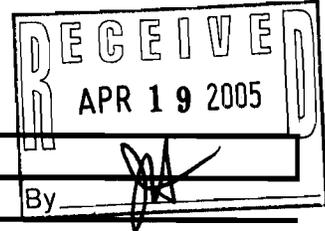


**GIS REGISTRY INFORMATION**



**SITE NAME:** Florida Yards Lot #4  
**BRRTS #:** 02-41-000468 **FID #: 241498070**  
**COMMERCE # (if appropriate):** \_\_\_\_\_  
**CLOSURE DATE:** 19-Apr-05  
**STREET ADDRESS:** 317 East National Avenue  
**CITY:** Milwaukee

**SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):** X= 690468 Y= 285399

**CONTAMINATED MEDIA:** Groundwater  Soil  Both

**OFF-SOURCE GW CONTAMINATION >ES:**  Yes  No

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

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

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

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

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

**CONTAMINATION IN RIGHT OF WAY:**  Yes  No

**DOCUMENTS NEEDED:**

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



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor  
Scott Hassett, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee, Wisconsin 53212-3128  
FAX 414-263-8606  
Telephone 414-263-8500  
TTY Access via relay - 711

April 19, 2005

David P Misky  
City of Milwaukee Health Dept.  
Dept. of City Development  
809 North Broadway  
P O Box 324  
Milwaukee, WI 53201-0324

Subject: Final Closure for Florida Yards, Lot #4, Milwaukee, WI

FID: 241498070  
BRRTS: 02-41-000468

Dear Mr. Misky:

The Wisconsin Department of Natural Resources ("the Department") has received the filed Deed Restriction from the City of Milwaukee on April 19, 2005. On July 30, 2003, the City of Milwaukee was notified that conditional closure was granted to this case. Receipt of the Deed Restriction indicates that the City of Milwaukee has complied with the conditions of closure. Based on the correspondence and data provided, it appears that your case 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.

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 registry. To review the sites on the GIS Registry web page, visit:

<http://gomapout.dnr.state.wi.us/org/at/et/geo/qwur/index.htm>

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

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8688) at the above address.

Sincerely,

John J. Hnat, P. G.  
Senior Hydrogeologist  
Remediation and Redevelopment

C: WDNR SER Files



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters  
2300 N. Dr. Martin Luther King, Jr. Drive  
P O Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8483  
TTY 414-263-8713

July 30, 2003

Mr. Mike Wisniewski  
City of Milwaukee - RACM  
809 North Broadway  
Milwaukee, WI 53202

Subject: Conditional Closure Letter for Lot #4, Florida Yards (Walker's Point Business Park), Milwaukee, WI

FID: 241498070  
BRRTS: 02-41-227908 000468

Dear Mr. Wisniewski:

On July 29, 2003, J. Schmidt, M. Brunette, and J. Hnat (WDNR) met with "Skip" Glor (representing Wm. Scott, S. C.) and D. Misky (City of Milwaukee) pertaining to the conditional closure letter I wrote on June 2, 2003 for the Florida Yards. All parties agreed that the June 2, 2003 letter should have been issued for Lot #4 (biopile) instead of the entire Florida Yards. **This letter voids the letter dated June 2, 2003 and reissues the conditional closure letter for Lot #4 at Florida Yards.**

On June 24, 1999 the Department of Natural Resources ("the Department") reviewed your request for closure of the case described above. The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. On May 27, 2003, the Department reviewed the results of soil testing of the bioremediation mounds Lot #4, for case closure. After careful review of the closure request, the Department has determined that the DRO and PAH [benzo(a)pyrene and naphthalene] soil contamination on the site from locations FLY-10 and FLY-11 appears to have been remediated to the extent practicable under site conditions. Your case meets the requirements of s. NR 726.05, Wis. Admin. Code and will be closed if the following conditions are satisfied:

1. To close this site, the Department requires that a deed restriction per s. NR 726.05(8)(b)1 Wis. Admin. Code be signed and recorded to address the issue of the remaining soil contamination associated with the site, for a property that has been classified as industrial under s. NR 720.11(1) Wis. Admin. Code. The purpose of the restrictions is to restrict the use of the property to industrial land use until non-industrial soil cleanup standards are achieved in the future through natural attenuation or additional remediation. It requires that any soil that is excavated in the future from an area that had residual soil contamination at the time of case closure shall be sampled, analyzed, handled, and disposed of as a solid waste in compliance with applicable state and federal laws.

You will need to submit a draft deed restriction to me before the document is signed and recorded. You may find a model deed restriction at the Department's web site (see publication RR-606, Option 2, Deed Restriction model):

[http://www.dnr.state.wi.us/org/aw/rr/archives/pub\\_index.html#12](http://www.dnr.state.wi.us/org/aw/rr/archives/pub_index.html#12)

To assist us in our review of the deed restriction, you should submit a copy of the property deed to

me along with the draft document. After the Department has reviewed the 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 Milwaukee County Register of Deeds Office. Then, you must submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a deed notice 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.

2. Section NR 726.05(8)(b) Wis. Admin. Code requires compliance with the filing of the approved deed restriction within 90-days after conditional case closure is granted. Because of possible review time delays by the Department, the submittal of the draft deed restriction would meet the 90-day deadline.
3. In addition to the deed restriction, this site will be included in the Department's GIS registry for soil contamination as required in s. NR 726.05(3)(b) 4 Wis. Admin. Code. Please submit the applicable documents and fee of \$200.
4. Section NR 726.05(10) requires that the above conditions must be satisfied within 120 days of receipt of this conditional closure letter.

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 registry. To review the sites on the GIS Registry web page, visit

<http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.html>

A final closure letter for this site will be granted after completion of the conditions of closure. 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.

If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8680) at the above address.

Sincerely,



John J. Hnat  
Hydrogeologist  
Remediation and Redevelopment

C: William Scott, S. C.  
Dave Misky, City of Milwaukee  
Eric Strang, Earthtech  
WDNR SER Files

This Deed, made between RO-MAR REALTY, INC., a  
Wisconsin corporation  
 \_\_\_\_\_, Grantor,  
 and Redevelopment Authority of the City of Milwaukee  
 \_\_\_\_\_, Grantee,  
 Witnesseth, That the said Grantor, for a valuable consideration  
 conveys to Grantee the following described real estate in Milwaukee  
 County, State of Wisconsin:

RETURN TO  
**CITY ATTORNEY'S OFFICE**  
 RETURN TO 800 CITY HALL  
MILWAUKEE, WI 53202

Tax Parcel No: 428-0526-110-7

See Exhibit A attached hereto and hereby made a part hereof

Together with all of Grantor's right, title and interest in that certain lease dated December 29, 1972, by and between Chicago and Northwestern Transportation Company, as Lessor, and the Great Western Sugar Company, as Lessee; as assigned to Ro-Mar Realty, Inc., as Lessor and Ambrosia Chocolate Company, as Lessee, and as amended pursuant to that certain Amendment to Lease dated March 8, 1991, by and between Ro-Mar Realty, Inc. and Ambrosia Chocolate Company.

This is not homestead property.  
 (is) (is not)

Together with all and singular the hereditaments and appurtenances thereunto belonging;  
 And Grantor warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except as set forth on Exhibit B attached hereto and hereby made a part hereof

and will warrant and defend the same. Grantor quitclaims to Grantee all of Grantor's right, title and interest in any improvements and railroad tracks located on the property, abandoned or otherwise.  
 Dated this August day of August, 19 92

RO-MAR REALTY, INC.  
 By: Michael Marden (SEAL)  
 Michael Marden  
 President (SEAL)

**AUTHENTICATION**

Signature(s) \_\_\_\_\_  
 authenticated this 7 day of Y, 19 \_\_\_\_\_  
 TITLE: MEMBER STATE BAR OF WISCONSIN  
 (If not authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
James T. Barry, III of  
Foley & Lardner - Milwaukee  
 (Signatures may be authenticated or acknowledged. Both are not necessary.)

**ACKNOWLEDGMENT**  
 ILLINOIS  
 STATE OF WISCONSIN

COOK County, ss.  
 Personally came before me this August 19 day of August, 19 92 the above named  
Michael Marden  
 Michael Marden,  
 President of Ro-Mar Realty, Inc.

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

Mary Jo Arredia  
 Notary Public COOK County, Wis.  
 My Commission is permanent (if not, state expiration date: 12-9)  
 "OFFICIAL SEAL"  
 Mary Jo Arredia  
 Notary Public, State of Illinois  
 My Commission Expires 12-9-93

## Exhibit A

### Parcel 1:

All of Lots 1, 2, 3, 4, 11, 12, 13 and 14 together with a part of Lots 5 and 10 in Block 57, all of Lots 1, 2, 3, 4, 11, 12, 13 and 14, together with a part of Lots 5 and 10 in Block 58, all of Lots 1, 2, 3, 4, 10, 11, 12, 13 and 14, together with a part of Lots 5, 6 and 9 in Block 59, all of Lots 1, 2, 3, 4, 11, 12, 13 and 14 together with a part of Lots 5, 6, 7, 8, 9 and 10 in Block 111 in Weeks' (L.W.) Subdivision of Lots 3 and 5 of Section 33, Township 7 North, Range 22 East, (recorded July 25th, 1846 Volume 1 of Plats, Page 35) also all of Lots 1, 2, 3, 4, 5, 6, 10, 11, 12, 13 and 14, together with a part of Lots 7, 8 and 9 in Block 37 in Walker's Point, being a subdivision of a part of the Northeast Quarter of Section 32, Township 7 North, Range 22 East, recorded December 27th, 1842 in Volume 1 of Plats, Page 21, also all of Lots 1, 2, 3, 4, 5, 13, 14, 15, 16 and 17, together with a part of Lots 6, 7, 8, 9 and 10 in Block 117 and all of Lots 1, 2, 3, 4, 14, 15, 16 and 17, together with a part of Lots 5 and 13 in Block 118 in Walker's Point (Southeast part of Northeast Quarter of Section 32, Township 7 North, Range 22 East) recorded March 14, 1850 in Volume 1 of Plats, Page 74, together with parts of vacated streets and alleys adjoining said Lots and Blocks, all being in the City of Milwaukee, Milwaukee County, Wisconsin, and being more particularly bounded and described as follows: Commencing at the West Quarter corner of said Section 33, said point also being the East Quarter corner of Section 32; thence South  $01^{\circ}03'22''$  East along the Section line between Sections 32 and 33 aforesaid 296.00 feet to a point on the North line of East National Avenue and the point of beginning of the land to be described; thence continuing South  $01^{\circ}03'22''$  East 0.50 feet to a point; thence North  $88^{\circ}47'42''$  East along the North line of East National Avenue 278.33 feet to a point, said point being 25.00 feet Westerly, measured at right angles, from the center line of the Chicago and North Western Transportation Company Yard Track ICC No. 106; thence North  $01^{\circ}06'08''$  West and parallel to said track 511.79 feet to a point; thence North  $09^{\circ}51'18''$  West 346.14 feet to a point, said point being on the Southerly extension of a line parallel to and 9.00 feet Westerly measured at right angles from the tangent segment of Chicago and North Western Transportation Company Spur Track ICC No. 138; thence North  $00^{\circ}43'28''$  West and parallel to said track 560.00 feet to a point on the South line of East Florida Street; thence South  $89^{\circ}04'02''$  West along the South line of East Florida Street 598.32 feet to a point on the center line of South Barclay Street; thence South  $21^{\circ}34'04''$  East 160.28 feet to a point, said point being on the center line of a vacated East-West alley in said Block 37 and 26.00 feet East of the West line of said Block 37; thence South  $11^{\circ}08'21''$  East 482.75 feet to a point on the center line of a vacated North-South alley in said Block 117; thence South  $01^{\circ}07'06''$  East 53.30 feet to a point on the South line of said Block 117; thence South  $08^{\circ}42'23''$  East 75.70 feet to a point, said point being the Northwest corner of Lot 5 in said Block 118; thence South  $08^{\circ}23'15''$  East 331.78 feet to the Southeast corner of Lot 13 in said Block 118; thence South  $01^{\circ}06'54''$  East along the East line of said Lot 13 extended 18.75 feet to a point on the center line of vacated East Pierce Street, said point being 18.75 feet North of the South line of the Northeast Quarter of said Section 32; thence North  $88^{\circ}48'08''$  East 112.93 feet to a point, on the East line extended of Lot 1 in Block 110 of said Walker's Point, said point being 64.00 feet West of the East line of the Southeast Quarter of said Section 32; thence South  $01^{\circ}03'22''$  East 314.26 feet to a point on the North line of East National Avenue; thence North  $88^{\circ}47'42''$  East 64.00 feet to the point of beginning.

CONTINUED

## Exhibit A

### LEGAL DESCRIPTION CONTINUED

#### Parcel 2:

That part of Lots 1, 2 and 3 in Block 95, all of Lots 1, 2, 3, 4, 12, 13 and 14 and a part of Lots 5, 6, 7, 8, 9 and 11 in Block 96 together with parts of vacated streets and alleys adjoining in Weeks' (L.W.) Subdivision of Lots 3 and 5 in Section 33, Township 7 North, recorded July 25th, 1846 in Volume 1 of Plats, Page 35, together with portions of vacated streets and alleys adjoining above described lands being in the Southeast Quarter of Section 32, Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, all being more particularly bounded and described as follows: Commencing at the West Quarter corner of said Section 33, also being the East Quarter corner of Section 32; thence South  $01^{\circ}03'22''$  East along said Section line 371.50 feet to a point on the South line of East National Avenue being the point of beginning of the land to be described; thence North  $88^{\circ}47'42''$  East along the South line of East National Avenue 278.36 feet to a point, said point being 25.00 feet Westerly, measured at right angles, from the center line of Chicago and North Western Transportation Company Yard Track ICC No. 106; thence Southwesterly 82.04 feet along the arc of a curve whose center lies to the West, whose radius is 547.965 feet and whose chord bears South  $03^{\circ}49'09''$  West 81.97 feet to a point of compound curve; thence Southwesterly 193.56 feet along the arc of a curve whose center lies to the West, whose radius is 644.09 feet and whose chord bears South  $16^{\circ}43'03''$  West 192.83 feet to a point; thence South  $25^{\circ}19'36''$  West 262.51 feet to a point, said point being 500.00 feet South of the South line of East National Avenue; thence South  $88^{\circ}47'42''$  West and parallel to the South line of East National Avenue 94.87 feet to a point, said point being 9.00 feet Easterly measured at right angles and radially from the center line of the Chicago and North Western Transportation Company Spur Track ICC No. 345; thence Northerly 124.11 feet along the arc of a curve whose center lies to the West, whose radius is 1918.88 feet and whose chord bears North  $02^{\circ}09'16''$  West 124.08 feet to a point; thence North  $04^{\circ}00'26''$  West 207.94 feet to a point; thence Northerly 113.51 feet along the arc of a curve whose center lies to the East whose radius is 1607.97 feet and whose chord bears North  $01^{\circ}59'07''$  West 113.49 feet to a point of compound curve; thence Northerly 54.26 feet along the arc of a curve whose center lies to the West, whose radius is 1695.43 feet and whose chord bears North  $00^{\circ}52'46''$  West 54.26 feet to a point on the South line of East National Avenue; thence North  $88^{\circ}47'42''$  East along the South line of East National Avenue 13.74 feet to the Section line; thence North  $01^{\circ}03'22''$  West along the Section line between Sections 32 and 33 aforesaid 0.50 feet to the point of beginning. Together with and including all of Grantor's right, title and interest in and to the yard office building

CONTINUED

Exhibit A

LEGAL DESCRIPTION CONTINUED

presently located on the above described Parcel "1" and that portion of Grantor's bridge lying between Parcels "1" and "2", described as follows, to wit: The Easterly 55 feet of Chicago and North Western Transportation Company Bridge No. 1553-1/2 extending over and across East National Avenue.

RECORDED  
**CERTIFIED SURVEY MAP**  
**FEB 17 1993**  
 DATE RECORDED  
**5805**  
 MAP NO.  
**6731069**  
 DOCUMENT NO.  
**CITY OF MILWAUKEE**  
**DEPARTMENT OF**  
**CITY DEVELOPMENT**  
**403 N. BROADWAY ST.**  
**MILWAUKEE, WIS. 53202**  
**PHONE 223-8718**

RECORDED  
**CERTIFIED SURVEY MAP**  
 Stock No. 26273

D.C.D. 1740

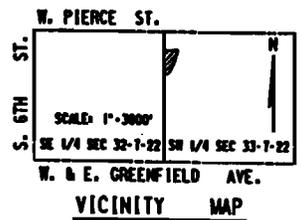
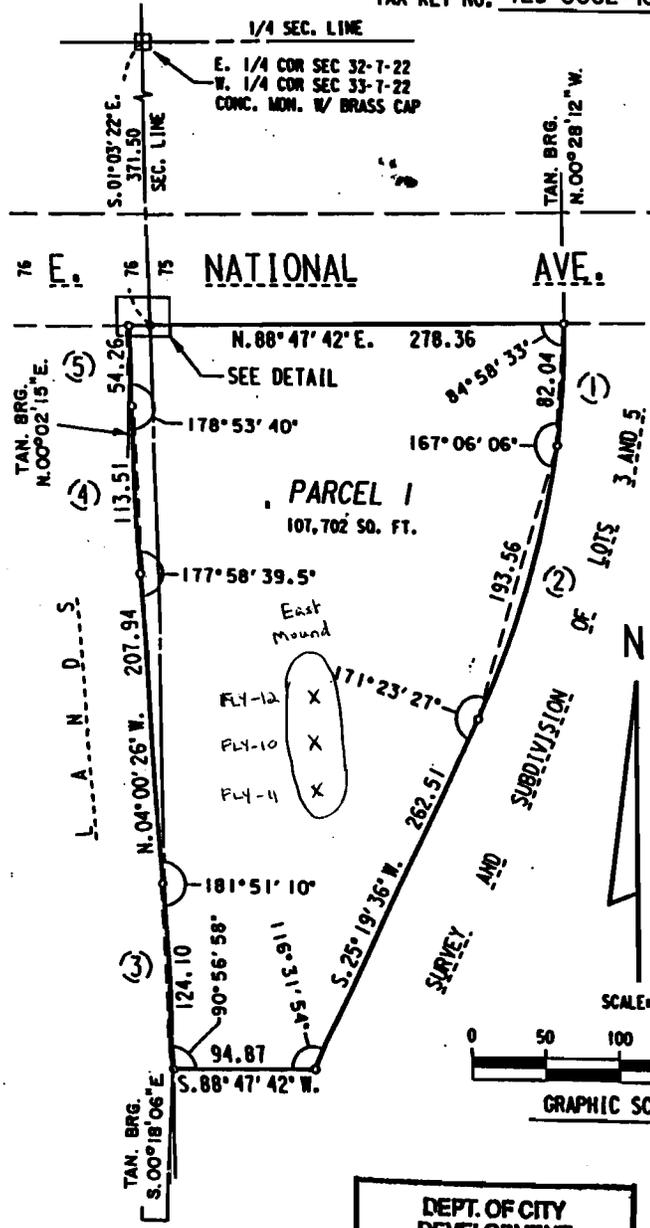
SHEET 1 OF 5

**CERTIFIED SURVEY MAP NO. 5805**

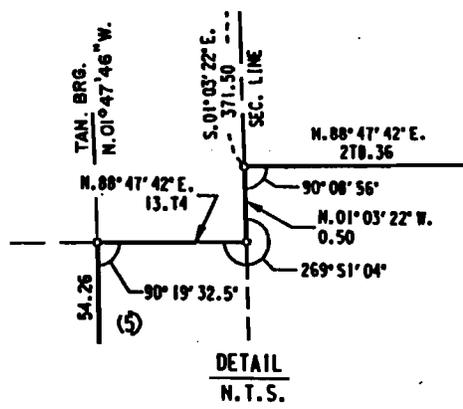
Being a division of part of Blocks 95 and 96, also portions of vacated street and alleys in and adjacent to said blocks in Survey and Subdivision of Lots 3 and 5 in the Northwest 1/4 of the Southwest 1/4 of Section 33; also lands in the Northeast 1/4 of the Southeast 1/4 of Section 32; all in Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

ZONING: I/A/125

TAX KEY NO. 429-0062-100-5



0-1" DIA IRON PIPE 24" LONG. WT. 1.13 LBS/ LINEAL FT.  
 ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT  
 ALL BEARINGS ARE REFERENCED TO THE WEST LINE OF THE S.W. 1/4 OF SEC. 33-7-22, WHICH IS ASSUMED TO BEAR S.01°03'22" E.

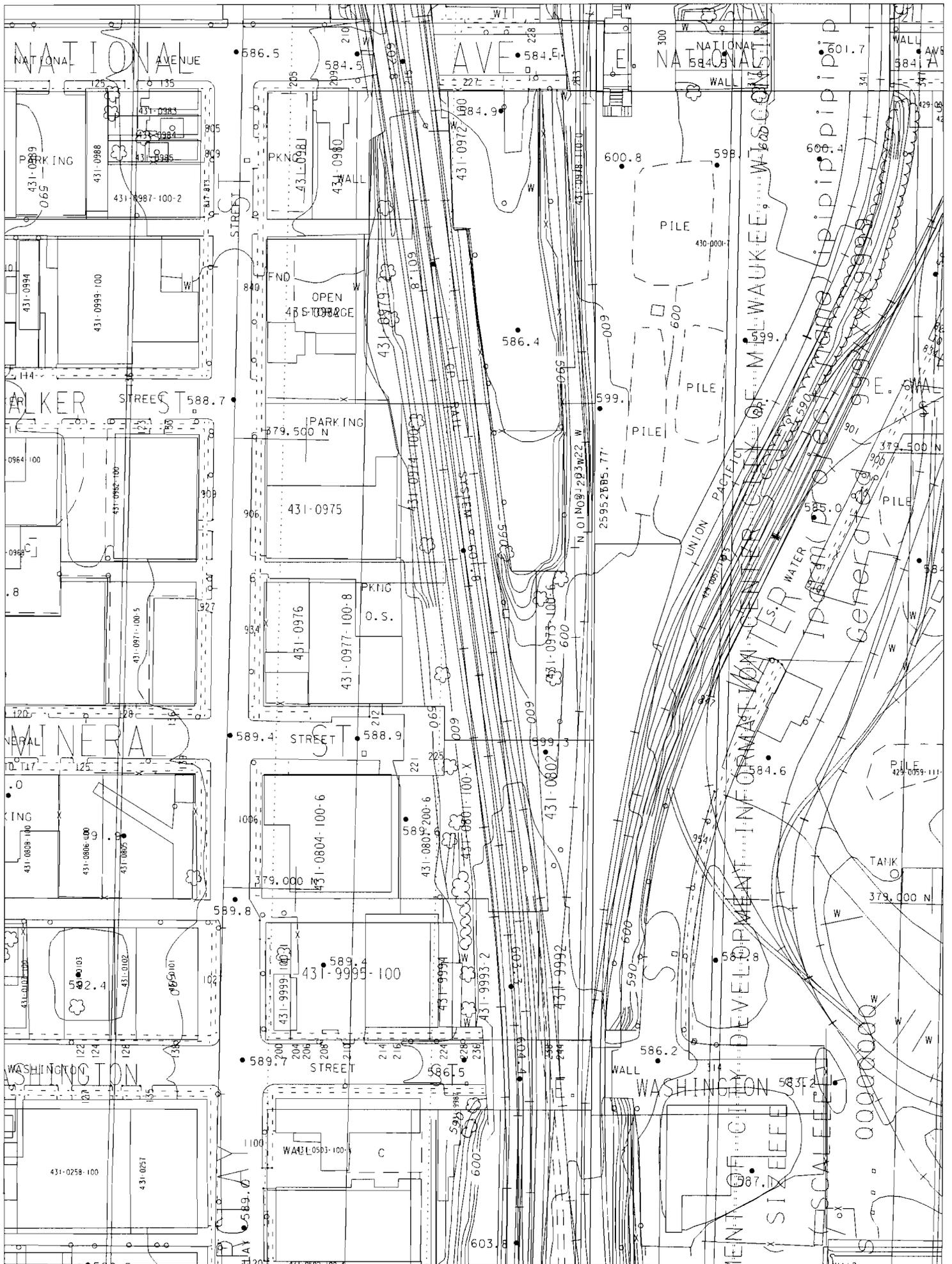


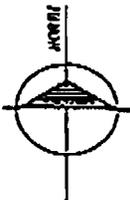
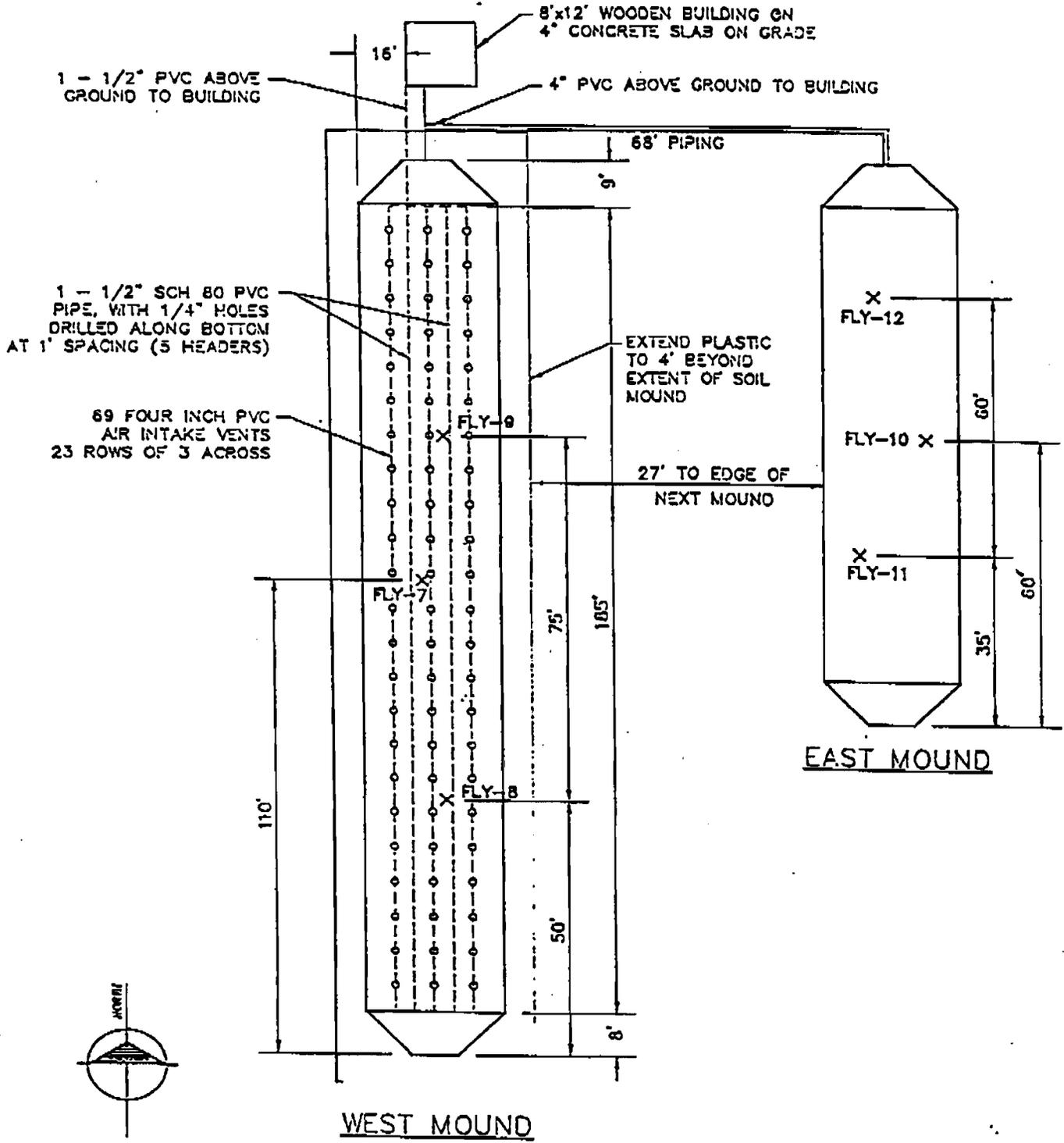
**RECEIVED**  
 JAN 5 1993  
 DEPT. OF  
 City Development

DEPT. OF CITY DEVELOPMENT OF MILWAUKEE  
 JAN 21 1993  
 STATE APPROVED

BUREAU OF ENGINEERS  
 CHIEF DRAFTERMAN  
 ENGR. IN CHARGE SEWER ENGR. DIV.  
 CORRECT  
 CITY ENGINEER  
 APPROVED







NOT TO SCALE

BIOREMEDIATION MOUND  
 PLAN VIEW - SAMPLE  
 LOCATIONS  
 CITY OF MILWAUKEE

MARCH, 1997

1923-00



**TABLE 1**  
**SOIL SAMPLE LABORATORY ANALYTICAL RESULTS**  
**MAY 2001**

**Florida Yards**  
**Milwaukee, Wisconsin**

Sample ID	West Mound			East Mound		
	FLY-7	FLY-8	FLY-9	FLY-10	FLY-11	FLY-12
	110'	50'	125'	60'	35'	96'
Sample Depth (in inches)	6.0	6.0	6.0	6.0	6.0	6.0
Parameters						
Diesel Range Organics (mg/kg)	240	110	180	690	710	740

E A R T H  T E C H



Department of City Development

Housing Authority  
Redevelopment Authority  
City Plan Commission  
Historic Preservation Commission  
NIDC

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

I, Joel T. Brennan, Manager, Real Estate and Development Services, state that the City of Milwaukee is the fee owner of the property now known as 317 E. National Avenue, Milwaukee, Wisconsin. The City acquired the property in the early 1990s with the deed being filed with the Register of Deeds on August 19, 1992. The property, described on the attached as Blocks 95 and 96, in the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 33, in Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, State of Wisconsin, is contaminated in the central portion of the property and is also identified on the Wisconsin Department of Natural Resources website as BRRTS No. 02-41-227908.

City of Milwaukee

By: Joel T. Brennan  
Joel T. Brennan  
Manager, Real Estate and Development Services  
Redevelopment Authority

Date: 1/11/05



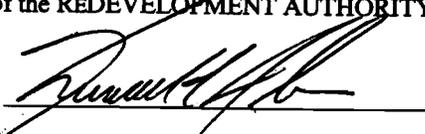
This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described Property whether by descent, devise, purchase, or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The WDNR, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the Property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restriction set forth in this covenant is no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restriction contained herein can be extinguished. If the Wisconsin Department of Natural Resources determines that the restriction can be extinguished, an affidavit can be recorded to give notice that this soil restriction is no longer binding.

IN WITNESS WHEREOF, REDEVELOPMENT AUTHORITY OF THE CITY OF MILWAUKEE has executed this Declaration of Restriction this Seventeenth day of February 2005.

By signing this document, Kenneth L. Johnson and Joel T. Brennan acknowledge that they are duly authorized to sign this document on behalf of the REDEVELOPMENT AUTHORITY OF THE CITY OF MILWAUKEE.

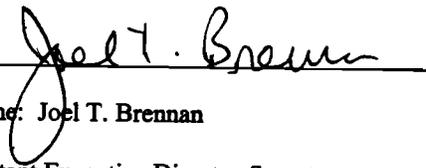
Signature: \_\_\_\_\_



Printed Name: Kenneth L. Johnson

Title: Chair

Signature: \_\_\_\_\_



Printed Name: Joel T. Brennan

Title: Assistant Executive Director-Secretary

Personally came before me this Seventeenth day of February 2005 the above-named Kenneth L. Johnson, Chair, Joel T. Brennan, Assistant Executive Director-Secretary, and to me known to be the company who executed the foregoing instrument and acknowledged the same.



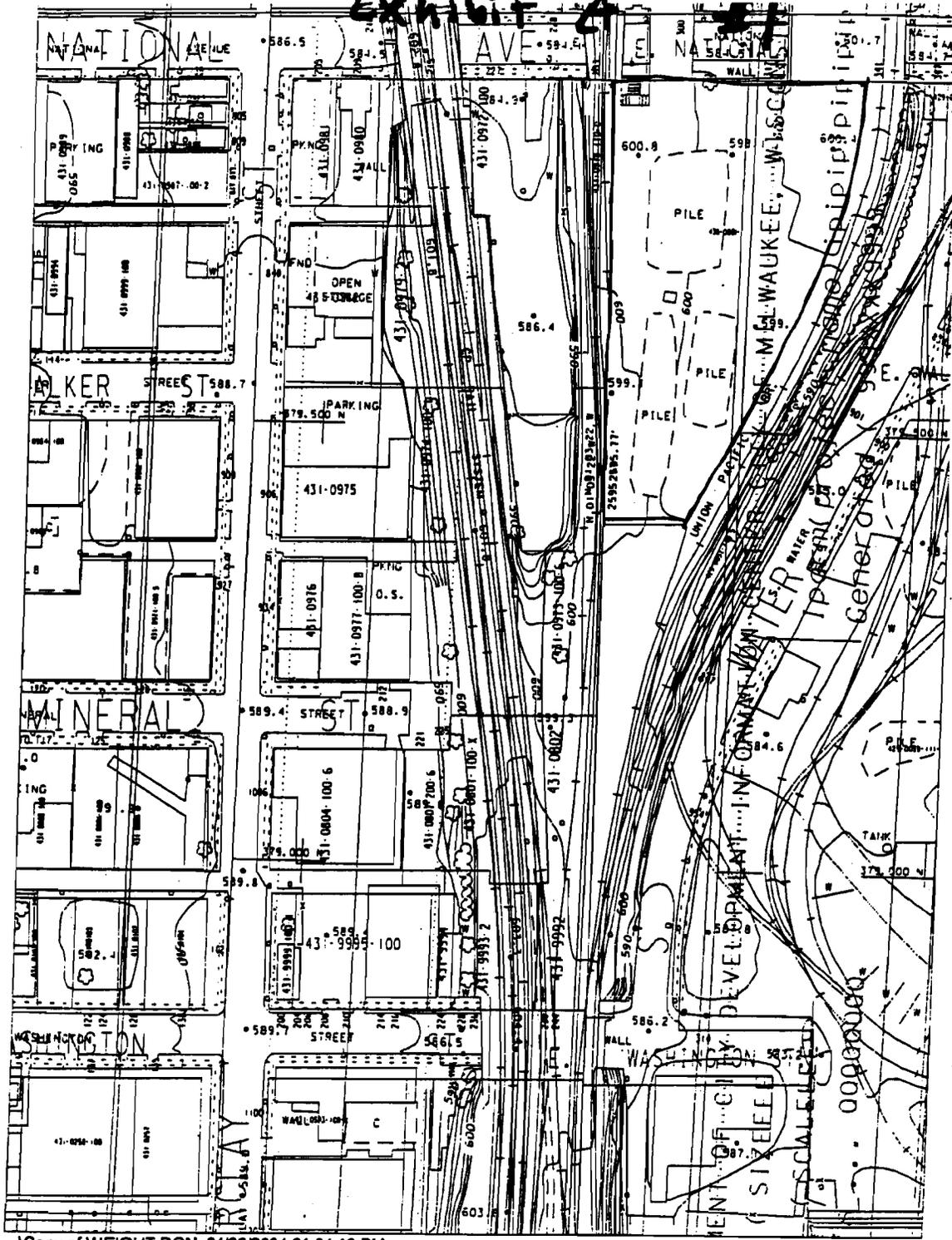
Notary Public, State of Wisconsin

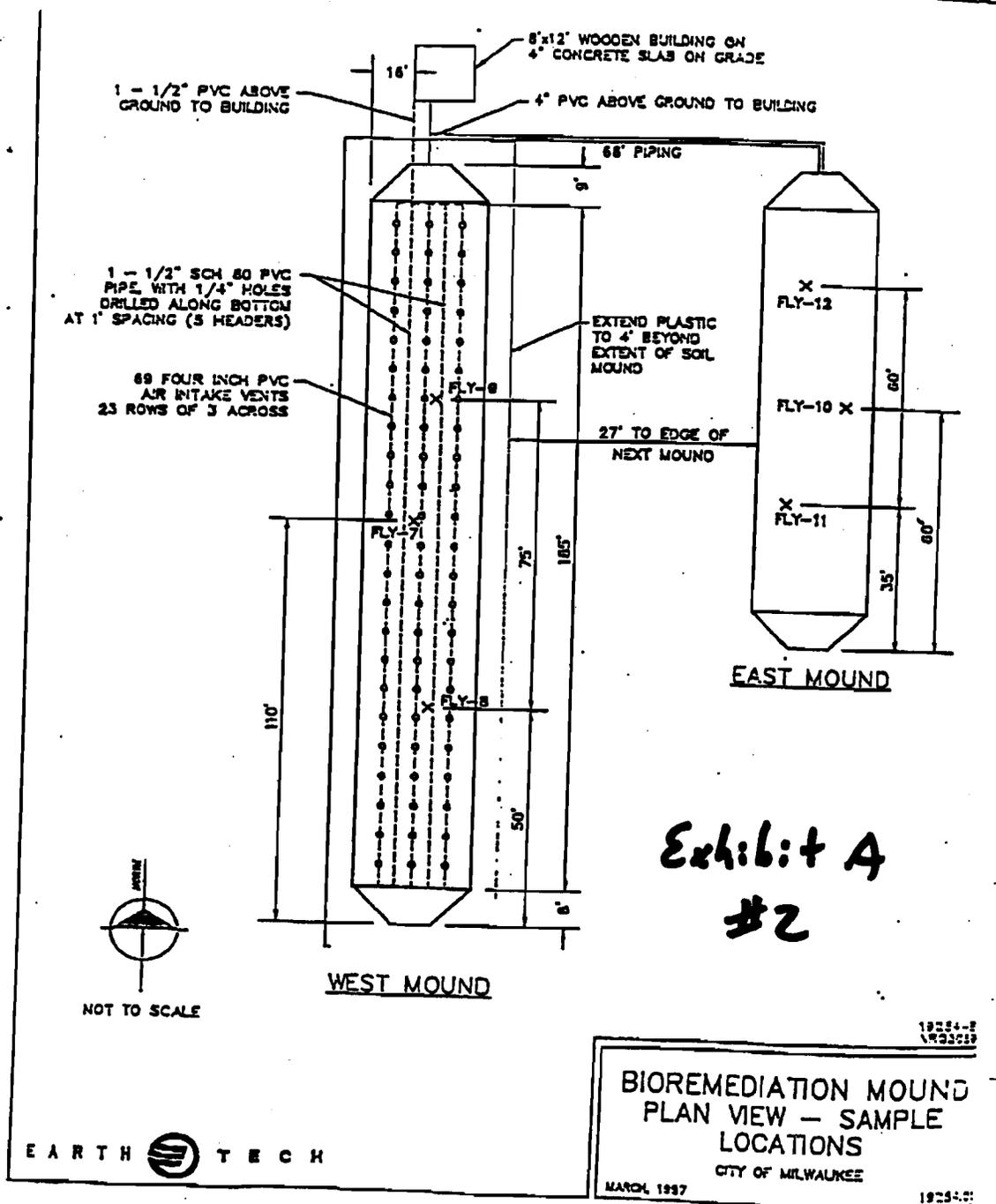
My Commission: September 9, 2008

This document was drafted by the City of Milwaukee, based on a model deed restriction provided by the Wisconsin Department of Natural Resources.



Exhibit A





# Exhibit A #3

TABLE 1

SOIL SAMPLE LABORATORY ANALYTICAL RESULTS  
MAY 2001

Florida Yards  
Milwaukee, Wisconsin

Sample ID	West Mound			East Mound		
	FLY-7	FLY-8	FLY-9	FLY-10	FLY-11	FLY-12
	110'	30'	123'	60'	35'	96'
Sample Depth (in inches)	6.0	6.0	6.0	6.0	6.0	6.0
Parameters						
Diesel Range Organics (mg/kg)	240	110	180	690	710	740

