

GIS Registry Disclaimer

This case was closed by the DNR prior to August 1, 2002, when DNR began adding approved cleanups with residual soil contamination into the GIS Registry. Certain documents that are currently required by ch. NR 726, Wis. Adm. Code may therefore not be included in this packet as they were unavailable at the time the original case was closed.

The information contained in this document was assembled by DNR from a previously closed case file, and added to the GIS Registry to provide the public with information on closed sites with residual soil and/or groundwater contamination remaining above applicable state standards.

GIS REGISTRY

Cover Sheet

July, 2008
(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:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property")*

Soil Contamination > *RCL or **SSRCL (232)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property")*

Land Use Controls:

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations
between residential and industrial levels)*

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

*(note: maintenance plan for
groundwater or direct contact)*

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government or economic
development corporation)*

Monitoring wells properly abandoned? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

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

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: PARCEL ID #:

ACTIVITY NAME: WTM COORDINATES: X: Y:

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 #: **Title:**
- 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 #: 1 **Title: Site Location Map**
 - Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 **Title: Excavation Sample Locations and Analytical Results**
 - Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 5 **Title: Soil Analytical Results**

BRRTS #: 03-22-000452

ACTIVITY NAME: Macs Standard Service

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 #: 3 **Title: Subsurface Profile A-A**

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 #: **Title:**

- Groundwater Flow Direction Map:** A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: 5 **Title: Groundwater Flow Direction**

Figure #: **Title:**

TABLES (meeting the requirements of s. NR 716.15(2)(h)(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: Soil Analytical Results**

- 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: Groundwater Monitoring Well Sample Analytical Results**

- 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 #: **Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

- Not Applicable**

- Site Location Map:** A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: **Title:**

- Well Construction Report:** Form 4440-113A for the applicable monitoring wells.

- Deed:** The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

- Notification Letter:** Copy of the notification letter to the affected property owner(s).

BRRTS #: 03-22-000452

ACTIVITY NAME: Macs Standard Service

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:

Impacted Off-Source Property Information

Form 4400-246 (R 3/08)

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

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 #:

ACTIVITY NAME:

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
<input type="text" value="A"/>	<input type="text" value="925 Grant St"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="B"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="C"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="D"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="E"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="F"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="G"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="H"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="I"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, 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
TTY 608-275-3231

May 2, 2001

File Ref: 03-22-000452

Mr. Leroy McKinley
820 Jackson Street
Fennimore, WI 53809

Subject: Closure of Mac's Standard Service, 920 12th Street, Fennimore

Dear Mr. McKinley:

On November 27, 2000 your site was reviewed for closure by the South Central Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On November 27, 2000 you were notified that the Closure Committee had granted conditional closure to this case.

On April 26, 2001, the Department received correspondence indicating that you have complied with the conditions of closure. All monitoring wells have been properly abandoned. Groundwater Use Restrictions for the above named property and for the Joseph P. Whitish property located south of the subject property at 925 Grant Street in Fennimore have been completed, signed and recorded at the Grant County Register of Deeds Office. Mr. Chuck Leuck of the City of Fennimore and Mr. Kevin Gehrmann of the Wisconsin Department of Transportation have been notified in writing of residual soil and groundwater contamination beneath Highway 12 on the south side of the site. Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

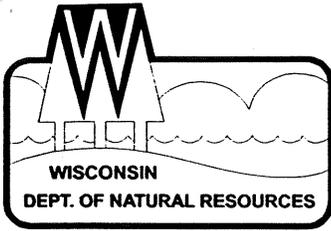
However, please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the number below.

Sincerely,

Randy Maass
Hydrogeologist
Remediation and Redevelopment
(608) 275-3224

cc: Joseph P. Whitish, 925 Grant Street, Fennimore, WI 53809
Chris Vahle, BT2, Inc., 2830 Dairy Drive, Madison, WI 53718-6751
Wendy Weihemuller, DNR



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

November 27, 2000

79 11/24/00

84 11/27/00

File Ref: 03-22-000452

Mr. LeRoy McKinley
820 Jackson Street
Fennimore, WI 53809

50

Subject: Conditional Case Closure: Macs Standard Service, 920 12th Street, Fennimore

Dear Mr. McKinley:

On November 27, 2000, your request for closure of the case described above was reviewed by the South Central Region Closure Committee. This 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 contamination on the site from the leaking underground storage tanks appears to have been investigated and actively remediated to the extent practicable under site conditions. Your case will be closed under s. NR 726.05, Wis. Adm. Code, if the following conditions are satisfied:

1. **MONITORING WELL ABANDONMENT** The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code, unless long term groundwater monitoring is going to be conducted. If monitoring wells will not be immediately abandoned because future groundwater monitoring is planned, you will need to notify me of your monitoring plans in order to qualify for case closure. Documentation of well abandonment must be submitted to me on forms provided by the Department of Natural Resources.
2. **GROUNDWATER USE RESTRICTION** Section NR 726.05(2)(b), Wis. Adm. Code, provides that if groundwater contamination still exceeds NR 140 enforcement standards when a closure request is submitted, a case may only be closed if a groundwater use restriction is recorded for each property where enforcement standards are exceeded. Therefore, recording the required groundwater use restriction is an option that the Department can offer to you in order to close this case. A groundwater use restriction is required for your property and the property on which MW-4 is located. If you choose not to accept this option, you may be required to conduct additional groundwater monitoring and may choose to perform additional investigation and cleanup of the remaining contamination in order to qualify for unconditional closure. However, you should note that additional investigation or cleanup work may not be eligible for reimbursement from the Petroleum Environmental Cleanup Fund Award (PECFA) Program. You should contact the Department of Commerce to determine if the additional work will be eligible for reimbursement.

If you choose to pursue closure with a groundwater use restriction, you will need to submit a draft groundwater use restriction to me before the document is signed and recorded. I have enclosed a model groundwater use restriction for your use. To assist us in the review of your draft groundwater use restriction document, you should submit a copy of the property deed or deeds to me along with



*Quality Natural Resources Management
Through Excellent Customer Service*



the draft document. Once DNR has checked your draft document for completeness, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded at the Grant County Register of Deeds Office. Then submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a groundwater use restriction is recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

There is residual groundwater and soil contamination beneath Highway 18 and in the highway right-of-way. You need to contact the municipal clerk and the Wisconsin Department of Transportation to make sure that they are aware of the residual contamination, and negotiate an agreement with the municipal and state agencies regarding the proper handling and disposal of any contaminated groundwater that may be extracted, and any contaminated soil that may be excavated, if the street or highway is reconstructed in the future.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed.

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.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the address listed above or as indicated below.

Sincerely,



Randy Maass
Hydrogeologist
Remediation and Redevelopment
(608) 275-3224

cc: Chris Vahle, Nine Springs Environmental Consultants, 2817 Fish Hatchery Road, Madison, WI 53713

627107

Document Number

GROUNDWATER USE RESTRICTION

VOL 871 PAGE 408

GRANT COUNTY, WI
RECEIVED FOR RECORD

APR 13 2001

at 8:15A M. and recorded in
Vol. 871 of Records Page 408
Minneapolis Register

Declaration of Restrictions

In Re: A parcel of land in the City of Fennimore, Grant County, Wisconsin, described as follows:

Commencing at a point One Hundred Eighty feet East of the Southeast corner of Block Six of the Original Plat to the Village (now City) of Fennimore, Grant County, Wisconsin, thence East One Hundred Twenty feet, thence North Sixty feet, thence West One Hundred Twenty feet, thence South Sixty feet to the place of beginning.

The above property is also described as Outlot No. 157 to the Assessment Plat of the City of Fennimore, Grant County, Wisconsin.

Recording Area

Name and Return Address
Mr. Leroy E. McKinley 1600-72L
820 Jackson Street BT2 INC
Fennimore, WI 53809 2830 DAIRY DR
MADISON WI 53
67

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
) ss
COUNTY OF GRANT)

WHEREAS, Mr. Leroy E. McKinley is the owner of the above-described property.

WHEREAS, one or more petroleum hydrocarbon discharges have occurred on this property. Benzene, ethylbenzene, naphthalene, toluene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards existed on the above described property at the following location(s) on the following date(s): benzene concentrations of 540 micrograms per liter (µg/l) or parts per billion (ppb) and 59 µg/l were identified in groundwater monitoring wells MW-1 and MW-2, respectively, on September 19, 2000; an ethylbenzene concentration of 730 µg/l was identified in groundwater monitoring well MW-1 on September 19, 2000; naphthalene concentrations of 100 µg/l and 80 µg/l were identified in groundwater monitoring well MW-1 on September 19, 2000; a toluene concentration of 1,200 µg/l in groundwater monitoring well MW-1 on September 19, 2000; and a 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene total concentration of 850 µg/l in groundwater monitoring well MW-1 on September 19, 2000. The locations of the

groundwater monitoring wells are provided on Exhibit 1, which is attached and made part of this restriction.

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

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code, groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code, is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

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

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors 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 owner of the property described above 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 to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 2nd day of March, 2001.

Signature: Leroy E McKinley
Printed Name: Mr. Leroy E. McKinley

Subscribed and sworn to before me
this 2nd day of Mar, 2001.

Monay E Vogel
Notary Public, State of WV
My commission 9-2-01

This document was drafted by Mr. Christopher H. V. Vahle, BT², Inc., utilizing a template provided by the Wisconsin Department of Natural Resources.



395250

GRANT COUNTY, WIS. RECEIVED FOR RECORD

APR 5 - 1965 at 8:15 A. M. and recorded in Vol. 397 of Record Page 382 Thos. Hoffman Register

RETURN TO

THIS INDENTURE, Made this 12th day of March A. D., 19 65, between Fred H. Lind and Marguerite Lind, in her own right and as the wife of Fred H. Lind,

parties of the first part and Leroy E. McKinley

parties of the second part, Witnesseth, That the said parties of the first part, for and in consideration of the sum of Eight Thousand, Five Hundred Dollars (\$8,500.00)

to them in hand paid by the said part of the second part, the receipt whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said part of the second part, his heirs and assigns forever, the following described real estate situated in the County of Grant and State of Wisconsin, to-wit:

A parcel of land in the City of Fennimore, Grant County, Wisconsin, described as follows:

Commencing at a point One Hundred Eighty feet East of the Southeast corner of Block Six of the Original Plat to the Village (now City) of Fennimore, Grant County, Wisconsin, thence East One Hundred Twenty feet, thence North Sixty feet, thence West One Hundred Twenty feet, thence South Sixty feet to the place of beginning.

The above property is also described as Outlot No. 157 to the Assessment Plat of the City of Fennimore, Grant County, Wisconsin. (IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate right, title, interest, claim or demand whatsoever, of the said parties of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To Have and To Hold the said premises as above described with the hereditaments and appurtenances, unto the said part of the second part, and to his heirs and assigns FOREVER.

And the said Fred H. Lind and Marguerite Lind, in her own right and as the wife of Fred H. Lind, for themselves and their heirs, executors and administrators, do covenant, grant, bargain, and agree to and with the said part of the second part, his heirs and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever.

and that the above bargained premises in the quiet and peaceable possession of the said part of the second part, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, they will forever WARRANT AND DEFEND.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals, this 12th day of March, A. D., 1965.

SIGNED AND SEALED IN PRESENCE OF

John N. Kramer

Maxine Heberlein

Maxine Heberlein

Fred H. Lind (SEAL)

Marguerite Lind (SEAL)

Marguerite Lind (SEAL)

(SEAL)



STATE OF WISCONSIN, Grant County, ss.

Personally came before me, this 12th day of March, A. D., 1965, the above named Fred H. Lind and Marguerite Lind

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

Maxine Heberlein (Signature) Maxine Heberlein

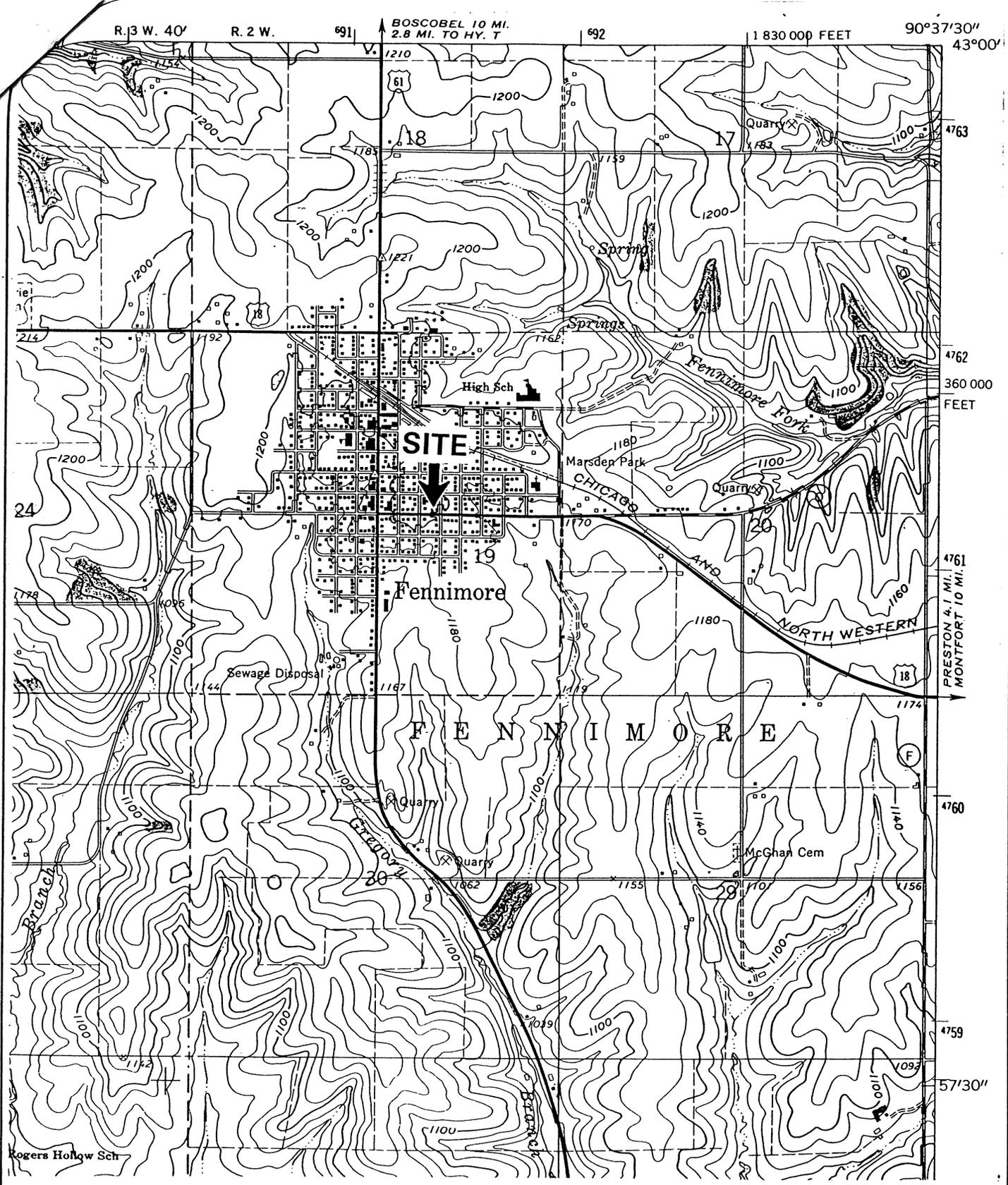


This instrument drafted by

Attorney John N. Kramer

Notary Public Grant County, Wis.

My Commission (Expires) September 5, 1965



Base map taken from 7.5 minute series USGS Fennimore quadrangle topographic map. Field checked 1962.

MAC'S STANDARD SERVICE
FENNIMORE, WISCONSIN

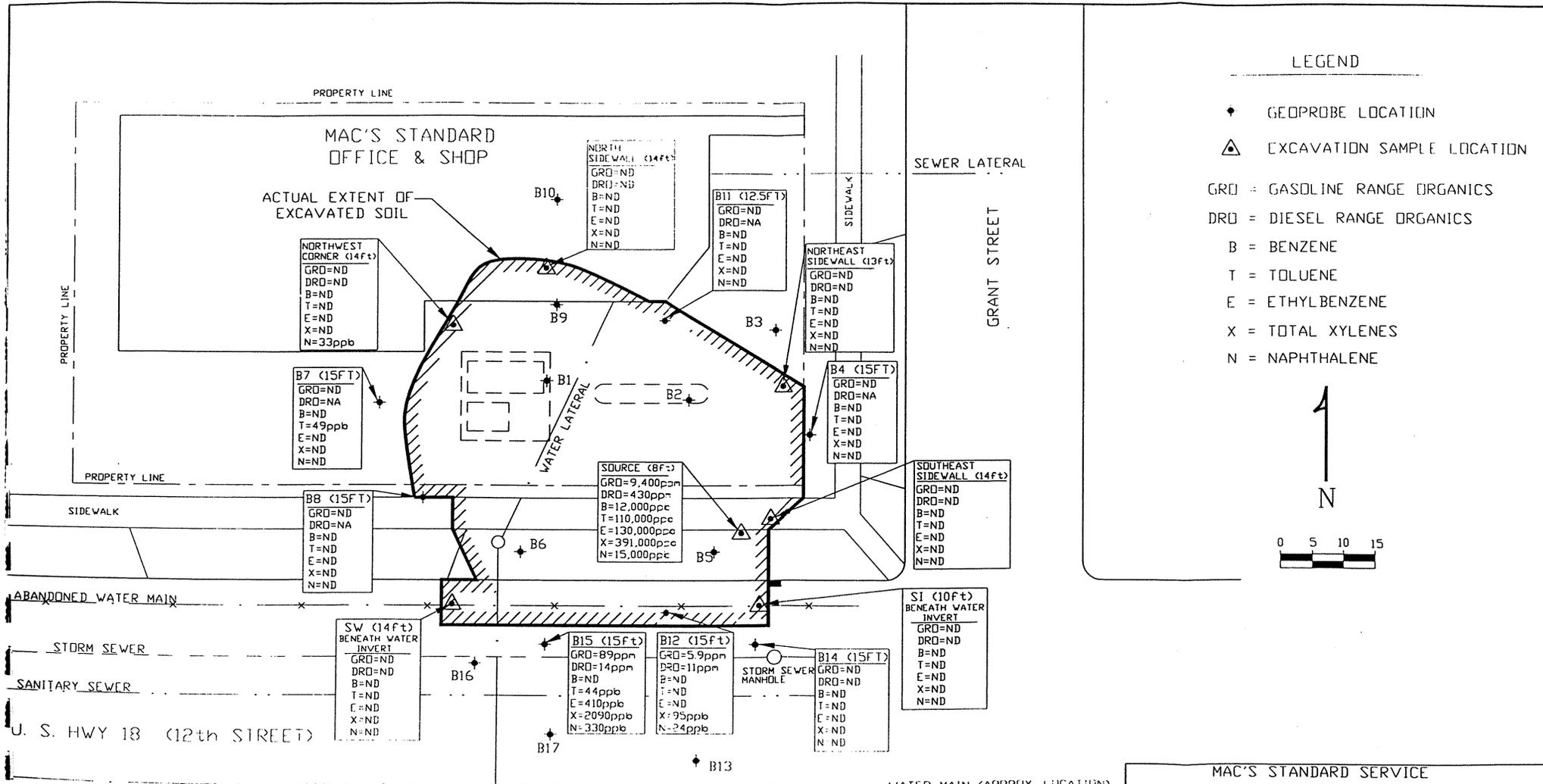
FIGURE 1
SITE LOCATION MAP

PROJECT 1043-001
JULY 1995

NINE SPRINGS
ENVIRONMENTAL CONSULTANTS, Inc.

Soil

sidewall samples Δ geoprobe samples near margin of excavation \star



MAC'S STANDARD SERVICE
 920 12th STREET
 FENNIMORE, WISCONSIN

FIGURE 3
 EXCAVATION SAMPLE LOCATIONS AND
 ANALYTICAL RESULTS

PROJECT 1043-001	NINE SPRINGS ENVIRONMENTAL CONSULTANTS, Inc.
JUNE 1997	
DRAWN BY GEY	

Soil contamination remaining after 1990 excavation

MAC'S STANDARD OFFICE & SHOP

FORMER 6000 GALLON GASOLINE UST AND EXCAVATION

SEWER LATERAL

PROPERTY LINE

APPROXIMATE EXTENT OF CONTAMINATED SOIL

PROPERTY LINE

SIDEWALK

U. S. HWY 18 (12th STREET)

APPROXIMATE EXTENT OF CONTAMINATED SOIL

WATER MAIN (APPROX. LOCATION)

ABANDONED WATER MAIN

STORM SEWER MANHOLE

STORM SEWER

SANITARY SEWER

SIDEWALK

GRANT STREET

B-9/S-4
GRD=2,200
B=1,900
E=3,400
X=49,230

B-1/S-6
B=69

B-2/S-2
GRD=5,300
B=83,000
E=150,000
T=800,000
X=840,000

B-2/S-6
GRD=1,100
Pb=56
B=1,400
E=10,000
T=26,000
X=57,000

B-5/S-4
GRD=2,600
B=3,100
E=32,000
T=22,000
X=119,000

B-5/S-6
GRD=1,300
B=720
E=11,000
T=6,100
X=48,000

B-6/S-2
GRD=160
Pb=610
B=180

B-12/S-4
GRD=2,100
DRD=1,200
B=790
T=30,000
X=144,800

B-17/S-6
GRD=520
DRD=140
E=5,400
X=37,000

LEGEND

- ◆ GEOPROBE LOCATION
- GRD = Gasoline Range Organics in ppm
- DRD = Diesel Range Organics in ppm
- Pb = lead in ppm
- B = Benzene in ppb
- E = Ethylbenzene in ppb
- T = Toluene in ppb
- X = Xylene in ppb

N
SCALE 1" = 20'

MAC'S STANDARD SERVICE
920 12th STREET
FENNIMORE, WISCONSIN

PROJECT 1043-001

FEBRUARY 1996

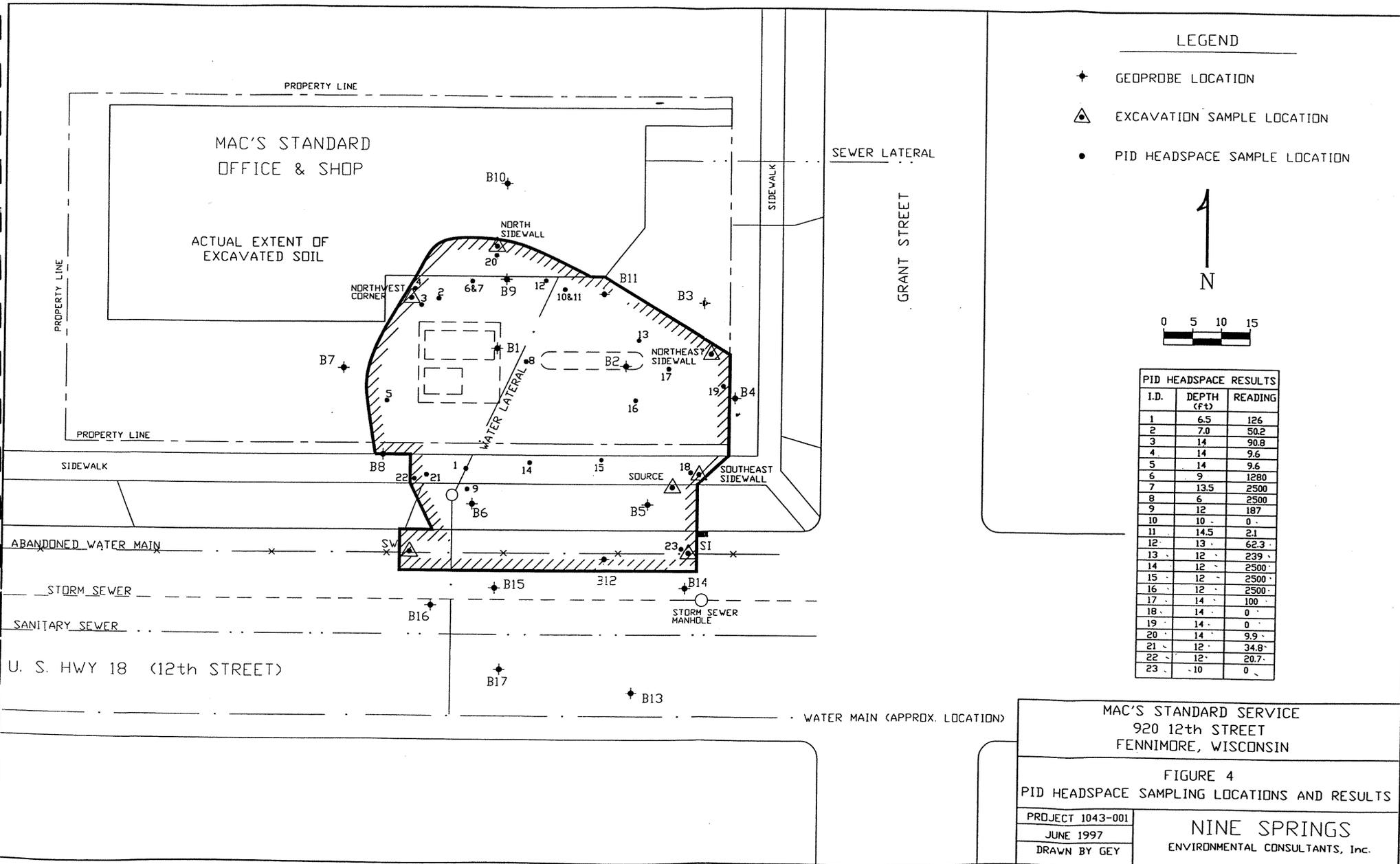
DRAWN BY GEY

FIGURE 5
SOIL ANALYTICAL RESULTS

NINE SPRINGS
ENVIRONMENTAL CONSULTANTS, Inc.

CAD FILE NAME: FIGURE 5

Soil samples near the base of the excavation

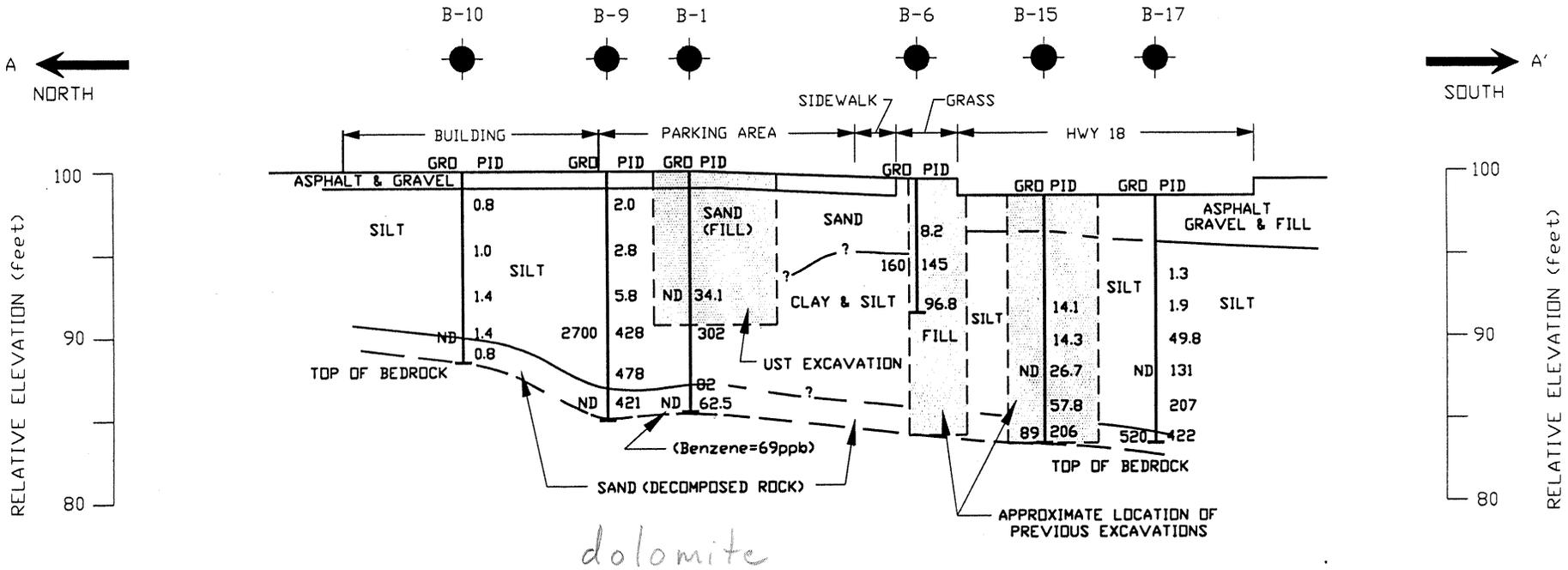


MAC'S STANDARD SERVICE
920 12th STREET
FENNIMORE, WISCONSIN

FIGURE 4
PID HEADSPACE SAMPLING LOCATIONS AND RESULTS

PROJECT 1043-001
JUNE 1997
DRAWN BY GEY

NINE SPRINGS
ENVIRONMENTAL CONSULTANTS, Inc.



approx. 30' bgs

dolomite

Abbreviations:
 B = Soil Boring
 GRO = Gasoline Range Organics in mg/kg (ppm)
 ND = Not Detected
 PID = Photoionization Detector Reading

NOTES:
 - Elevations are relative to an arbitrary site datum of 100.00 ft.
 - Horizontal Scale 1"=20'
 - Vertical Scale 1"=10'

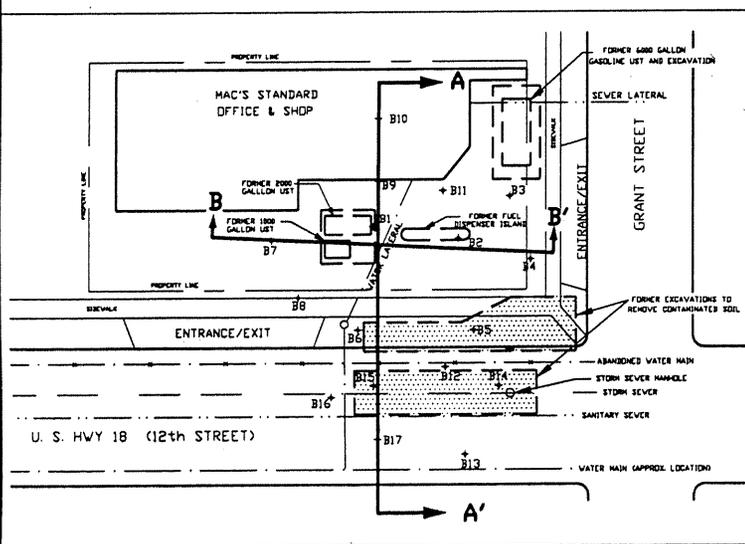
MAC'S STANDARD SERVICE
 920 12th STREET
 FENNIMORE, WISCONSIN

FIGURE 3
 SUBSURFACE PROFILE A-A'

PROJECT: 1043-001	DATE: JANUARY 1996	DRAWN BY: GEY
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NINE SPRINGS
 ENVIRONMENTAL CONSULTANTS Inc.

CAD FILE NAME: PRUF-ILL1



Geoprobe soil samples

TABLE 1
SOIL ANALYTICAL RESULTS
Mac's Standard Service
Fennimore, Wisconsin

Analyte	B-1/S-3 7.5 ft	B-1/S-6 14.5 ft	B-2/S-2 5.0 ft	B-2/S-6 15.0 ft	B-3/S-5 14.5 ft	B-4/S-6 15.0 ft	B-5/S-4 10.0 ft	B-5/S-6 15.0 ft	B-6/S-2 5.0 ft	B-7/S-6 15.0 ft	B-8/S-6 15.0 ft	B-9/S-4 10.0 ft	B-9/S-6 15.0 ft	B-10/S-4 10.0 ft	B-11/S-5 12.5 ft	B-12/S-4 10.0 ft	B-12/S-6 15.0 ft	B-13/S-1 5.0 ft	B-13/S-5 14.0 ft	B-14/S-4 11.0 ft	B-14/S-6 15.0 ft	B-15/S-3 11.0 ft	B-15/S-5 15.0 ft	B-16/S-4 11.0 ft	B-16/S-6 15.0 ft	B-17/S-4 11.0 ft	B-17/S-6 15.0 ft	WAC NR 720 Cleanup Standard	
Field PID Reading	34.1	62.5	410	389	3.0	3.0	104	160	145	2.8	1.0	428	421	1.4	0.4	210	63	1034	23.9	17.4	20.9	26.7	206	4.2	13.5	131	422		
GRO (mg/kg)	ND	ND	5,300	1,100	ND	ND	2,600	1,300	160	ND	ND	2,200	ND	ND	ND	2,100	5.9	ND	ND	ND	ND	ND	89	ND	ND	ND	ND	520	100
DRO (mg/kg)	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	1,200	11	ND	ND	ND	ND	ND	14	ND ³	ND ³	ND	140	100	
Lead (mg/kg)	ND	7.4	13	56	4.2	ND	40	48	610	16	12	13	43	15	13	19	22	12	52	61	61	13	27	15	24	15	55	50 ¹	
VOC (µg/l)																													
Benzene	ND	69	83,000	1,400	ND	ND	3,100	720	180	ND	ND	1,900	ND	ND	ND	790	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	5.5
n-Butylbenzene	ND	51,000	51,000	4,400	ND	ND	5,400	4,400	610	ND	ND	5,300	ND	ND	ND	8,900	ND	ND	ND	ND	ND	ND	410	ND	ND	ND	ND	4,800	
sec-Butylbenzene	ND	ND	91,000	800	ND	ND	1,600	1,200	130	ND	ND	2,300	ND	ND	ND	2,900	ND	ND	ND	ND	ND	ND	130	ND	ND	ND	ND	1,500	
tert-Butylbenzene	ND	19,000	19,000	2,300	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	
Ethyl Benzene	ND	ND	150,000	10,000	ND	ND	32,000	11,000	950	ND	ND	3,400	ND	ND	ND	4,600	ND	ND	ND	ND	ND	ND	280	ND	ND	ND	5,400	2,900	
Isopropylbenzene	ND	ND	17,000	1,500	ND	ND	4,000	2,100	170	ND	ND	2,200	ND	ND	ND	6,100	ND	ND	ND	ND	ND	ND	160	ND	ND	ND	ND	180	
p-Isopropyltoluene	ND	ND	ND	ND	ND	ND	1,200	830	90	ND	ND	3,600	ND	ND	ND	2,100	ND	ND	ND	ND	ND	ND	83	ND	ND	ND	ND	830	
Naphthalene	ND	ND	100,000	8,200	ND	ND	8,500	4,100	2,000	ND	ND	6,600	ND	ND	ND	9,700	ND	ND	ND	ND	ND	ND	330	ND	ND	ND	ND	4,300	
n-Propylbenzene	ND	ND	8,200	5,700	ND	ND	9,800	7,300	700	ND	ND	3,800	ND	ND	ND	20,000	ND	ND	ND	ND	ND	ND	580	ND	ND	ND	ND	6,800	
Toluene	ND	200	800,000	26,000	ND	ND	22,000	6,100	400	49	ND	450	ND	ND	ND	30,000	ND	ND	ND	ND	ND	ND	44	ND	ND	ND	ND	660	1,500
Trichlorotrifluoromethane	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	61 ⁴	ND	120 ⁴	ND								
1,2,4-Trimethylbenzene	ND	98	630,000	47,000	ND	ND	53,000	40,000	4,800	ND	ND	14,000	ND	ND	ND	97,000	220	ND	ND	ND	ND	ND	3,300	ND	ND	ND	ND	45,000	
1,3,5-Trimethylbenzene	ND	32	180,000	14,000	ND	ND	19,000	12,000	1,400	ND	ND	10,000	ND	ND	ND	30,000	74	ND	ND	ND	ND	ND	1,000	ND	ND	ND	ND	14,000	
Xylenes, m+p	ND	83	610,000	41,000	ND	ND	87,000	36,000	2,400	ND	ND	49,000	ND	ND	ND	140,000	95	ND	ND	ND	ND	ND	1,600	ND	ND	ND	27,000	4,100 ²	
Xylene, o	ND	ND	230,000	16,000	ND	ND	32,000	12,000	1,100	ND	ND	230	ND	ND	ND	4,800	ND	ND	ND	ND	ND	ND	490	ND	ND	ND	10,000		
PAH (µg/kg)																													
Chrysene	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	ND	3.5	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	
Fluoranthene	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	ND	2.6	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	
1-Methylnaphthalene	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	3,000	44	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	
2-Methylnaphthalene	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	4,800	71	ND	ND	ND	ND	ND	0.3	ND	ND	ND	ND		
Naphthalene	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	4,100	24	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND		
Phenanthrene	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	ND	8.1	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND		
Pyrene	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	ND	4.7	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND		

Notes:

- ¹ Cleanup Standard is for non-industrial sites.
- ² Cleanup Standard is for total xylenes.
- ³ Samples were not recieved on ice by the laboratory. Results may be biased low.
- ⁴ Suspected laboratory contaminant due to recent refrigerant system leak.
- Valued in **BOLD** are above WAC NR 720 Cleanup Standards.
- VOC and PAH compounds not listed were below detection limits for all samples
- ND = None Detected
- NT = Not Tested
- All laboratory tests were performed by En Chen, Inc. of Greenbay, Wisconsin.

Sidewall samples
1997 excavation

Table 2
Remedial Action Soil Analytical Results
Mac's Standard Service Station
Fennimore, Wisconsin

Analyte	North Sidewall	Northwest Corner	Southeast Sidewall	Northeast Sidewall	SW Beneath water invert on west	SI Beneath water invert on east	Overburden #1	Overburden #2	Source ^{1,2,3}	NR 720 Cleanup Standards
	14 feet	14 feet	14 feet	13 feet	14 feet	10 feet			8 feet	
GRO (mg/kg)	<3.1	<3.2	<3.1	<3.1	<3.1	<3.0	<2.9	<3.1	9,400	100 or 250 ⁴
DRO (mg/kg)	<4.5	<4.7	<4.5	<4.3	<5.0	<4.3	<4.8	<5.1	430	100 or 250 ⁴
Lead (mg/kg)	NA	NA	NA	NA	12	17	NA	NA	NA	
PVOC (µg/kg)										
Benzene	<25	<25	<25	<25	<25	<25	<25	<25	12,000	5.5
Ethylbenzene	<25	<25	<25	<25	<25	<25	<25	<25	130,000	2,900
Methyl-tert-butyl ether	<25	<25	<25	<25	<25	<25	<25	<25	15,000	NG
Toluene	<25	<25	<25	<25	<25	<25	<25	<25	110,000	1,500
1,2,4-trimethylbenzene	<25	<25	<25	<25	<25	<25	<25	<25	290,000	NG
1,3,5-trimethylbenzene	<25	<25	<25	<25	<25	<25	<25	<25	130,000	NG
Xylene, m+p	<25	<25	<25	<25	<25	<25	<25	<25	310,000	4,100 ⁵
Xylene, o	<25	<25	<25	<25	<25	<25	<25	<25	81,000	4,100 ⁵
PAH (µg/kg)										
1-Methylnaphthalene	52 *	<20	<19	<19	<19	<19	NA	NA	6,700	23E+3
2-Methylnaphthalene	69	<19	<18	<18	<18	<18	NA	NA	14,000	20E+3
Naphthalene	33 *	<17	<17	<17	<17	<16	NA	NA	15,000	400

Notes:

- ¹ Chromatogram has a typical gasoline pattern. Some peaks were outside of GRO window.
 - ² Complex chromatogram for VOC analysis, indicating hydrocarbons are present.
 - ³ Front peaks outside of DRO window, indicating lighter fuels are present.
 - ⁴ Interim soil cleanup guidelines for GRO and DRO depend on the saturated hydraulic conductivity (K) of the soil.
 - ⁵ Interim soil cleanup guidelines are for total xylenes.
 - ⁶ VOC chromatogram has many low-level peaks.
- NG = No guidance exists.
NA = Not analyzed; a sample was not collected for this analysis.

Impacted Off-Source Property Information

Form 4400-246 (R 3/08)

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

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 #:

ACTIVITY NAME:

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
<input type="text" value="A"/>	<input type="text" value="920 12th St"/>	<input type="text"/>	<input type="text" value="466808"/>	<input type="text" value="278911"/>
<input type="text" value="B"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="C"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="D"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="E"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="F"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="G"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="H"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="I"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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 groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code, groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code, is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

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

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors 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 owner of the property described above 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 to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 6th day of April, 2001.

Signature: Joseph P. Whitish
Printed Name: Mr. Joseph P. Whitish

Subscribed and sworn to before me
this 6th day of April, 2001.

Michelle M. Guidry
Notary Public, State of WI.
My commission 7-21-2002

This document was drafted by Mr. Christopher H. V. Vahle, BT², Inc., utilizing a template provided by the Wisconsin Department of Natural Resources.

DOCUMENT NO.

440163

EVOL 494 PAGE 140

STATE BAR OF WISCONSIN-FORM 1
WARRANTY DEED
THIS SPACE RESERVED FOR RECORDING DATA

GRANT COUNTY, WIS.
RECEIVED FOR RECORD

January 24, 1974
at 8:15 A.M. and recorded in
Vol. 494 of Records Page 140
Marian L. Stur Register

THIS DEED, made between Elizabeth Gutweiler

Grantor
and Joseph P. Whitish
Grantee

Witnesseth, That the said Grantor for a valuable consideration of
Five Thousand Five Hundred (\$5,500.00) Dollars
conveys to Grantee the following described real estate in Grant County,
State of Wisconsin:

RETURN TO CJP

2nd Subd

Tax Key # _____
This is NOT homestead property.

Lot One (1), Block One (1), Wefel's Addition to the Village
(now City) of Fennimore, Grant County, Wisconsin, according
to the recorded map or plat thereof.
Subject to all easements and right of ways of record.

This deed is given pursuant to that certain land contract executed May 21,
1969 and recorded May 27, 1969 at 8:15 A.M. in Vol. 446 on page 514,
Document No. 416975, in the office of the Register of Deeds for
Grant County, Wisconsin.

Exempt from Transfer Tax fee pursuant to Section 77.25 (10) Wis. Stats.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining;
And Elizabeth Gutweiler
warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances XXXXX

and will warrant and defend the same.

Executed at Fennimore, Wisconsin this 19th day of January, 1974.

SIGNED AND SEALED IN PRESENCE OF

Conrad J. Frantz
Conrad J. Frantz
Elizabeth J. Orthaus
Elizabeth J. Orthaus

Elizabeth Gutweiler (SEAL)
Elizabeth Gutweiler (SEAL)

_____ (SEAL)

Signatures of _____

authenticated this _____ day of _____, 19____.

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

STATE OF WISCONSIN

Grant County, ss.

Personally came before me, this 19th day of January, 1973,
the above named Elizabeth Gutweiler

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

This instrument was drafted by

Atty. Conrad J. Frantz

The use of witnesses is optional.

Conrad J. Frantz
Conrad J. Frantz
Notary Public Grant County, Wis.
My Commission (XXXX) (1s) permanent

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

WARRANTY DEED-STATE BAR OF WISCONSIN, FORM NO. 1 - 1971

H.C. Miller Company