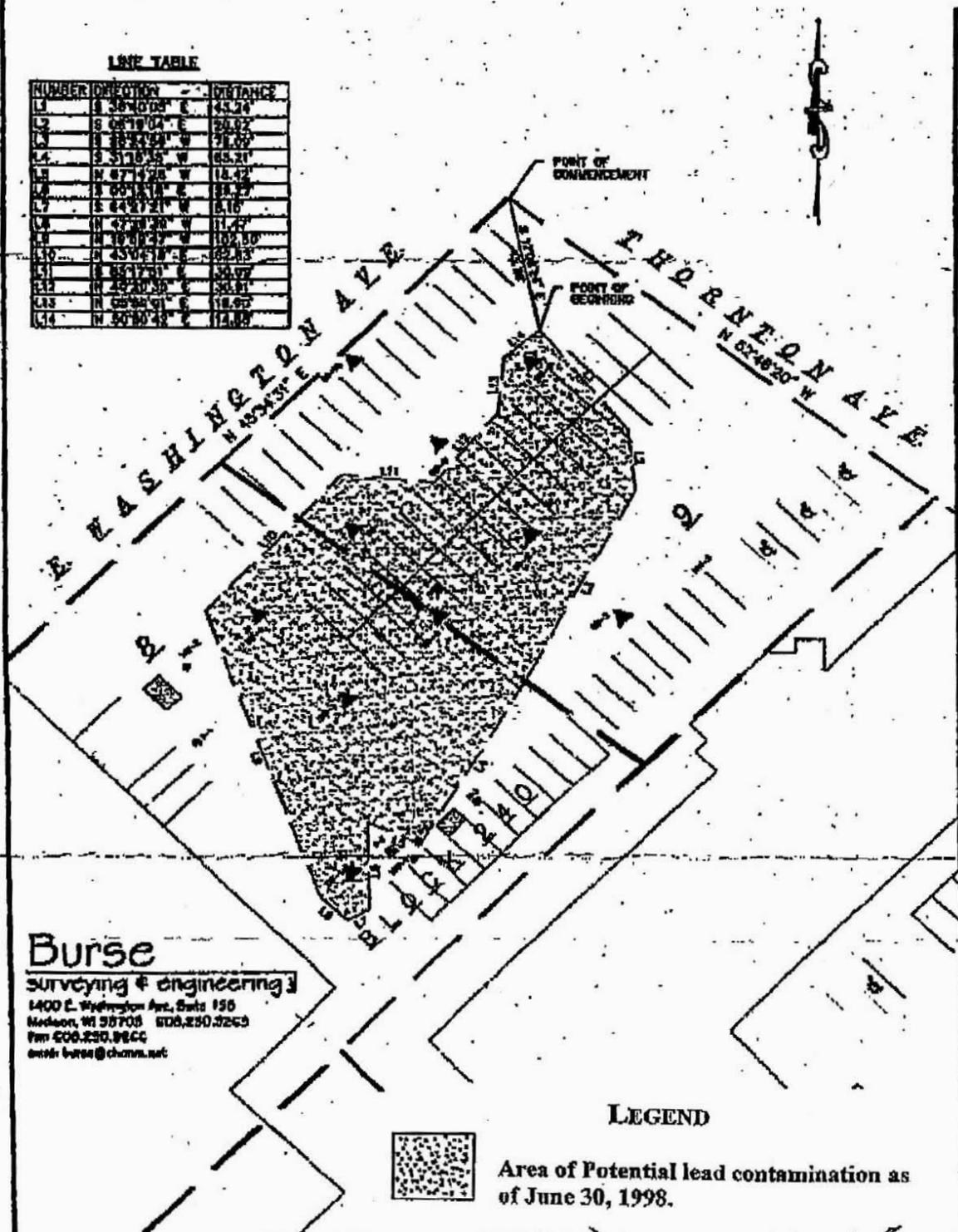
Exhibit A to Deed Restriction

Viewers are advised to ignore the illegible text on this map. It is presented to show spatial relationships only.
Authorized by:

adb

LINE TABLE

NUMBER	DIRECTION	DISTANCE
1.1	S 38°40'00" E	43.24
1.2	S 08°18'04" E	30.82
1.3	S 88°24'49" W	38.89
1.4	S 51°38'55" W	65.21
1.5	N 67°14'28" W	18.42
1.6	S 66°18'18" E	38.25
1.7	E 64°27'21" W	8.16
1.8	N 47°30'38" W	11.27
1.9	N 19°01'27" W	100.50
1.10	N 45°04'19" E	62.83
1.11	N 88°17'41" E	35.07
1.12	N 48°21'38" E	33.81
1.13	N 68°35'01" E	18.95
1.14	N 50°30'31" E	14.89



Burse
 surveying & engineering
 1400 E. Washington Ave., Suite 150
 Madison, WI 53708 608.250.3263
 Fax 608.250.9666
 email: burse@chama.net

LEGEND



Area of Potential lead contamination as of June 30, 1998.

DATE: MAY 26, 2003
 PAPER SPACE PLOT VIEW: EXHIBIT
 PROJECT: BSE298-00/ARL/RES/0002/00

BSE298-00
 SHEET 1 OF 1

0.0

Document Number

DEED RESTRICTION

DANE COUNTY REGISTER OF DEEDS

DOCUMENT # 4179721

04/12/2006 08:34AM

Trans. Fee:
Exempt #:

Rec. Fee: 17.00
Pages: 4

000285

Declaration of Restrictions

In Re:

Commencing at a point on the Southeast line of East Washington Avenue 128 feet Southwesterly from the intersection of Washington Avenue, and Thornton Avenue; thence Southwesterly along East Washington Avenue, 100 feet; thence at right angles in a Southeasterly direction 165.6 feet; thence at right angles in a Northeasterly direction approximately 112 1/2 feet more or less to the property now belonging to the City of Madison; thence in a Northwesterly direction along the Southwest line of the City property and parallel to and 128 feet from Thornton Avenue and to the point of beginning, all in Block 240 of Farwell's Replat of a part of the City of Madison.

Recording Area

Name and Return Address
Jerome J. Mullins
401 North Carroll Street
Madison, Wisconsin 53703

251-0710-072-1103-1

Parcel Identification Number

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

WHEREAS, Yahara Square Associates LLP is the owner of the above-described property.

WHEREAS, as of June 30, 1998, when soil samples were collected on this property, lead-contaminated soil remained on a portion of the above-described property at locations which are shaded on the map attached hereto as Exhibit A. The portion of the above-described property which is shaded on Exhibit A is hereafter referred to as the "Subject Property." (Note: the shaded area of Exhibit A extends beyond the above-described property.)

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the property at the present time.

NOW THEREFORE, the owner hereby declares that all of the Subject Property is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

The pavement (a parking lot) that existed on the Subject Property in the location shown on the attached map, labeled Exhibit A on the date that this restriction was signed shall be maintained in compliance with the 1455 East Washington Avenue Site Maintenance Plan dated January 15, 2006, that was submitted to

4/17

the Wisconsin Department of Natural Resources by Yahara Square Associates LLP, as required by section NR 724.13 (2), Wis. Adm. Code (October 1999). The pavement on the Subject Property must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil that remains on the property in the location or locations described above where there is residual contamination is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains and must be stored, treated and disposed in compliance with applicable statutes and rules.

In addition, the following activities are prohibited on any portion of the Subject Property where pavement is required, as shown on Exhibit A, unless prior oral or written approval has been obtained from the Wisconsin Department of Natural Resources (DNR) or its successor or assign: (1) Replacement with another barrier; (2) Excavating or grading of the land surface; (3) Filling on capped or paved areas; (4) Plowing for agricultural cultivation; and (5) Construction or placement of a building or other structure in an area where pavement is required; provided that prior oral or written approval is not required for excavation if: (a) the owner provides prior notice to DNR or its successor or assign; (b) contaminated soil is excavated to below the then-applicable residual contamination regulatory standard; and (c) the owner complies with all statutes and rules applicable to the excavation and management of the excavated materials. Additionally, prior oral or written approval is not required for underground utility work if: (a) the owner provides prior notice to DNR or its successor or assign; (b) the owner repairs or replaces the affected paved surface with a barrier that is equally impervious; and (c) the owner complies with all statutes and rules applicable to the excavation and management of the excavated materials.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring any portion of the Subject Property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or 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 an owner of the Subject Property may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the 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, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party

to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Jerome J. Mullins asserts that he is duly authorized to sign this document on behalf of Yahara Square Associates LLP.

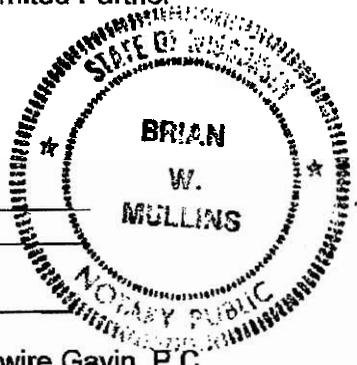
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 9th day of April, 2006.

YAHARA SQUARE ASSOCIATES LLP

Signature: *Jerome J. Mullins*
Printed Name: Jerome J. Mullins, Limited Partner

Subscribed and sworn to before me this 9th day of April, 2006.

Brian W. Mullins
Print Name: Brian W. Mullins
Notary Public, State of Wisconsin
My commission is permanent



This document was drafted by Wickwire Gavin, P.C.
by Carl A. Sinderbrand

Viewers are advised to ignore the illegible text on this map. It is presented to show spatial relationships only.
 Authorized by:

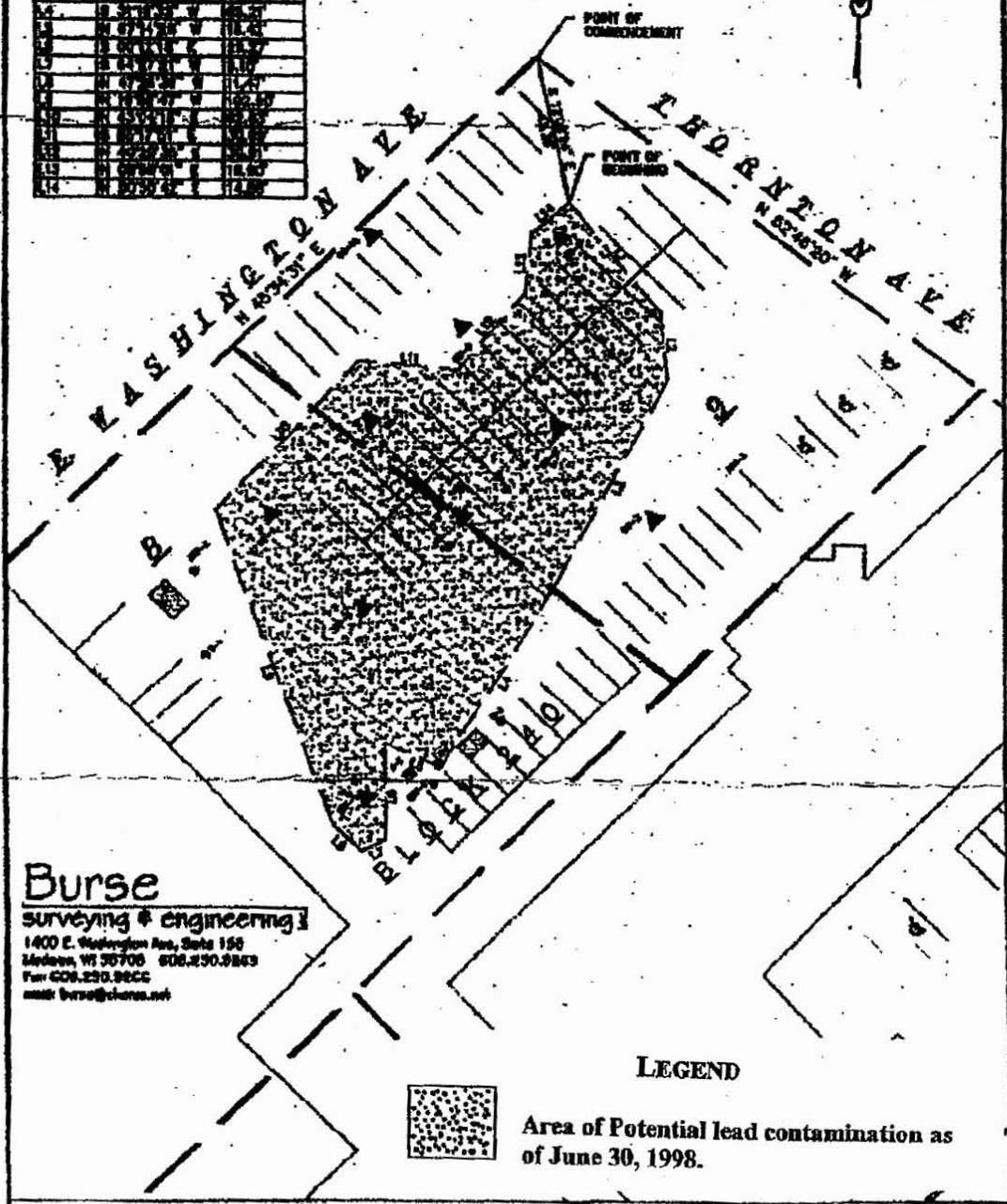
J.R.

Exhibit A to Deed Restriction

000288

LINE TABLE

LINE	DESCRIPTION	DISTANCE
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Burse
 surveying & engineering
 1400 E. Washington Ave, Suite 158
 Madison, WI 53708 608.230.9863
 Fax 608.230.9866
 email burse@chance.net

LEGEND
 Area of Potential lead contamination as of June 30, 1998.

DATE: MAY 26, 2000
 PAPER SPACE PLOT VIEW: EMBRY
 PROJECT: BSE296-00 VACUUM BONDING

BSE296-00
 SHEET 1 OF 1

0.0

PARKING LOT PAVEMENT MAINTENANCE PLAN

January 15, 2006

Property Located at:

1451 and 1455 East Washington Avenue, Madison, WI

Click here and enter FID #(if known), BRRTS # 03-13-000509

1451 East Washington Avenue:

Part of Lots 7, 8, 9, 10 and 11, Block 240, FARWELL'S REPLAT OF A PART OF THE VILLAGE OF MADISON, as recorded in Volume A of Plats, on page 7, as Document Number 166985, Dane County Registry, located in the Northwest Quarter of Section 07, Township 07 North, Range 10 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at the intersection of the southerly right-of-way line of South Thornton Avenue with the easterly right-of-way line of East Washington Avenue; thence South 52° 46' 20" East along said southerly right-of-way line, 167.25 feet; thence South 45° 27' 30" West, 128.03 feet; thence North 52° 43' 30" West, 167.49 feet to a point on the southerly right-of-way line of East Washington Avenue; thence North 45° 34' 31" East along said southerly right-of-way line, 127.93 feet to the point of beginning.

1455 East Washington Avenue:

Commencing at a point on the Southeast line of East Washington Avenue 128 feet Southwesterly from the intersection of Washington Avenue, and Thornton Avenue; thence Southwesterly along East Washington Avenue, 100 feet; thence at right angles in a Southeasterly direction 165.6 feet; thence at right angles in a Northeasterly direction approximately 112 ½ feet more or less to the property now belonging to the City of Madison; thence in a Northwesterly direction along the Southwest line of the City property and parallel to and 128 feet from Thornton Avenue and to the point of beginning, all in Block 240 of Farwell's Replat of a part of the City of Madison.

251-0710-072-1102-3

Introduction

The purpose of this document is to present a Maintenance Plan for an impervious pavement barrier at the above-referenced property per the requirements of NR 724.13(2) of the Wisconsin Administrative Code. The maintenance activities relate to the paved surfaces occupying the area over the contaminated soil on-site. The contaminated soil is impacted by lead and benzene. The location of the paved surfaces to be maintained in accordance with this Maintenance Plan, as well as the impacted soil are identified by shading in the attached map (Exhibit A).

Cap Purpose

The paved surfaces over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. These paved surfaces and building foundation also act as an infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the standards of NR 140 of the Wisconsin Administrative Code. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

Annual Inspection

The paved surfaces overlying the contaminated soil area, as shaded in Exhibit A, will be inspected once a year for cracks and other potential exposures to underlying soils. The inspections will be performed to evaluate damage to the pavement due to exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections will be maintained by the property owner and is included as Exhibit B, *Cap Inspection Log*. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log.

Maintenance Activities

If exposed soils in the area shaded on Exhibit A are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Maintenance activities can include patching and filling operations or they can include larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment ("PPE"). The owner must also sample any soil that is excavated from the area shaded on Exhibit A prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the paved surfaces overlying the contaminated soil, as shaded on Exhibit A, are removed or replaced, any replacement barrier must be equally impervious, with an infiltration rate equal to or less than 1×10^{-7} cm/s. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the Wisconsin Department of Natural Resources ("WDNR") or its successor.

In the event contaminated soils beneath the cap, as shaded on Exhibit A, are removed, a replacement cap will be installed only to the extent required by then-current administrative regulation.

The property owner, in order to maintain the integrity of the paved surface, will maintain a copy of this Maintenance Plan and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

