

**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 type="checkbox"/> Contamination in ROW  |
| <input type="checkbox"/> Off-Source Contamination  | <input 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 checked="" type="checkbox"/> N/A (Not Applicable)  | <input 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 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*

RECEIVED

SEP 3 2010

State of Wisconsin  
Department of Natural Resources  
http://dnr.wi.gov

DNR R & R  
SOUTH CENTRAL REGION

**GIS Registry Checklist**

Form 4400-245 (R 4/08)

Page 1 of 3

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 #: 03-13-550744 PARCEL ID #: 070934310015

ACTIVITY NAME: Arbor Gate Development LLC WTM COORDINATES: X: 567175 Y: 284781

**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.)
- 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: Dane County Certified Survey Map No. 8548**
- 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 8.5 x 14 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 #: 2 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 #: 3 Title: SITE LAYOUT / RESIDUAL CONTAMINATION**
- 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 #: 4 Title: EXTENT OF SOIL EXCEEDING RCL**

BRRTS #: 03-13-550744

ACTIVITY NAME: Arbor Gate Development LLC

**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 #: 5 Title: CROSS-SECTION

Figure #: Title:

- 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). 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 #: 6 Title: Groundwater Contamination

- 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.

Figure #: 7 Title: WATER TABLE CONTOUR MAP

Figure #: Title:

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

Tables must be no larger than 8.5 x 14 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 Title: SUMMARY OF SOIL ANALYTICAL DATA

- 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.

Table #: 2 Title: SUMMARY OF GROUNDWATER ANALYTICAL DATA

- 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.

Table #: 3 Title: SUMMARY OF WELL CONSTRUCTION / WATER LEVEL DATA

**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 #: 03-13-550744

ACTIVITY NAME: Arbor Gate Development LLC

**NOTIFICATIONS**

**Source Property**

- 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.

- 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:**
- 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:**



July 28, 2011

Mr. Bradley Hutter  
Arbor Gate Development, LLC  
3001 West Beltline Highway  
Madison WI 53713

Subject: Final Case Closure for Arbor Gate Development, 2501 W. Beltline Highway Madison  
WDNR BRRTS Activity #: 03-13-550744

Dear Mr. Hutter:

On October 5, 2010, the South Central Region Closure Committee reviewed your request for closure of the case described above. The South Central Region Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. On October 6, 2010, you were notified that the Closure Committee had granted conditional closure to this case.

On July 11, 2011 the Department received documentation indicating that you have complied with the requirements for final closure. The abandonment forms were received for the site monitoring wells and vapor point.

The Department has reviewed the case closure request regarding the petroleum and chlorinated hydrocarbon contamination on the site from the former underground storage tanks. 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

This site will be listed on the Remediation and Redevelopment Program's internet accessible GIS Registry, to provide notice of residual contamination, and of any continuing obligations. The continuing obligations for this site are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed

All site information is also on file at the South Central Regional DNR office, at 3911 Fish Hatchery Road, Fitchburg, WI 53711. This letter and information that was submitted with your closure request application will be included on the GIS Registry, in a PDF attachment. 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 <http://dnr.wi.gov/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

### 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 the current property owner 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 Wisconsin Statutes 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.

### Residual Soil Contamination

Residual soil contamination remains at the area of the former underground storage tank as indicated on the **attached map** and in the information submitted to the Department of Natural Resources. If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, 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.

### Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for tetrachloroethene at monitoring points MW-2, contaminant levels exceed the NR 140 preventive action limit (PAL) but are below the enforcement standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application. [Note: at this site the point of standards application is all points where groundwater is monitored.]
4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that these criteria have been or will be met. The site is covered with a building, parking lot or streets to limit infiltration. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for tetrachloroethene at monitoring point MW-2. Please keep this letter, because it serves as your exemption.

### PECFA Reimbursement

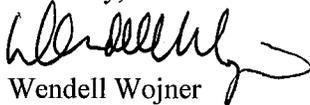
Section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter,

interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement. If there is equipment purchased with PECFA funds remaining at the site, contact the Commerce PECFA Program to determine the method for salvaging the equipment.

Please be aware that the 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 to the environment.

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 me at (608) 275-3297.

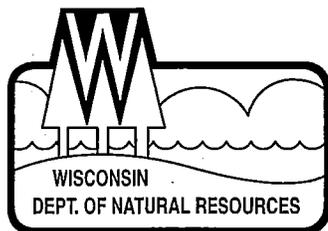
Sincerely,



Wendell Wojner  
Hydrogeologist  
Bureau for Remediation & Redevelopment

Attach.-remaining soil contamination map

cc: Robyn Seymour, Seymour Environmental, PO Box 398, 2531 Dyreson Road, McFarland, WI 53558  
Jon Heberer Wisconsin Department of Safety and Professional Services  
Bill Phelps, DG/5



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, 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

October 6, 2010

Mr. Bradley Hutter  
Arbor Gate Development, LLC  
3001 West Beltline Highway  
Madison, WI 53713

SUBJECT: Conditional Case Closure Arbor Gate Development, 2501 W. Beltline Highway, Madison  
WDNR BRRTS Activity #: 03-13-550744

Dear Mr. Hutter:

On October 5, 2010, the South Central Region Closure Committee reviewed your request for closure of the case described above. The South Central Region Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases.

After careful review of the closure request, the closure committee has determined that the petroleum and chlorinated hydrocarbon contamination on the site from the former underground storage tanks appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wisconsin Administrative Code and will be closed if the following conditions are satisfied:

### **MONITORING WELL ABANDONMENT**

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to me on Form 3300-005 found at <http://dnr.wi.gov/org/water/dwg/gw/> or provided by the Department of Natural Resources.

### **PURGE WATER, WASTE AND SOIL PILE REMOVAL**

Any remaining purge water, waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Once that work is completed, please send appropriate documentation regarding the treatment or disposal of the remaining purge water, waste and/or soil piles.

When the above conditions have been satisfied, please submit the appropriate documentation (for example, well abandonment forms, disposal receipts, copies of correspondence, etc.) to verify that applicable conditions have been met, and your case will be closed. 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 site on the GIS Registry web page, visit the RR Sites Map page at: <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement. If there is equipment purchased with PECFA funds remaining at the site, contact the Commerce PECFA Program to determine the method for salvaging the equipment.

Please be aware that the 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 to the environment.

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 me at (608) 275-3297.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wendell Wojner', written over a horizontal line.

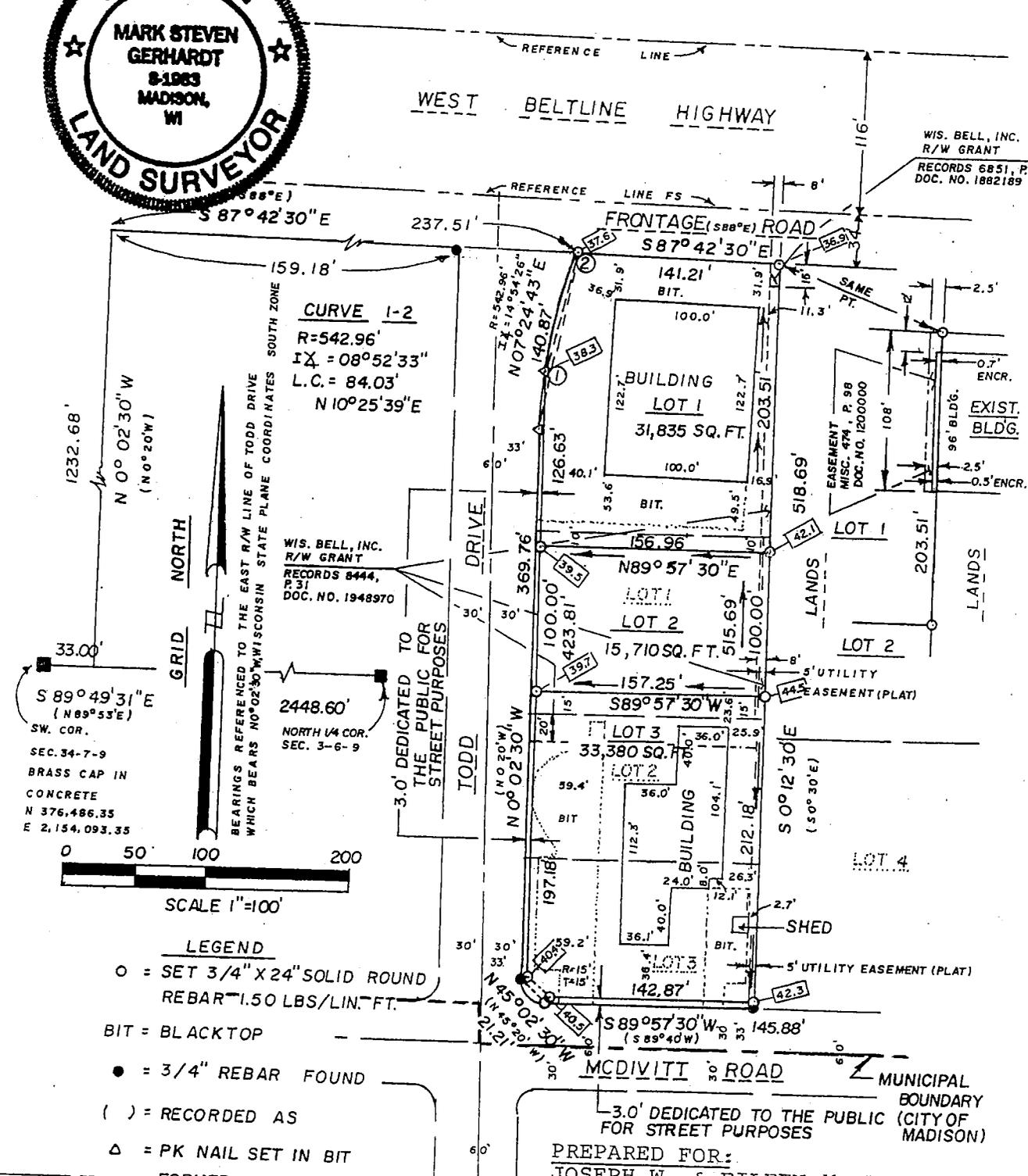
Wendell Wojner  
Hydrogeologist  
Bureau for Remediation & Redevelopment

cc: Robyn Seymour, Seymour Environmental, PO Box 398, 2531 Dyreson Road, McFarland, WI 53558  
Jon Heberer Wisconsin Department of Commerce



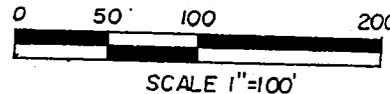
# DANE COUNTY CERTIFIED SURVEY MAP NO. 8548

BEING A DIVISION OF PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 34, T7N, R9E, INCLUDING LOTS 1, 2 AND 3, ARBOR HEIGHTS COMMERCIAL PARK, ALL IN THE TOWN OF MADISON, DANE COUNTY, WISCONSIN.



**CURVE 1-2**  
R=542.96'  
I $\alpha$  = 08°52'33"  
L.C. = 84.03'  
N 10°25'39" E

SW. COR.  
SEC. 34-7-9  
BRASS CAP IN  
CONCRETE  
N 376,486.35  
E 2,154,093.35



- LEGEND**
- = SET 3/4" X 24" SOLID ROUND REBAR 1.50 LBS/LIN. FT.
  - BIT = BLACKTOP
  - = 3/4" REBAR FOUND
  - ( ) = RECORDED AS
  - △ = PK NAIL SET IN BIT
  - = FORMER LOT BOUNDARY

PREPARED BY:  
BADGER SURVEYING & MAPPING SERVICE  
2121 N. SHERMAN AVENUE  
MADISON, WISCONSIN 53704  
(608) 244-2010

DOCUMENT NO. 2846905  
VOLUME 47 PAGE 17

CERTIFIED SURVEY MAP NO. 8548

PREPARED FOR:  
JOSEPH W. & EILEEN M. DRESSER  
6409 ROMFORD ROAD  
MADISON, WISCONSIN 53711  
(608)

NOTE: "ARROWS INDICATE THE DIRECTION OF SURFACE DRAINAGE SWALE AT INDIVIDUAL PROPERTY LINES. SAID DRAINAGE SWALE SHALL BE GRADED WITH THE CONSTRUCTION OF EACH PRINCIPLE STRUCTURE AND MAINTAINED BY THE LOT OWNER UNLESS MODIFIED WITH THE APPROVAL OF THE CITY ENGINEER. ELEVATIONS GIVEN ARE FOR PROPERTY CORNERS AT GROUND LEVEL AND SHALL BE MAINTAINED BY THE LOT OWNER.

42.1 = GROUND ELEVATION AT LOT CORNER  
→ DIRECTION OF SURFACE DRAINAGE

4/16



Stock No. 26273

P0326

DANE COUNTY CERTIFIED SURVEY MAP NO. 8548

SURVEYOR'S CERTIFICATE:

I, MARK STEVEN GERHARDT, WISCONSIN LAND SURVEYOR, S-1983, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED A DIVISION OF PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 34, T7N, R9E, INCLUDING LOTS 1, 2 AND 3, ARBOR HEIGHTS COMMERCIAL PARK, ALL IN THE TOWN OF MADISON, DANE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SECTION 34; THENCE S 89°49'31"E, ALONG THE SOUTH LINE OF SAID SECTION 34, 33.00 FEET; THENCE N 0°02'30"W, 1232.68 FEET; THENCE S 87°42'30"E, ALONG THE SOUTH R/W LINE OF THE FRONTAGE ROAD, 237.51 FEET TO ITS INTERSECTION WITH THE EAST LINE OF TODD DRIVE AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE S 87°42'30"E, ALONG SAID SOUTH LINE OF THE FRONTAGE ROAD, 141.21 FEET; THENCE S 0°12'30"E, ALONG THE EAST LINE OF THE CRESCENT REALTY CORPORATION LANDS AND THE EAST LINE OF LOTS 1, 2 AND 3, ARBOR HEIGHTS COMMERCIAL PARK, 518.69 FEET TO THE SE CORNER OF SAID LOT 3; THENCE S 89°57'30"W, ALONG THE NORTH LINE OF MCDIVITT ROAD, 145.88 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE LONG CHORD BEARS N 45°02'30"W, 21.21 FEET; THENCE N 0°02'30"W, ALONG THE EAST LINE OF TODD DRIVE, 369.76 FEET; THENCE CONTINUE ALONG SAID EAST LINE ON THE ARC OF A 542.96 FOOT RADIUS CURVE TO THE RIGHT WHOSE LONG CHORD BEARS N 07°24'43"E, 140.87 FEET TO THE SOUTH R/W LINE OF THE FRONTAGE ROAD AND THE POINT OF BEGINNING OF THIS DESCRIPTION. I ALSO CERTIFY THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LANDS SURVEYED AND THE LAND DIVISION THEREOF MADE AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34, WISCONSIN STATUTES, THE DANE COUNTY LAND DIVISION AND SUBDIVISION REGULATIONS AND THE SUBDIVISION REGULATIONS OF THE CITY OF MADISON IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATE: SEPTEMBER 24, 1996

REVISED: FEBRUARY 7, 1997

Mark Steven Gerhardt  
MARK STEVEN GERHARDT,  
WISCONSIN LAND SURVEYOR, S-1983

OWNER'S CERTIFICATE:

AS OWNER'S, WE HEREBY CERTIFY THAT WE CAUSED THE LANDS ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. WE ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S. 75.17(1)(a), DANE COUNTY CODE OF ORDINANCES TO BE SUBMITTED TO THE DANE COUNTY ZONING AND NATURAL RESOURCES COMMITTEE FOR APPROVAL.

Joseph W. Dresser  
JOSEPH W. DRESSER, OWNER

Eileen M. Dresser  
EILEEN M. DRESSER, OWNER

NOTARY PUBLIC:

PERSONALLY CAME BEFORE ME THIS 18<sup>th</sup> DAY OF March, 1997, THE ABOVE NAMED PERSONS WHO EXECUTED THE FORGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

MY COMMISSION EXPIRES: 11/15/98

Suzanne M. Valley  
NOTARY PUBLIC,  
DANE COUNTY, WISCONSIN



DOCUMENT NO. 2846905

VOLUME 47 PAGE 18

CERTIFIED SURVEY MAP NO. 8548



DANE COUNTY CERTIFIED SURVEY MAP NO. 8548

CORPORATE OWNERS CERTIFICATE:

CRESCENT REALTY CORPORATION, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF IOWA, AS OWNER, DOES HEREBY THAT SAID CORPORATION CAUSED THE LANDS ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. CRESCENT REALTY CORPORATION ALSO CERTIFIES THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S. 75.17(1) (a), DANE COUNTY CODE OF ORDINANCES TO BE SUBMITTED TO THE DANE COUNTY ZONING AND NATURAL RESOURCES COMMITTEE FOR APPROVAL.

IN WITNESS WHEREOF, THE SAID CRESCENT REALTY CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY J.A. Schmid, ITS PRESIDENT, AND COUNTERSIGNED BY J.A. Schmid & CAROL HOFFMAN ITS Sec-Treasurer AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED THIS 28<sup>th</sup> DAY OF MARCH, 1997.

CRESCENT REALTY CORPORATION

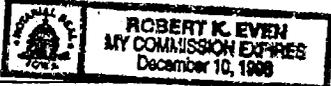
J.A. Schmid  
PRESIDENT

C. Hoffmann  
COUNTERSIGNED

NOTARY PUBLIC:

PERSONALLY CAME BEFORE ME THIS 28<sup>th</sup> DAY OF MARCH, 1997, THE ABOVE NAMED PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

MY COMMISSION EXPIRES:



[Signature]  
NOTARY PUBLIC,

APPROVED FOR RECORDING PER SECRETARY MADISON PLANNING COMMISSION.

DATE: April 21, 1997

George F. Austin  
GEORGE F. AUSTIN, SECRETARY

DANE COUNTY APPROVAL CERTIFICATE:

APPROVED FOR RECORDING PER DANE COUNTY ZONING AND NATURAL RESOURCES COMMITTEE ACTION OF April 9, 1997.

[Signature] #6317  
NORBERT SCRIBNER,  
AUTHORIZED REPRESENTATIVE

REGISTER OF DEEDS CERTIFICATE:

RECEIVED FOR RECORDING THIS 21<sup>st</sup> DAY OF APRIL, 1997, AT 12:18 O'CLOCK P.M., AND RECORDED IN VOLUME 47

OF CERTIFIED SURVEY MAPS OF DANE COUNTY ON PAGES 17, 18, 19 AND 20.

Jane Licht  
REGISTER OF DEEDS,  
DANE COUNTY, WISCONSIN  
[Signature] Deputy

DOCUMENT NO. 2846905

VOLUME 47 PAGE 20

CERTIFIED SURVEY MAP NO. 8548



Stock No. 26273

P0327

DANE COUNTY CERTIFIED SURVEY MAP NO. 8548

CONSENT OF CORPORATE MORTGAGE:

FIRST NATIONAL BANK & TRUST, A CORPORATION DULLY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LANDS, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LANDS DESCRIBED ON THIS CERTIFIED SURVEY MAP, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF JOSEPH W. DRESSER AND EILEEN M. DRESSER, OWNERS.

IN WITNESS WHEREOF, THE SAID FIRST NATIONAL BANK & TRUST HAS CAUSED THESE PRESENTS TO BE SIGNED BY JOHN T. BRIDGER, ITS EXECUTIVE VICE PRESIDENT AND COUNTERSIGNED BY CHRISTINE NORDER, ITS VICE PRESIDENT, AT MONROE, WISCONSIN, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED. THIS 20<sup>th</sup> DAY OF March, 1997.

FIRST NATIONAL BANK & TRUST

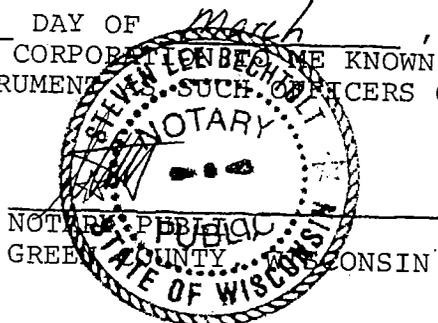
John T. Bridger *EV*  
JOHN T. BRIDGER,  
EXECUTIVE VICE PRESIDENT

Christine J. Norder *VP*  
CHRISTINE NORDER,  
VICE PRESIDENT

NOTARY PUBLIC:

PERSONALLY CAME BEFORE ME THIS 20 DAY OF March, 1997, THE ABOVE NAMED OFFICERS OF THE ABOVE NAMED CORPORATION BEING KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT. SUCH OFFICERS OF SAID CORPORATION BY ITS AUTHORITY.

MY COMMISSION EXPIRES: 08-13-00



TOWN OF MADISON APPROVAL CERTIFICATE:

RESOLVED: THAT THIS CERTIFIED SURVEY MAP, INCLUDING ANY DEDICATIONS SHOWN THEREON, WHICH HAS BEEN DULY FILED FOR APPROVAL OF THE TOWN BOARD OF THE TOWN OF MADISON, DANE COUNTY, WISCONSIN, BE AND THE SAME IS HEREBY APPROVED.

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE TOWN BOARD OF THE TOWN OF MADISON ON THIS 24<sup>th</sup> DAY OF March, 1997 AND THAT THE PUBLIC HIGHWAY RIGHT-OF-WAY DEDICATION DESIGNATED HEREON IS HEREBY ACKNOWLEDGED AND ACCEPTED BY THE TOWN OF MADISON.

DATE: April 3, 1997

Donna Meier  
DONNA MEIER, TOWN CLERK,  
TOWN OF MADISON, DANE COUNTY

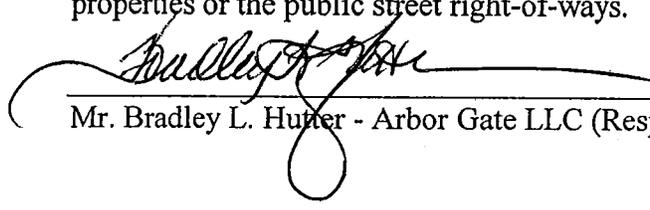
DOCUMENT NO. 2846905

VOLUME 47 PAGE 19

CERTIFIED SURVEY MAP NO. 8548

## RESPONSIBLE PARTY STATEMENT

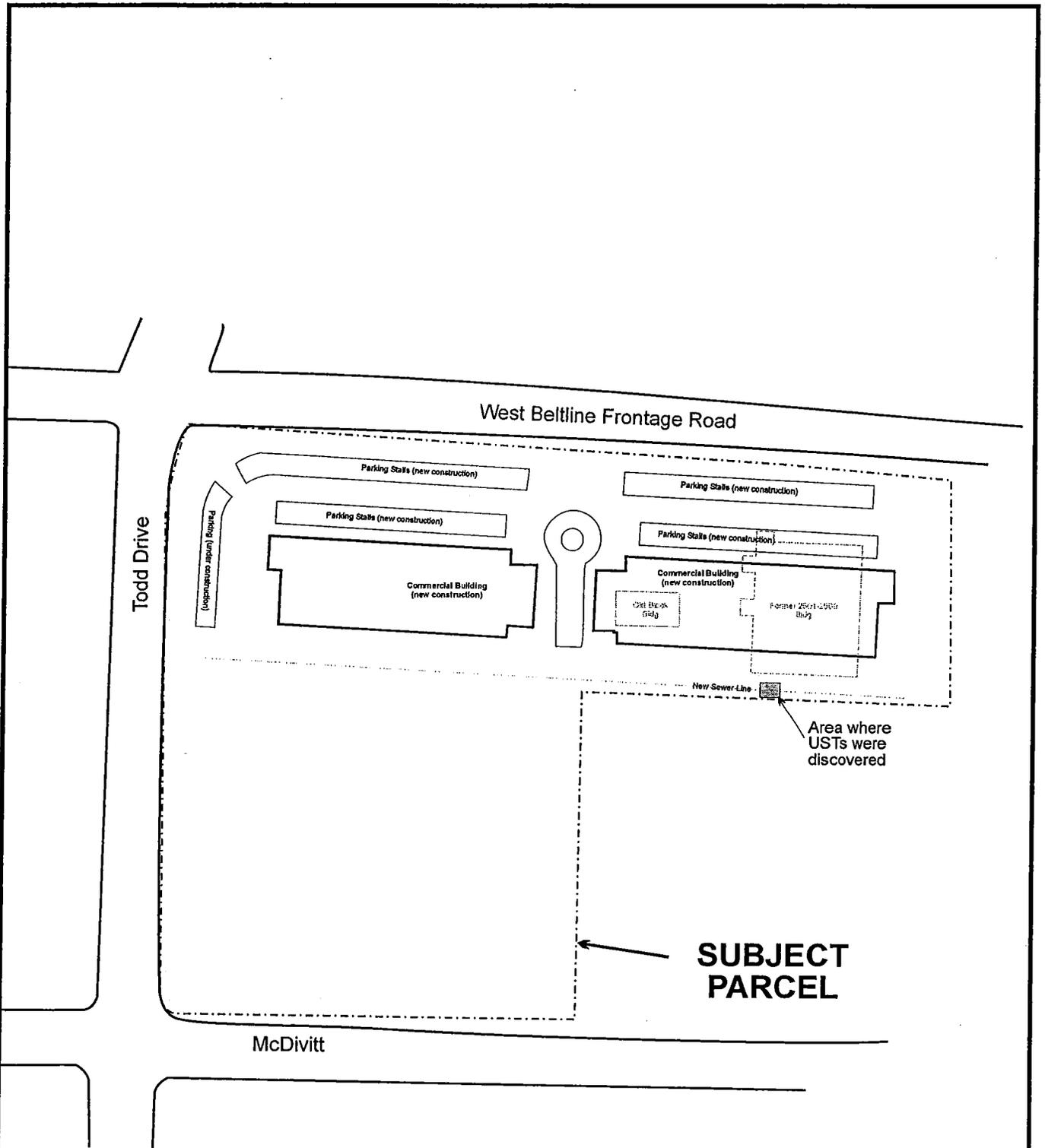
To the best of my knowledge the legal description and parcel information attached to this package are accurate. The contamination does not extend onto any neighboring properties or the public street right-of-ways.

 \_\_\_\_\_

Mr. Bradley L. Hutter - Arbor Gate LLC (Responsible Party)

9-3-09

Date

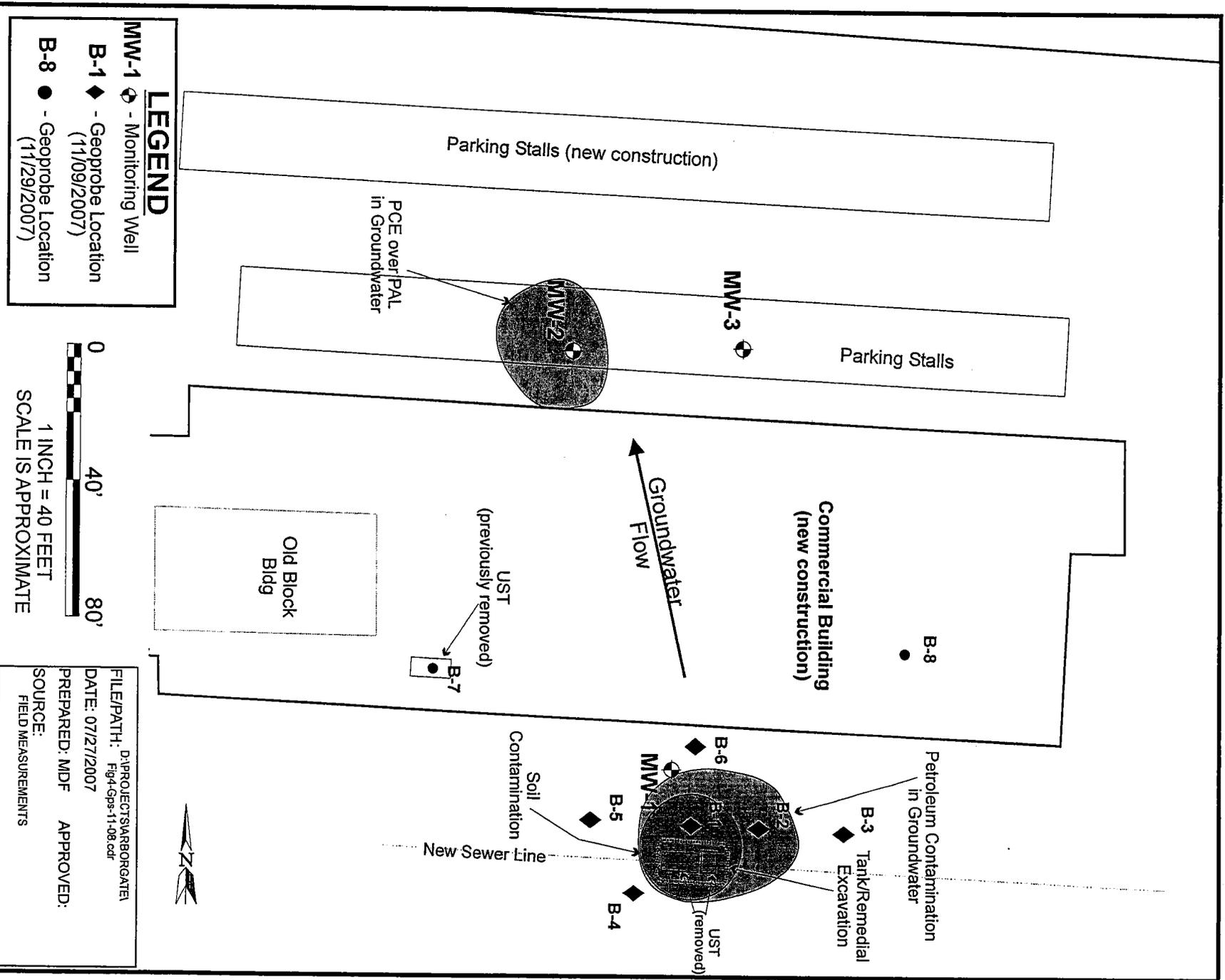


0 150' 300'

1 INCH = 150 FEET  
SCALE IS APPROXIMATE



FILE/PATH: D:\PROJECTS\ARBORGATE\ Sampling-basemap.cdr  
 DATE: 07/27/2007  
 PREPARED: MDF APPROVED:  
 SOURCE: FIELD MEASUREMENTS

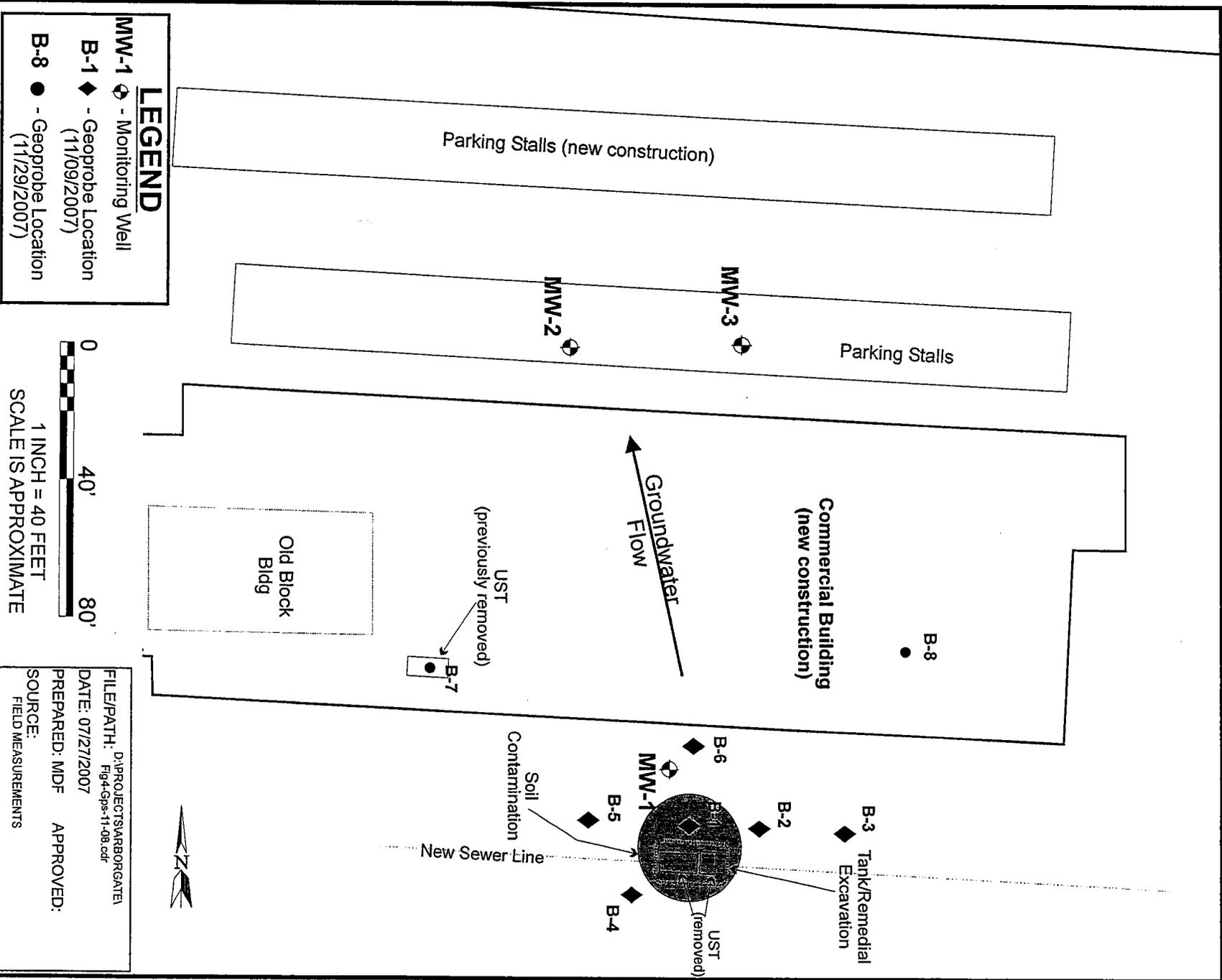


SEYMOUR  
ENVIRONMENTAL  
SERVICES, INC.

RESIDUAL CONTAMINATION  
Arbor Gate Development  
2501 Todd Drive  
Madison, Wisconsin

FIGURE

3

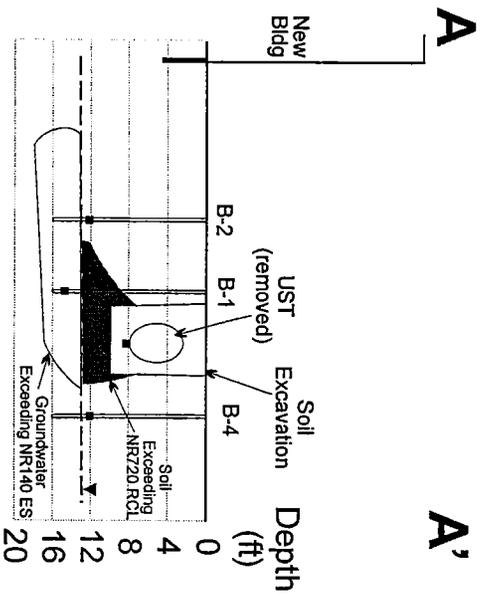


SEYMOUR ENVIRONMENTAL SERVICES, INC.

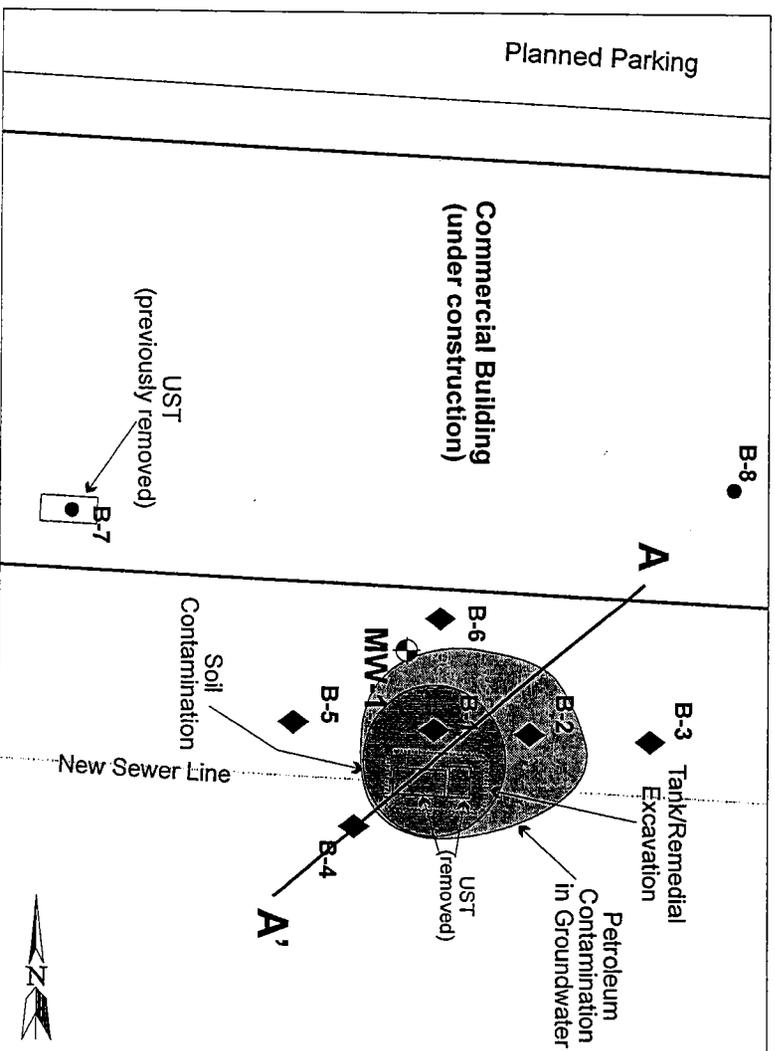
RESIDUAL SOIL CONTAMINATION  
Arbor Gate Development  
2501 Todd Drive  
Madison, Wisconsin

FIGURE

4



1 INCH = 40 FEET  
SCALE IS APPROXIMATE



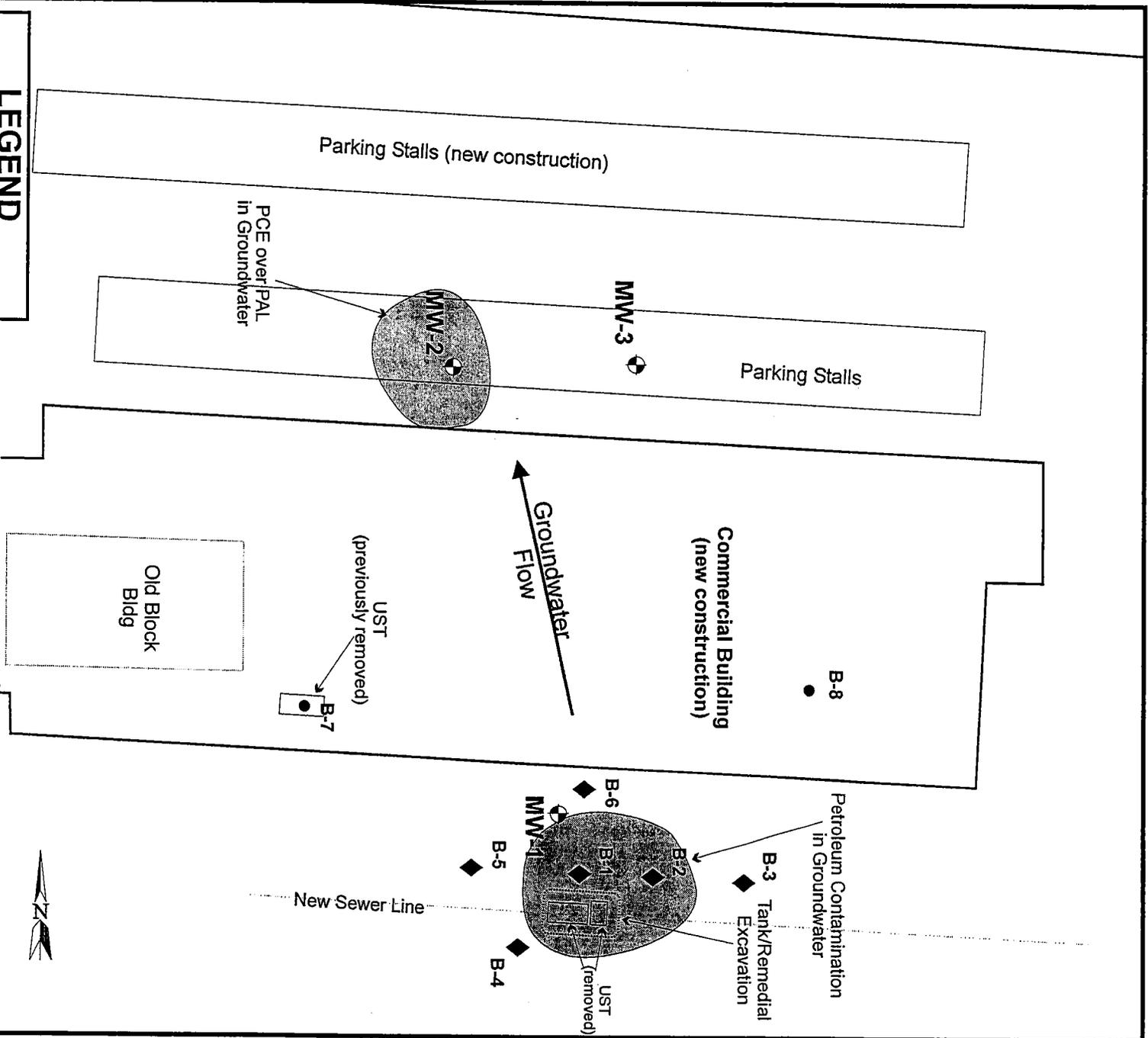
FILE/PATH: D:\PROJECTS\ARBORGATE\ Sampling-basemap.cdf  
DATE: 07/27/2007  
PREPARED: MDF APPROVED:  
SOURCE: FIELD MEASUREMENTS

SEYMOUR ENVIRONMENTAL SERVICES, INC.

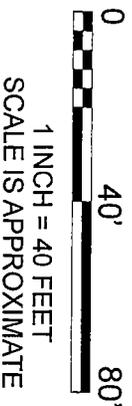
CROSS-SECTION SHOWING CONTAMINATION  
Arbor Gate Development  
2501 Todd Drive  
Madison, Wisconsin

FIGURE

5



- LEGEND**
- MW-1 - Monitoring Well
  - B-1 - Geoprobe Location (11/09/2007)
  - B-8 - Geoprobe Location (11/29/2007)



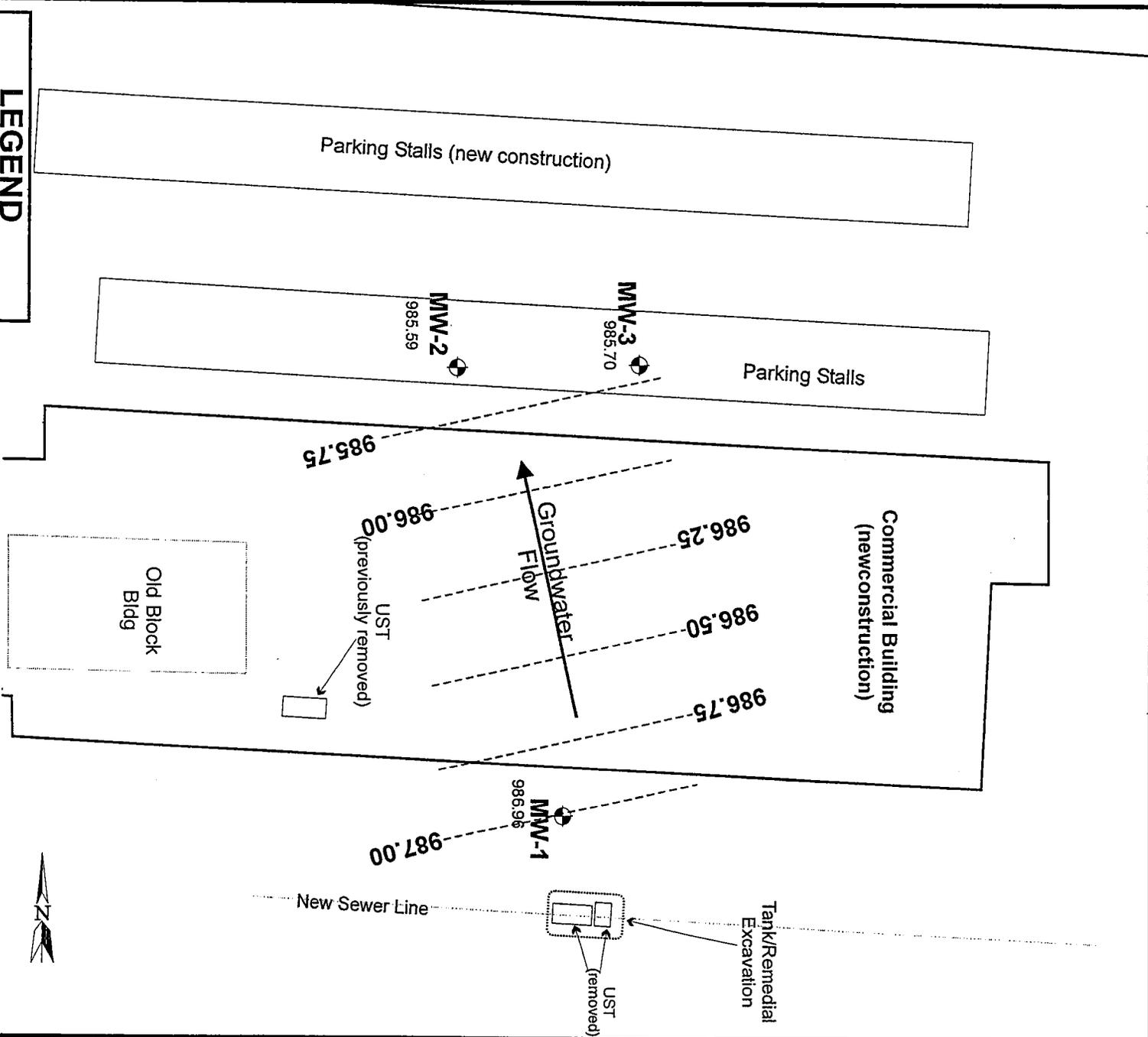
FILE/PATH: D:\PROJECTS\ARBOR\GATE1  
 DATE: 07/27/2007  
 PREPARED: MDF APPROVED:  
 SOURCE: FIELD MEASUREMENTS



SEYMOUR  
 ENVIRONMENTAL  
 SERVICES, INC.

GROUNDWATER CONTAMINATION  
 Arbor Gate Development  
 2501 Todd Drive  
 Madison, Wisconsin

FIGURE  
**6**



**LEGEND**

MW-1 - Monitoring Well

B-1 - Geoprobe Location (11/09/2007)

B-8 - Geoprobe Location (11/29/2007)

0 40' 80'

1 INCH = 40 FEET

SCALE IS APPROXIMATE

D:\PROJECTS\ARBOR\GATE1

FILE/PATH: Fig4-Gps-11-08.cdr

DATE: 07/27/2007

PREPARED: MDF APPROVED:

SOURCE: FIELD MEASUREMENTS

SEYMOUR ENVIRONMENTAL SERVICES, INC.

WELL LOCATIONS/GROUNDWATER FLOW (Sept. 08)

Arbor Gate Development  
2501 Todd Drive  
Madison, Wisconsin

FIGURE

7

TABLE 1  
SUMMARY OF SOIL ANALYTICAL DATA  
Arbor Gate Development  
2501 West Beltline Highway - Madison, Wisconsin

Date	10/26/07	11/09/07						11/29/07	NR720	NR746	
Sample I.D.	Conf.	B-1	B-2	B-3	B-4	B-5	B-6	B-7		Table 2	Table 1
Depth (ft)	10	15	12	15	12	15	15	12	RCLs		
Organic Vapors (vppm)	220	180	560	25	226	28	50	0.2	ns	ns	ns
GRO	88	7.6	<2.7	<2.7	51	<2.8	<2.8	<2.8	100	ns	ns
Lead	9.3	12	0.99	1.9	14	1.2	0.52	na	50	ns	ns
<b>PVOCs</b>											
Benzene	<52	<b>39</b>	<25	<25	<25	<25	<25	<26	5.5	1100	8500
1,2 Dichloroethane	na	na	na	na	na	na	na	na	ns	540	600
Ethylbenzene	580	160	<25	<25	38	<25	<25	<26	2900	ns	4600
Methyl-tert-butyl ether	<52	<25	<25	<25	<25	<25	<25	<26	ns	ns	ns
Toluene	<52	340	<25	<25	<25	<25	31	<26	1500	ns	38000
1,3,5 Trimethylbenzenes	1500	160	<25	<25	70	<25	<25	<26	ns	ns	11000
1,2,4 Trimethylbenzenes	3100	470	53	<25	130	<25	<25	<26	ns	ns	83000
Total Trimethylbenzenes	4600	630	53	<50	200	<50	<50	<52	ns	ns	ns
Xylenes, -m, -p	1400	530	<50	<50	<50	<50	<50	<51	ns	ns	ns
Xylene, -o	400	170	<25	<25	210	<25	<25	<26	ns	ns	ns
Total Xylenes	1800	700	<75	<75	210	<75	<75	<77	4100	ns	42000
Naphthalene	na	na	na	na	na	na	na	na	400	20000	2700

- GRO results are reported in mg/kg  
- PVOC results are reported in ug/kg  
- na = not analyzed  
- ns = no standard established

- NR720 RCL = Residual contaminant levels (exceedances bold)  
- NR746 Table 2 = Direct contact hazard levels  
- NR746 Table 1 = Indicator of petroleum saturated soil pores  
- Select naphthalene standards from RR-519-97 (April 1997)

TABLE 2  
SUMMARY OF MONITORING WELL GROUNDWATER CHEMISTRY  
Arbor Gate Development  
2501 West Beltline Highway – Madison, Wisconsin

Sample I.D.	MW-1		MW-2		MW-3		NR140	
Date	04/23/08	09/18/08	04/23/08	09/18/08	04/23/08	09/18/08	ES	PAL
<b>Select VOCs</b>								
Benzene	<0.41	<0.41	<0.41	<0.41	<0.41	<0.41	5	0.5
1,2 Dichloroethane	<0.36	<0.36	<0.36	<0.36	<0.36	<0.36	5	0.5
Ethylbenzene	<0.54	<0.54	<0.54	<0.54	<0.54	<0.54	700	140
Methyl-tert-butyl ether	<0.61	<0.61	<0.61	<0.61	<0.61	<0.61	60	12
Toluene	<0.67	<0.67	1.0	<0.67	<0.67	<0.67	1000	200
1,3,5 Trimethylbenzenes	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	ns	ns
1,2,4 Trimethylbenzenes	<0.97	<0.97	<0.97	<0.97	<0.97	<0.97	ns	ns
Total Trimethylbenzenes	<1.80	<1.80	<1.80	<1.80	<1.80	<1.80	480	96
Xylenes, -m, -p	<1.8	<1.8	<1.8	<1.8	<1.8	<1.8	ns	ns
Xylene, -o	<0.83	<0.83	<0.83	<0.83	<0.83	<0.83	ns	ns
Total Xylenes	<2.63	<2.63	<2.63	<2.63	<2.63	<2.63	10000	1000
Naphthalene	<0.74	<0.89	<0.74	<0.89	<0.74	<0.89	100	10
Tetrachloroethene	<0.45	<0.45	<b>1.1</b>	<b>2.2</b>	<0.45	<0.45	5	0.5
Chloromethane	<0.24	<0.24	<b>1.9</b>	<0.24	<0.24	<0.24	3	0.3
<b>METALS</b>								
Lead	<b>2.3</b>	na	<b>1.7</b>	na	<b>2.5</b>	na	15	1.5

- All results are reported in ug/l  
- na = not analyzed  
- ns = no standard established

- All detected compounds are included in table  
- NR140 PAL = Preventative action limit (exceedances bold)  
- NR140 ES = Enforcement standard (exceedances shaded)

TABLE 3  
SUMMARY OF WELL CONSTRUCTION AND WATER LEVEL DATA  
Arbor Gate Development  
2501 West Beltline Highway - Madison, Wisconsin

MONITORING WELL DETAILS

WELL	TOC Elevation	Total Depth (ft)	Screen Length (ft)	Top of Screen Elevation	Base of Screen Elevation
MW-1	998.48	17.30	10	991.18	981.18
MW-2	998.58	18.69	10	989.89	979.89
MW-3	999.08	17.32	10	991.76	981.76

WATER LEVEL DATA

WELL	TOC Elevation	4/23/2004		9/18/2008	
		Depth	Elevation	Depth	Elevation
MW-1	998.48	10.37	988.11	11.52	986.96
MW-2	998.58	11.48	987.10	12.99	985.59
MW-3	999.08	12.09	986.99	13.38	985.70

- Data Reported in feet  
- Elevation data relative to local datum of 1000 ft (not msl)