

GIS REGISTRY

Cover Sheet

March, 2010
(RR 5367)

Source Property Information

BRRTS #: 02-54-555640

ACTIVITY NAME: GUNTHER PROPERTY

PROPERTY ADDRESS: 111 N Main St

MUNICIPALITY: Janesville

PARCEL ID #: 241-01361-00306

CLOSURE DATE: Nov 4, 2010

FID #:

DATCP #:

COMM #:

*WTM COORDINATES:

X: 599967 Y: 246171

** 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" form)*

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

Contamination in ROW

Off-Source Contamination

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

Land Use Controls:

N/A (Not Applicable)

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations
between non-industrial 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 unit or economic
development corporation was directed to
take a response action)*

Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

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

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

BRRTS #:	02-54-555640	PARCEL ID #:	241-01361-00306		
ACTIVITY NAME:	Gunther Property	WTM COORDINATES:	X: 599967	Y:	246171

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- Conditional Closure Letter**
- Certificate of Completion (COC)** (for VPLE sites)

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: **Title: Certified Survey Map**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

- Maps must be no larger than 11 x 17 inches unless the map is submitted electronically.
- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: 1 **Title: Topographic Vicinity Diagram**
 - 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: Boring Location Diagram**
 - 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 #: **Title:**

BRRTS #: 02-54-555640

ACTIVITY NAME: Gunther Property

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 #: **Title:**

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 #: **Title:**

Figure #: **Title:**

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

Tables must be no larger than 11 x 17 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.
Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1 and 2 **Title:** Soil Analytical Test Results Summary for RCRA Metals and PAHs

- 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 #: 5 **Title:** Groundwater Analytical Result Summary

- 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 #: 02-54-555640

ACTIVITY NAME: Gunther Property

NOTIFICATIONS

Source Property

Not Applicable

Letter To Current Source Property Owner: If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.

Return Receipt/Signature Confirmation: Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

Not Applicable

Letter To "Off-Source" Property Owners: Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

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:



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

November 4, 2010

Mr. William Zeidler, Vice President
M&I Regional Properties, LLC
770 North Water Street
Milwaukee, WI 53202

SUBJECT: Final Case Closure with Continuing Obligations
Gunther Property, 111 North Main Street, Janesville, WI
WDNR BRRTS Activity #: 02-54-555640

Dear Mr. Zeidler:

On November 1, 2010, the WDNR South Central Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

On October 21, 2010 the Department received information or documentation indicating that you have complied with the requirements for final closure.

The Department reviewed the case closure request regarding the Polycyclic Aromatic Hydrocarbon (PAH) soil contamination at this site. 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 GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed
- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier

This letter and information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If the property is listed on the GIS Registry because of

remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <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 you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter, including compliance with referenced maintenance plans, are met.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement, building foundation and soil cover that currently exists in the location shown on the attached map shall be maintained in compliance with the attached maintenance plan in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil at the site is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

The attached maintenance plan and inspection log are to be kept up-to-date and on-site. Please submit the inspection log to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Post-Closure Notification Requirements

In accordance with ss. 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, building foundation or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to the South Central Region Fitchburg Office, to the attention of the Regional RR Environmental Program Associate.

The following DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at <http://dnr.wi.gov/org/aw/rr/archives/pubs/RR819.pdf>.

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 Janet DiMaggio at (608) 275-3295.

Sincerely,



Linda Hanefeld, Team Supervisor
South Central Remediation & Redevelopment Program

Attach.

- Maintenance plan
- RR 819

cc: Jacob Saeger, Terracon Consultants, Inc. 9856 South 57th Street Franklin WI 53132

PAVEMENT COVER AND BUILDING BARRIER MAINTENANCE PLAN

October 20, 2010

Property Located at: 111 North Main Street
Janesville, Wisconsin

BRRTS #: 02-54-555640

Legal Description: Lot 1 of Certified Survey Map recorded in Volume 11 of Certified Survey Maps, Pages 319 and 310, as Document No. 977730 and being a part of Block 42, Original Plat. Said land being in the City of Janesville, County of Rock, State of Wisconsin.

TAX #: 241-01361-00306

Introduction

This document is the Maintenance Plan for a pavement cover and building barrier at the above-referenced property in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative code (WAC). The maintenance activities relate to the existing building, landscaping and paved surfaces occupying the area over the contaminated soil on-site.

More site-specific information about this property may be found in:

- The case file is at the DNR South Central regional office.
- BRRTS on the WEB (DNR's internet based data base of contaminated sites):
<http://botw.dnr.state.wi.us/botw/SetUpBasicSearchForm.do>
- GIS Registry PDF file for further information on the nature and extent of contamination:
<http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=brrts2>; and
- The DNR project manager for Rock County.

Description of Contamination

Soil contaminated by polycyclic aromatic hydrocarbons (PAH) including benzo(a)pyrene at depths ranging from six to ten feet below grade at the locations of borings B-1 and B-3 on the attached figure; however, soil contamination is considered to be present within the fill material across the site to depths of approximately 12 feet below grade.

Description of Barrier to be maintained

The existing barrier consists of paved surfaces, the landscaped areas and building. The location of the parking lot, concrete area and building are depicted on the attached figure.

The location of the paved surfaces, landscape areas and building to be maintained in accordance with this Maintenance Plan is identified on the attached map (Exhibit A).

Cover and Building Barrier Purpose

The paved surfaces, the landscaped areas and building over the fill serve as a barrier to prevent direct human contact with residual contamination that might otherwise pose a threat to human health. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

Annual Inspection

The paved surfaces, the landscaped areas and building overlying the fill and as depicted on the attached figure will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks, and other potential problems that can exposure to underlying fill. The inspections will be performed by the property owner or their designated representative. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age, and other factors. Any area where fill has become or are likely to become exposed will be documented. A log of the inspections and any repairs 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 fill is exposed. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at the address of the property owner and made available for submittal or inspection by the Wisconsin Department on Natural Resources (WDNR) representatives upon their request.

Maintenance Activities

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or construction operations. In the event that necessary maintenance activities expose the underlying fill, 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 fill that is excavated from the site prior to disposal to ascertain if contamination remains. The fill must be treated, stored, and disposed by the owner in accordance with applicable local, state and federal law.

In the event the paved surfaces, landscaped areas and/or building overlying the fill are removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the DNR or its successor.

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

Prohibition of Activities and Notification of WDNR Prior to Action Affecting a Cover

The following activities are prohibited on any portion of the property where paved surfaces, the landscaped areas and building is required as shown on the attached figure, unless prior written approval has been obtained from the WDNR: 1) Removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

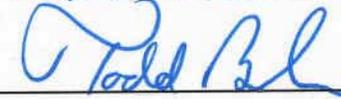
Amendment or Withdrawal of Maintenance Plan

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

**Contact Information
(October 20, 2010)**

Site Owner and/or Operator: M&I Regional Properties, LLC
770 North Water Street
Milwaukee, Wisconsin 53202
(414) 765-7968
Contact: William Zeidler or Todd Becker

Printed Name: Todd Becker

Signature: 

Consultant: Terracon Consultants, Inc.
9856 S. 57th Street
Franklin, WI 53132
(414) 423-0255
Contact: Jacob V. Saeger

WDNR: Wisconsin Department of Natural Resources
3911 Fish Hatchery Road, Fitchburg, WI 53711-5397
(608) 275-3295
Contact: Janet DiMaggio



Photo #1 Building entrance facing south.

(Photographed on November 5, 2009)



Photo #2 South side of site facing west.

(Photographed on November 5, 2009)



Photo #3 Office building facing southeast.

(Photographed on January 25, 2010)

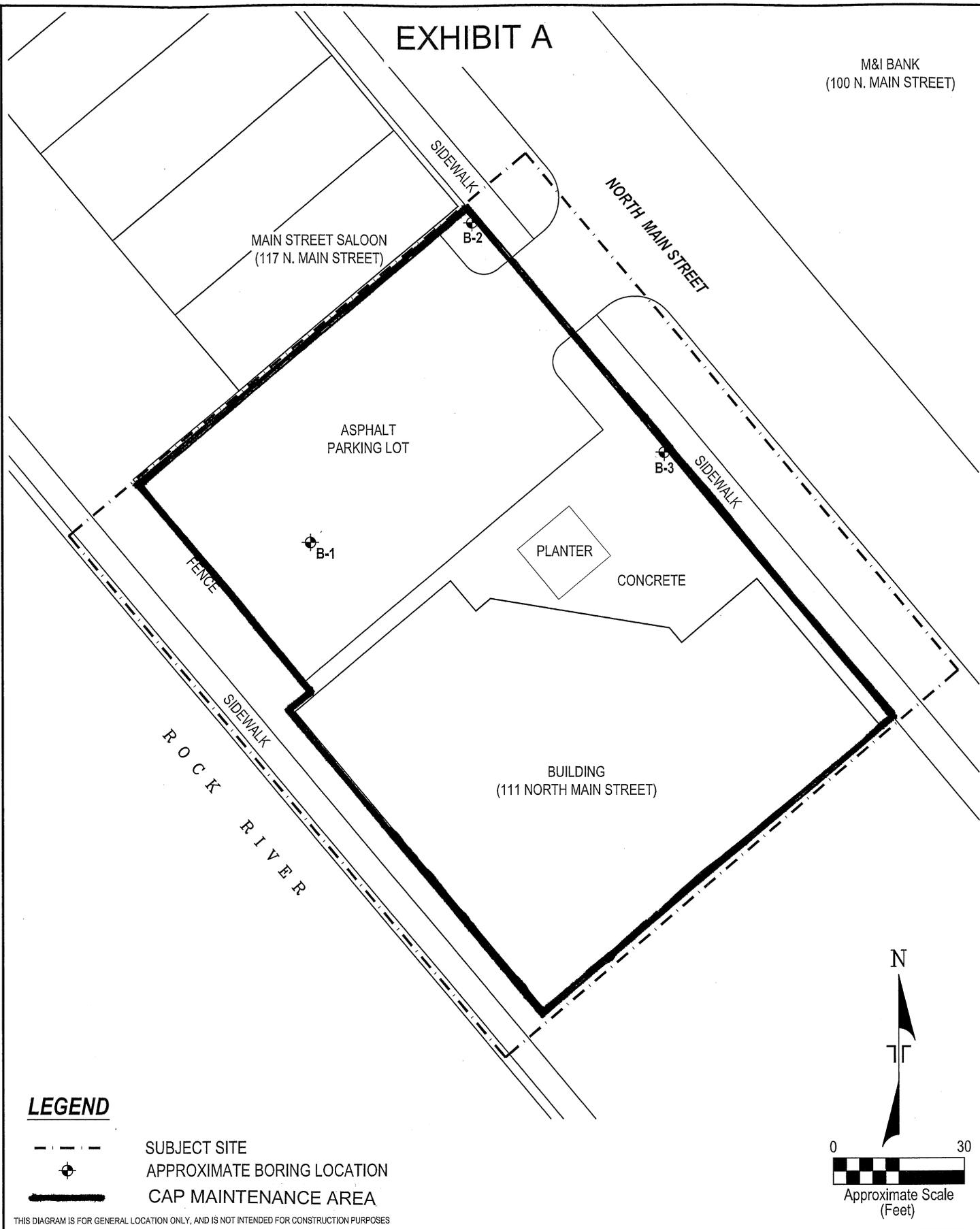


Photo #4 Office building parking lot facing south.

(Photographed on January 25, 2010)

EXHIBIT A

M&I BANK
(100 N. MAIN STREET)



LEGEND



--- SUBJECT SITE
 ○ APPROXIMATE BORING LOCATION
 — CAP MAINTENANCE AREA

THIS DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

Project Mngr: DM	Project No. 19107002	 Terracon Consulting Engineers and Scientists 4836 Colt Road Rockford, Illinois 61109 (815) 873-0990 (815) 873-0991	BORING LOCATION DIAGRAM	FIG. No.
Drawn By: DWD	Scale: AS SHOWN		LIMITED SITE INVESTIGATION	2
Checked By: DM/MRF	File No. LS119107002-2		M&I BANK - OFFICE BUILDING	
Approved By: DM	Date: FEB. 2010		111 NORTH MAIN STREET JANESVILLE, WISCONSIN	

Exhibit B
Barrier INSPECTION and MAINTENANCE LOG

Inspection Date	Inspector	Condition of Cap	Recommendations	Has recommended maintenance from previous inspection been implemented?

WARRANTY DEED

THE GRANTOR, Edwin Gunther and Ursula G. Gunther, Husband and Wife, of the City of New Berlin, Waukesha County, Wisconsin, for and in consideration of the sum of Ten and No/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, CONVEY and WARRANTs to M&I REGIONAL PROPERTIES, LLC, a Wisconsin limited liability company ("Lender"), having its principal offices at 770 N. Water Street, Milwaukee, WI 53202 the described Real Estate described on Exhibit A attached hereto and incorporated herein by reference, situated in the County of Rock in the State of Wisconsin.

SUBJECT TO: covenants, conditions, and restrictions of record and to General Taxes for 2010 and subsequent years; Mortgage made by the Grantor to Lender dated as of June 15, 2006 and recorded June 20, 2006 in the Office of the Register of Deeds for Rock County, Wisconsin as Document No. 1754580; and that certain Assignment of Rents dated as of June 15, 2006 and recorded in the Register of Deeds Office for Rock County, Wisconsin June 20, 2006 as Document No. 1754581, encumbering the Real Estate described on Exhibit A hereto.

NOTWITHSTANDING THE TERMS OF THIS CONVEYANCE, THE FEE ESTATE CONVEYED BY THIS WARRANTY DEED SHALL NOT BE CONSTRUED TO MERGE WITH THE MORTGAGE AND ASSIGNMENT OF RENTS REFERENCED ABOVE AND SAID MORTGAGE AND ASSIGNMENT OF RENTS SHALL SURVIVE THIS CONVEYANCE UNLESS OTHERWISE RELEASED OR TERMINATED.



1886949

RANDAL LEYES
REGISTER OF DEEDS
ROCK COUNTY, WI
RECORDED ON
03/08/2010 11:15:34AM

REC FEE: 15.00
EXEMPT #: 14
EXCLUSION CODE:W-3
PAGES: 3

JBS
24
3
1500

Return to:
Michael Orgeman
Lichtsinn + Haensel S.C.
111 E. Wisconsin Ave
Ste 1800
Milwaukee, WI 53202

X 178343

IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents on the 11th day of Feb., 2010.

GRANTOR:

By: Ursula G. Gunther
Name: Ursula G. Gunther

By: Edwin Gunther
Name: Edwin Gunther

State of Wisconsin)

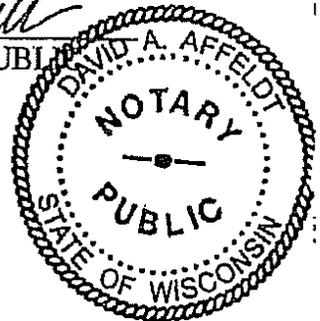
) SS
County of Milwaukee

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Ursula G. Gunther and Edwin Gunther, personally known to me to be the same persons whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged he/she signed and delivered the said Deed, as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 11 day of February 2010.

Commission expires is permanent, 20

David A. Affeldt
NOTARY PUBLIC



This instrument was prepared by: Michael D. Orgeman
LICHTSINN & HAENSEL, S.C.
111 E. Wisconsin Avenue, Ste. 1800
Milwaukee, WI 53202

EXHIBIT A

Lot 1 of Certified Survey Map recorded in Volume 11 of Certified Survey Maps, Pages 319 and 310, as Document No. 977730 and being a part of Block 42, Original Plat. Said land being in the City of Janesville, County of Rock, State of Wisconsin.

Property Address: 111 North Main Street

Tax Key Number: 241-01361-00306

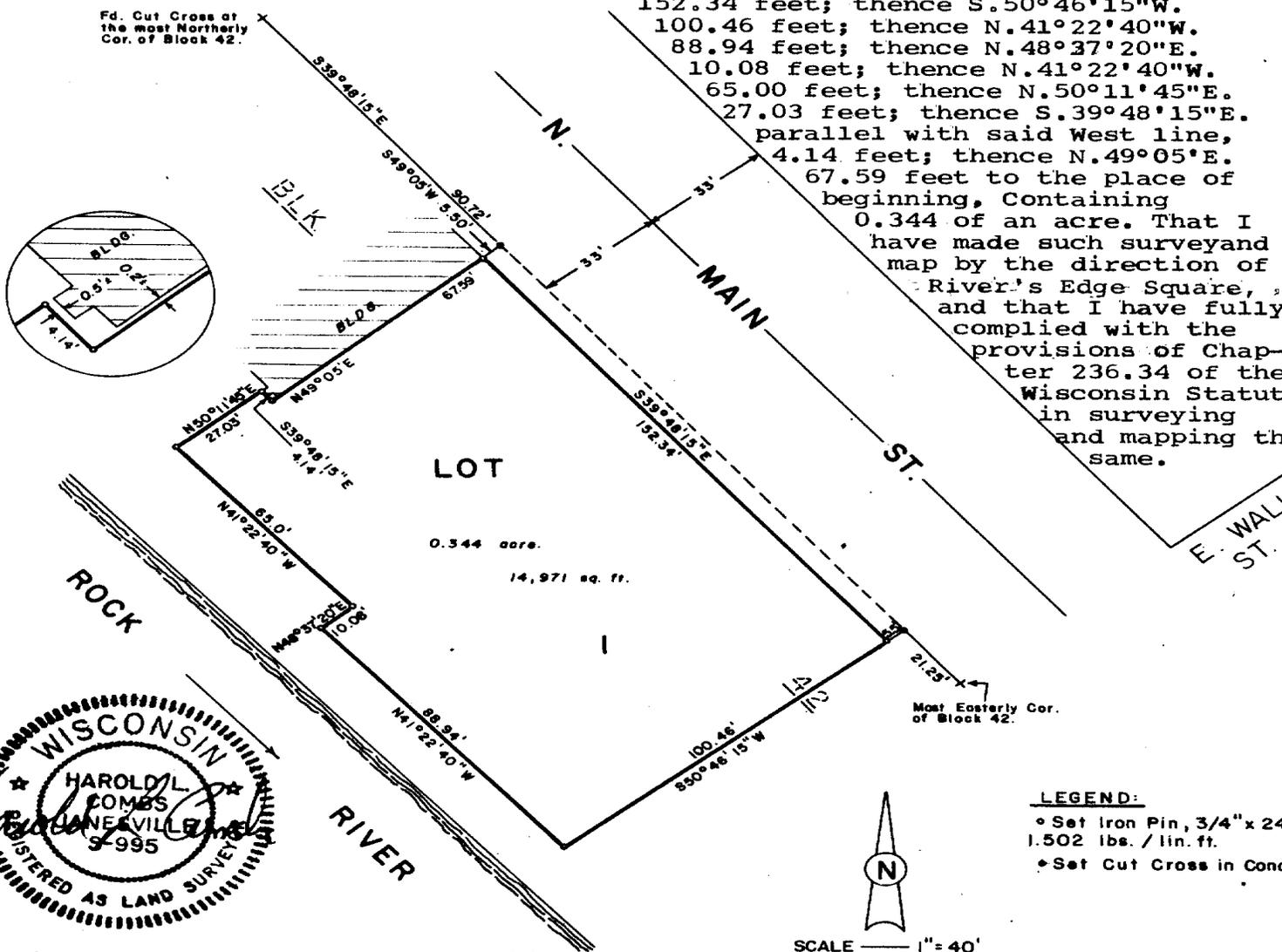
L:\MDOM&I\Gunther Legal Description

167
CERTIFIED SURVEY MAP OF

PART OF BLOCK 42 OF THE ORIGINAL PLAT OF JANESVILLE, LOCATED IN THE NE.1/4 OF SECTION 36, T.3N., R.12E. OF THE 4th P.M., NOW THE CITY OF JANESVILLE, ROCK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE
State of Wisconsin
County of Rock

I, Harold L. Combs, a Registered Land Surveyor, do hereby certify that I have surveyed and mapped part Block 42 of the original plat of Janesville, located in the NE.1/4 of Section 36, T.3N., R.12E. of the 4th P.M., Now the City of Janesville, Rock County, Wisconsin, described as follows: Commencing at the most Northerly corner of said Block 42; thence S.39°48'15"E. along the Westerly line of North Main Street, 90.72 feet; thence S.49°05'W. 5.50 feet to the place of beginning for the land to be herein described; thence S.39°48'15"E. parallel with said Westerly line, 152.34 feet; thence S.50°46'15"W. 100.46 feet; thence N.41°22'40"W. 88.94 feet; thence N.48°37'20"E. 10.08 feet; thence N.41°22'40"W. 65.00 feet; thence N.50°11'45"E. 27.03 feet; thence S.39°48'15"E. parallel with said West line, 4.14 feet; thence N.49°05'E. 67.59 feet to the place of beginning, Containing 0.344 of an acre. That I have made such survey and map by the direction of River's Edge Square, and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes in surveying and mapping the same.



Given under my hand and seal this 8th day of March, 1983 at Janesville, Wisconsin.

RECORDING DATA

No. 977730 received for Record this 3 day of November, 1983, at 12:14 o'clock P.M., and Recorded in Volume 11, pages 319 and of Certified Survey Maps of Rock County, Wisconsin, Card 154 Images 167

NOTE:
This is an existing parcel.

Register Catherine A. Page
Pd 4.00

Order No. 83-010-for-River's Edge Square, a partnership.

PROPERTY INFORMATION

Information considered accurate, but not guaranteed.

IMAGE[CLICK TO ENLARGE 33K](#)

Parcel Number 0136100306
 Property Address 111 N Main St
 Parcel Type Commercial

SITE DATA

Actual Frontage 152.3 Neighborhood 20 Downtown/Commercial
 Effective Frontage 153.0 Subdivision Commercial
 Effective Depth 97.8 Land Use Office Building
 Square Footage 14,971.0 Zoning B5F-Central Bus/Flood Plain
 Acreage 0.344 Ald. District No District

2007 ASSESSED VALUE

Class	Land	Improvement	Total
B Commercial	74,900	955,400	1,030,300
Totals	74,900	955,400	1,030,300

VIEW 2006 ASSESSED VALUE**LEGAL DESCRIPTION**

LOT 1 CSM 977730 VOL. 11 P. 319 IN NW1/4 SEC.36-3-12

OWNERSHIP HISTORY

Date	Amount	Conveyance	Vol.	Page	Sale Type
2/11/2010	600,000	Warranty Deed	201002089936527	PAD 32	Land & Build.
6/15/2006	1,510,000	Warranty Deed	200607261502774	0	Land & Build.
8/12/2003	1,450,000	Warranty Deed	200309221101920	0	Land & Build.
8/9/2002	1,035,000	Warranty Deed	200209207804468	0	Land & Build.

PERMITS

Date	Number	Amount	Purpose	Note
7/1/2008	2008-1994	0	Electrical	generator wiring cplt ldr
10/1/2002	2002-3629	23,500	Alterations	int alt for medical clinic

COMMERCIAL INFORMATION

Information considered accurate, but not guaranteed.

BUILDING SUPERSTRUCTURE DATA

Bldg	Sec	Occupancy	Year	Area	Framing	Hgt
1	1	Office Building	1983	6,336	C Masonary, Curtain Wallls	9
1	2	Office Building	1983	6,336	C Masonary, Curtain Wallls	9
1	3	Storage, Utility Building Comm	1983	504	C Masonary, Curtain Wallls	12
1	4	Atrium	1983	854	D Wood or Steel Studs	18
Total Area				14,030		

BASEMENT DATA

Bldg	Sec	Description	Area
1	1	Slab (included in base price)	6,336
1	4	Slab (included in base price)	854

COMPONENTS

Bldg	Sec	Description	Area
1	1	Elevator (# of Stops)	2
1	1	HVAC-Complete HVAC	6,336
1	2	Mezzanine-Open	322
1	2	HVAC-Forced Air Unit	6,336

DETACHED IMPROVEMENTS

Description	Year Built	Square Feet	Grade	Condition
Canopy	1983	56.0	C	Average
Canopy	1983	60.0	C	Average
Canopy	1983	35.0	C	Good
Canopy	1983	35.0	C	Good

SITE IMPROVEMENTS

Description	Units
Paving	6,110

STRUCTURE DATA

Age	27	One Bedroom
YearBuilt	1983	Two Bedroom
Effective Year	1983	Three Bedroom
Stories	2.00	Total Units
Business Name	Office Bldg (Rivers Edge)	

Total Hits: 1,364,708
 Hits Today: 402

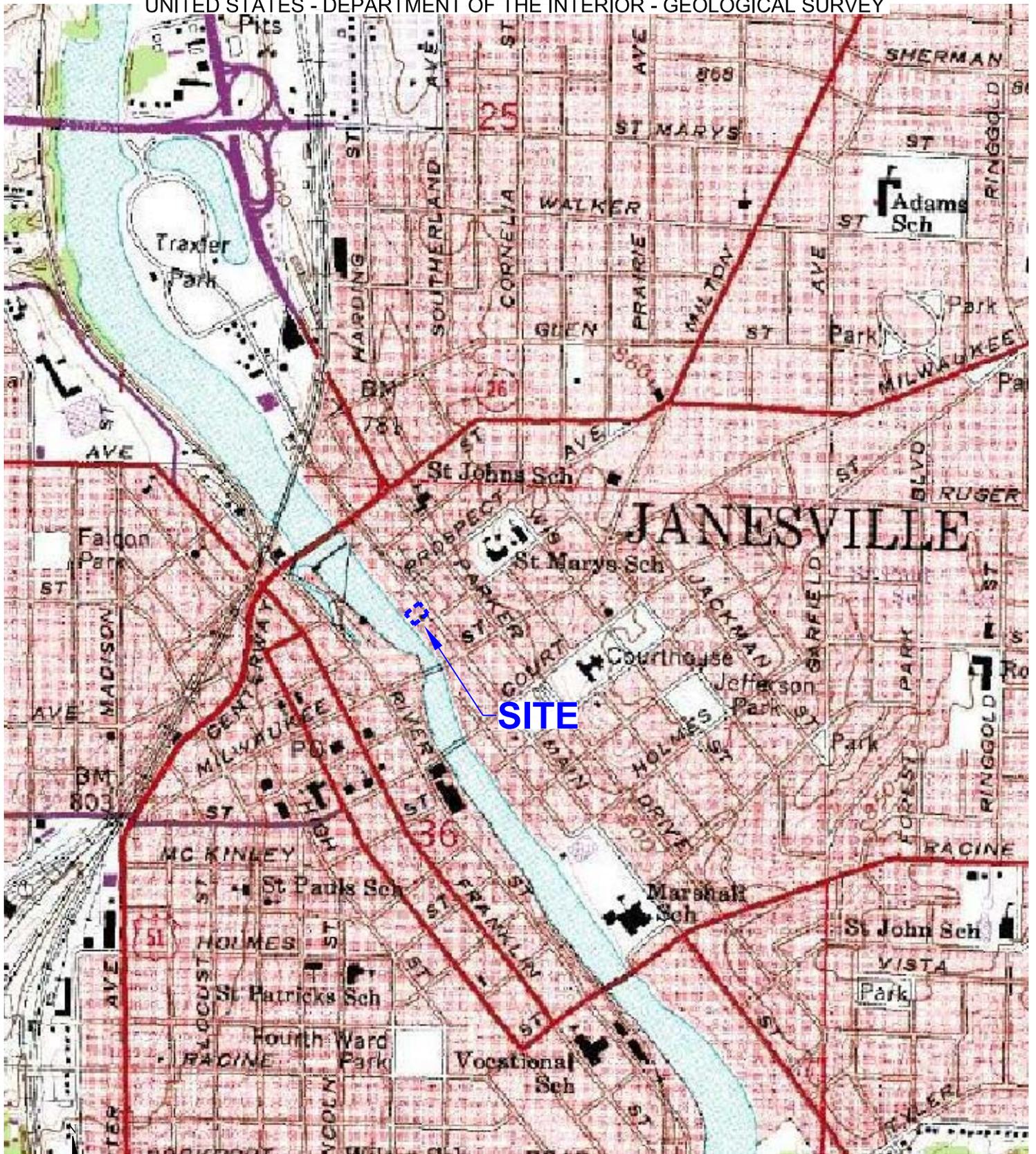
Statement of Accurate Legal Description

To the best of my knowledge, the attached property legal description depicted on the current deed is complete, accurate, and identifies the parcel with soil impacted with polycyclic aromatic hydrocarbons, which were identified on the property located at 111 North Main Street, Janesville, Wisconsin, parcel tax key no. 241-01361-00306, referred to as the Property.

Todd Becker
Printed Name

8/17/10
Date

Todd Becker
Signature
Todd Becker, Vice President
M&I Regional Properties, LLC



Source: USGS TERRASERVER-USA.COM - Topographic Image, Dated 1981



--- Approximate Site Location

Project Mngr:	JDM	Project No.	19107002
Drawn By:	EP	Scale:	AS-SHOWN
Checked By:	JDM	Revised By:	~
Approved By:	JDM	Date:	February 9, 2010

Terracon
Consulting Engineers and Scientists

4836 COLT ROAD ROCKFORD, ILLINOIS 61109
PH. (815) 873-0990 FAX. (815) 873-0991

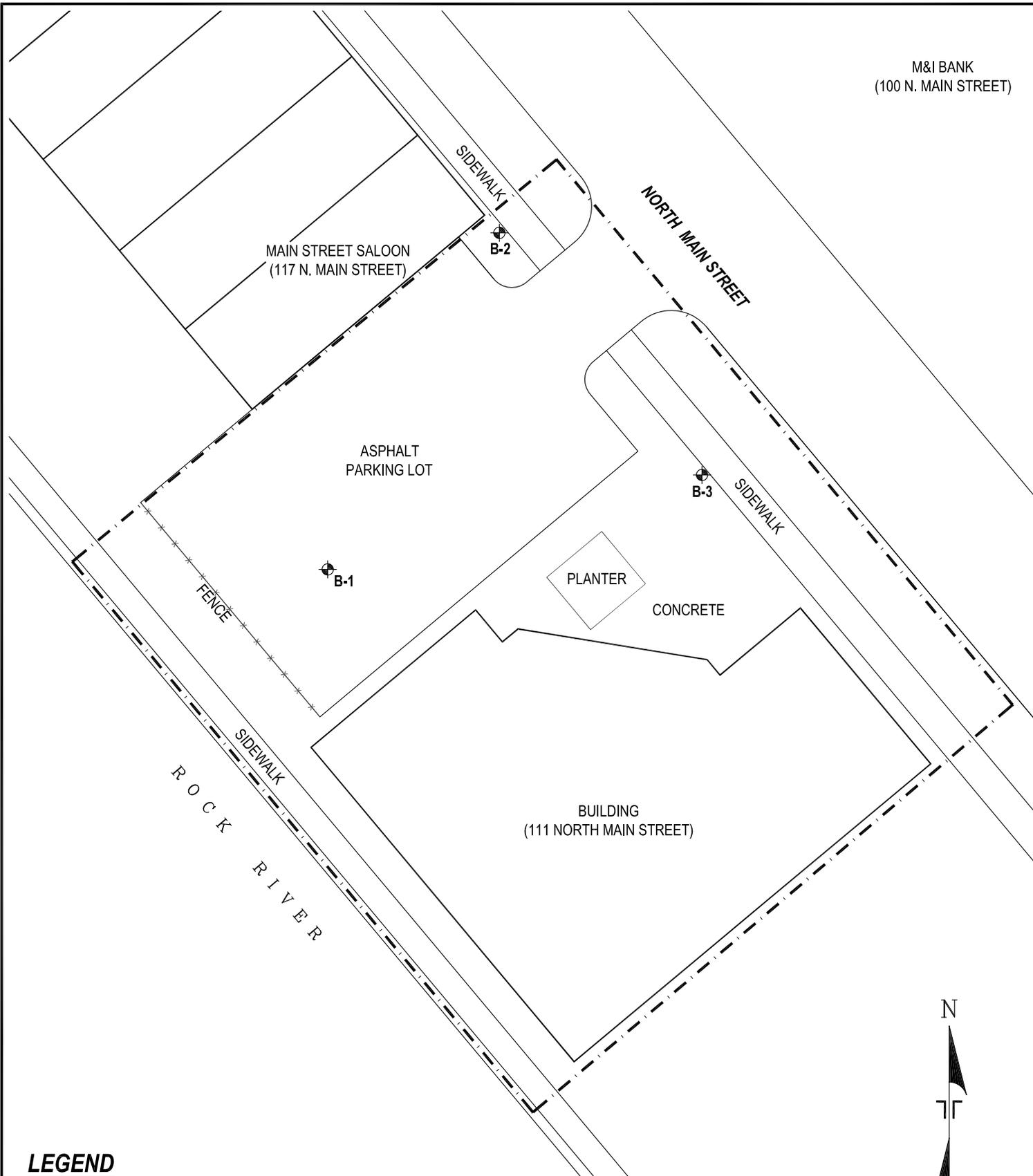
TOPOGRAPHIC VICINITY DIAGRAM

LIMITED SITE INVESTIGATION
M&I BANK - OFFICE BUILDING
OFFICE BUILDING - 111 NORTH MAIN STREET
JANESVILLE, WISCONSIN

FIG. No.	1
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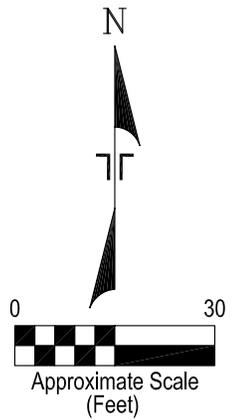
N:\PROJECTS - OTHER OFFICES\ROCKFORD - 19107002\DIAGRAMS\19107002 - LSI - REV. 20100209a.dwg

M&I BANK
(100 N. MAIN STREET)



LEGEND

- SUBJECT SITE
- APPROXIMATE BORING LOCATION



THIS DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

Project Mng:	DM	Project No.	19107002
Drawn By:	DWD	Scale:	AS SHOWN
Checked By:	DM/MRF	File No.	LSH19107002-2
Approved By:	DM	Date:	FEB. 2010

Terracon
Consulting Engineers and Scientists

4836 Colt Road Rockford, Illinois 61109
(815) 873-0990 (815) 873-0997

BORING LOCATION DIAGRAM
LIMITED SITE INVESTIGATION
M&I BANK - OFFICE BUILDING
111 NORTH MAIN STREET
JANESVILLE, WISCONSIN

FIG. No.

2

Table 1
Soil Analytical Test Results Summary for RCRA Metals

111 North Main Street
Janesville, Wisconsin
Terracon Project No. 19107002

Sample ID	Sample Depth (feet)	Sample Date	RCRA Metals--mg/kg							
			Arsenic	Barium	Cadmium	Chromium (total)	Lead	Selenium	Silver	Mercury
B-1	(6'-8')	1/25/2010	3.5	20.8	0.1	6.0	10	0.37	0.038	0.020
B-2	(10'-12')	1/25/2010	4.1	147	0.23	15.3*	15.1	0.55	0.2	0.083
B-3	(8'-10')	1/25/2010	2.5	17.2	0.15	6.2	17.0	ND	0.066	0.031
NR 720, WAC, Generic RCL ¹			0.039	--	8	16,000	50	--	--	--

Notes:

Only detected compounds are listed on the table

" < " Indicates not detected above listed method detection limit (MDL)

" -- " Indicates standard not established, not calculated or not analyzed

Bold values indicate listed concentration above it respective NR 720, RCL

¹ NR 720, Wisconsin Administrative Code (WAC), Generic Residual Contaminant Level (RCL)

mg/kg = milligrams per kilogram

"*" RCL for hexavalent chromium is 14 mg/kg and trivalent chromium is 16, 000 mg/kg concentration is assumed to be in the form of trivalent chromium

Table 2
Soil Analytical Test Results Summary for PAHs

111 North Main Street
Janesville, Wisconsin
Terracon Project No. 19107002

Sample ID	Sample Depth (feet)	Sample Date	Polycyclic Aromatic Hydrocarbons (PAH)–mg/kg																	
			1-Methylnaphthalene	2-Methylnaphthalene	Acenaphthene	Acenaphthylene	Anthracene	Benzo(a)anthracene	Benzo(a)pyrene	Benzo(b)fluoranthene	Benzo(g,h,i)perylene	Benzo(k)fluoranthene	Chrysene	Dibenz(a,h)anthracene	Fluoranthene	Fluorene	Indeno(1,2,3-cd)pyrene	Naphthalene	Phenanthrene	Pyrene
B-1	(6'-8')	1/25/2010	0.0053	0.0083	0.0150	0.018	0.061	0.086	0.080	0.070	0.050	0.076	0.083	0.0170	0.16	0.018	0.045	0.012	0.17	0.15
B-2	(10'-12')	1/25/2010	<0.0033	<0.0044	<0.0058	<0.0044	<0.0027	<0.0015	<0.0025	<0.0041	<0.0013	<0.0029	<0.0016	<0.0014	<0.0028	<0.0058	<0.0014	<0.0015	<0.073	<0.0016
B-3	(8'-10')	1/25/2010	<0.0026	<0.0035	0.0098	<0.0036	0.037	0.049	0.041	0.033	0.026	0.035	0.048	0.0078	0.12	0.010	0.021	<0.0092	0.13	0.11
PAH Direct Contact ¹			1,100	600	900	18	5,000	0.088	0.0088	0.088	1.8	0.88	8.8	0.0088	600	600	0.088	20	18	500
PAH Soil to Groundwater Pathway ²			23	20	38	0.17	3,000	17	48	360	6,800	870	37	38	500	100	680	0.4	1.8	8,700

Notes:

Only detected compounds are listed on the table

" < " Indicates not detected above listed method detection limit (MDL)

XX.X Bold and Yellow Highlights indicate concentration above the suggested Direct Contact concentration

¹ PAH results compared to Suggested Non-Industrial Direct Contact Soil Cleanup Levels for Polycyclic Aromatic Hydrocarbons (PAHs) Interim Guidance, RR-519-97, April, 1997

² PAH results compared to Suggested Soil Leaching to Groundwater Soil Cleanup Levels for Polycyclic Aromatic Hydrocarbons (PAHs) Interim Guidance, RR-519-97, April, 1997
mg/kg = milligrams per kilogram

Table 5
Groundwater Analytical Results Summary

111 North Main Street
Janesville, Wisconsin
Terracon Project No. 19107002

Sample Location	Sample Date	Volatile Organic Compounds (Ug/L)	
		Naphthalene	Tetrachloroethene
B-1	1/25/2010	1.0	<0.45
B-2	1/25/2010	<0.89	<0.45
B-3	1/25/2010	<0.89	0.63
NR 140, WAC, PAL ¹		10	0.5
NR 140, WAC, ES ²		100	5

Notes:

Only detected analytes are listed on the table

¹ NR 140, Wisconsin Administrative Code, Preventive Action Limit (PAL)

² NR 140, Wisconsin Administrative Code, Enforcement Standard (ES)

Bold = Exceeds NR 140 PAL

ug/L = micrograms per liter