

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Annex
4041 North Richards Street
PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-229-0800
FAX 414-229-0810

June 6, 2001

Mr. Randal K. Weltzin
RSV
P.O. Box 298
110 West Linden Drive, Suite C
Jefferson, WI 53549

Subject: Case Closure, Former Maynard Steel Landfill, 11100 West Lincoln Avenue, West Allis,
WI. FID# 241596740.

Dear Mr. Weltzin:

In December 1999, the Wisconsin Department of Natural Resources reviewed your request for closure of the case described above. After careful review of the requirements needed to obtain a final closure the Department has determined that a groundwater use deed restriction has been placed on the title at the county register and monitoring well abandonment forms have been submitted. The Department has determined that the petroleum contamination on the site from the underground storage tanks appears to have been investigated and remedied to the extent practicable under site conditions. Your case will be closed under s. NR 726.05, Wis. Adm. Code.

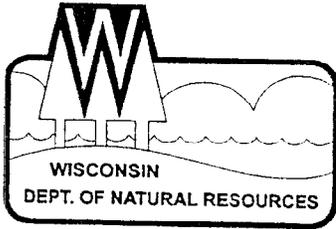
Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me in at 414-229-0870.

Sincerely,

Barbara G. Grundl, PG
Hydrogeologist
Bureau for Remediation & Redevelopment

Cc: SER Case File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TDD 414-263-8713

December 16, 1999

IN REPLY REFER TO FID# 241596740

Mr. Fredrick D. Carlson
design build inc. (dbi)
1275 E. Wisconsin Avenue
Pewaukee, WI 53072

Subject: Flexible Closure Request, Former Maynard Steel Casting Company, 11100 West Lincoln Avenue, West Allis, WI.

Dear Mr. Carlson:

At the request of your environmental consultant RSV Engineering, Inc. we have again reviewed the Former Maynard Steel Casting Company Site for flexible closure. Based on the additional information submitted on August 16, 1999 the Department will grant closure in accordance for this site with NR726.

The groundwater contamination levels for Metals at this site are above enforcement standards (ES) promulgated in Ch. NR. 140, Wisconsin Administrative Code within your property boundary, but showing evidence that natural attenuation is controlling the spread of contamination.

To complete the closure of this site, The following information must be supplied to the Department of Natural Resources:

- A groundwater use restriction must be submitted to the Department for approval prior to placing on the property deed at the county register of deeds office. The groundwater use restriction must specify the legal description of the property, the location type and the concentration of the contaminant(s) in both the groundwater and the soil, and includes the following paragraphs:
 - a) In the first paragraph of the groundwater use restriction this sentence is applicable and must be included in the document. *Soil contamination exists at the following locations: [insert type and concentration of soil contamination and a description of locations on the property where soil contamination was or may have been, left in place.*
 - b) *Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch NR 140 groundwater standards within the boundaries of this property. Construction of wells where water quality exceeds the drinking water standards in ch. NR 809 is restricted by chs. NR 811 and NR 812. Special well construction standards or water treatment requirements, or both or well construction prohibitions may apply. 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 to determine what specific requirements are applicable prior to constructing or reconstructing*

Quality Natural Resources Management
Through Excellent Customer Service



a well on this property.

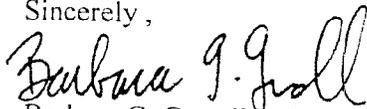
c) If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

- All Monitoring wells must be abandoned within 60 days in accordance to ch. NR 141.25, WAC.
- After the groundwater use restriction draft is approved, you must submit a certified copy of the groundwater use restriction and monitoring well abandonment documentation to the Department. When these items are received by the Department this site will be in compliance with ch. NR 726, WAC, and will be officially closed and tracked as such on the department's tracking system.
- Interim guidance on institutional controls may be found on the DNR's web site (<http://www.dnr.state.wi.us>) by searching "RR PDF Documents" or by calling the publication request line at (608) 264-6009.

As always the department reserves the right to reopen this case pursuant to s. NR 726.09, WAC, should additional information regarding site conditions indicate that contamination on or from the site poses a threat to public health, safety or welfare of the environment. When the WDNR receives a copy of the groundwater use restriction and all of the groundwater monitoring wells at the site are abandoned in accordance with WAC NR 141 and the completed abandonment forms submitted to the department **this case will be tracked as closed on the department's tracking system.** This letter serves as your closure letter, but is technically only valid once we receive the information requested above.

If you have any questions or concerns regarding this letter, please contact me at (414) 263-8546.

Sincerely,


Barbara G. Grundl P.G.
Hydrogeologist

cc: Randy K. Weltzin - RSV Engineering, Inc.
SED Case File

REEL 5010

IMAGE 2180

8024941

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED AT 3:42 PM

02-15-2001

WALTER R. BARCZAK
REGISTER OF DEEDS

AMOUNT 16.00

Document Number GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: Lot One (1) of Certified Survey Map No. 6146, a division of Parcel 2 of Certified Survey Map No. 5001 of Milwaukee County, being a part of the Southeast One-quarter (1/4) and the Southwest One-quarter (1/4) of the Southeast One-quarter (1/4) of Section Six (6), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, Milwaukee County, Wisconsin, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on September 7, 1995, in Reel 3623, Image 878 to 880 inclusive, as Document No. 7123011.

Recording Area

Fred Carlson
Design Build, Inc.
1265 E. Wisconsin Avenue
Pewaukee, WI 53072

Name and Return Address

481-9991-011
Parcel ID Number

STATE OF WISCONSIN)
) SS
COUNTY OF MILWAUKEE)

WHEREAS, Frederick D. and Cheryl A. Carlson are the owners of the above-described property.

WHEREAS, one or more zinc and antimony discharges have occurred on adjacent properties. Zinc- and antimony-contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards exist on the adjacent properties and have likely migrated onto this property. Soil contamination exists at the following locations: lead at Vapor Monitoring well-2 (VM-2) which is depicted on the attached Figure 3 and hereby made a part of this restriction. A Certified Survey Map which depicts the location of Lot 1 is also attached as Exhibit 1 and hereby made a part of this restriction.

WHEREAS, it is the desire and intention of the property owners to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater 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 water quality exceeds the 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.

4

NOW THEREFORE, the owners hereby declare 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.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

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 and assigns. The Department, its successors or assigns, may initiate proceedings at law or 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 restrictions set forth in this covenant are no longer required. Upon 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 can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owners of the property have executed this Declaration of Restrictions, this 5th day of Jan, 2001.

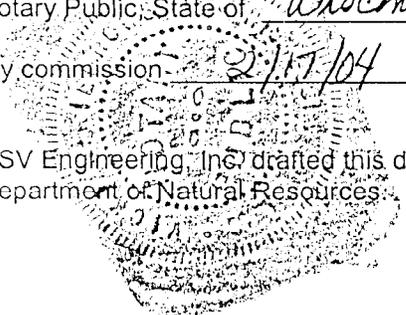
Signature: [Handwritten Signature] Signature: Cheryl A Carlson

Printed Name: FREDERICK R CARLSON Printed Name: CHERL A. CARLSON

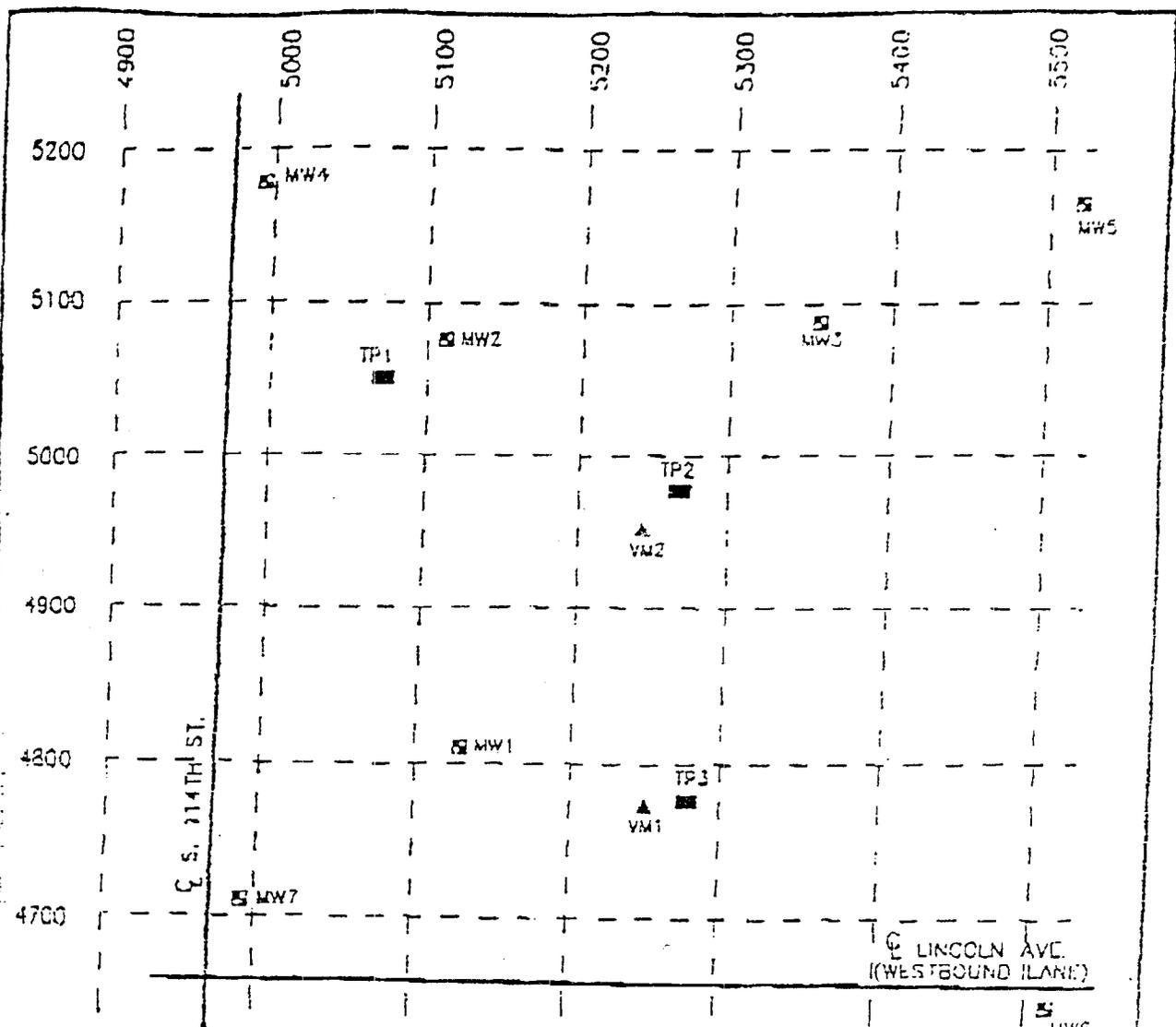
Subscribed and sworn to before me
this 5th day of Jan, 2001.

Vicki L Kudrowaski
Notary Public, State of Wisconsin
My commission 2/17/04

RSV Engineering, Inc. drafted this document based upon information provided by the Wisconsin Department of Natural Resources.



REEL 5010
IMAGE 2182



LOCATION	NORTH	EAST	TOC ELEVATION	LEGEND
MW1	4808.79	5131.82		Monitoring Well Location Vapor Monitoring Well Location Test Pit Location
MW2	5074.22	5114.50		
MW3	5088.45	5354.96		
MW4	5180.22	4994.64	748.28	
MW5	5165.10	5519.28	741.75	
MW6	4641.94	5517.51	745.97	
MW7	4712.85	4994.21	749.17	
VM1	4775.73	5253.69		
VM2	4953.84	5241.35		

N
 0 ~ 100'

Applied Environmental Sciences, Inc.	MONITORING WELL & TEST PIT LOCATION MAP				FIGURE 3
	MAYNARD STEEL CASTING WEST ALLIS, WISCONSIN				
DRAWN JWI	CHECKED RKW	APPROVED <i>Dennis Larson</i>	DATE 8/5/98	DRAWING NUMBER E121-01 006	



Stock No. 26273

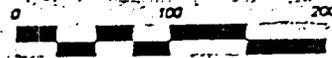
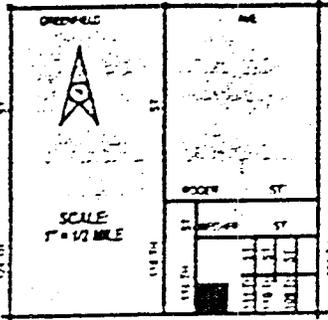
REEL 3623 PAGE 878

REEL 5010

IMAGE 2183

CERTIFIED SURVEY MAP No. 6146

A DIVISION OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 5001 OF MILWAUKEE COUNTY, BEING A PART OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWN 8 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WIS.



GRAPHIC SCALE
1" = 100'

INDICATES 1" x 24" IRON PIPE
1.13 LBS PER LINEAL FOOT
UNLESS OTHERWISE NOTED

SUBURBAN SURVEYS & ENGINEERING INC
PLANNERS ENGINEERS COMPUTER SURVEYORS
1401 E SUNSET DRIVE
SUITE 100
WAUKESHA WISCONSIN 53186

IDENTIFIABLE DIRECTION
SOUTH LINE OF THE SOUTHEAST
1/4 OF SECTION 6, T8N, R21E
SUB 30457W WISCONSIN PLANE
COORDINATE SYSTEM GPO NORTH
SOUTH ZONE



OWNER WEST ALLIS INVESTMENTS, INC
EDMUND D. WABISZEWSKI
EDMUND E. WABISZEWSKI
11100 W. LINCOLN AVE.
WEST ALLIS, WISCONSIN 53227

SECTION 6, T8N, R21E

C.S.M. NO. 2673

ELEV 168.33

N89°30'45"E

RECORDED AS N89°40'05"W

522.67'

ELEV 164.64

FENCE CORNER
1.65' NORTH OF PIPE

ST. 481.20'

CHAIN LINK FENCE GENERALLY ON LINE

LOT 3

93,941 SQ. FT.
OR 2.157 AC.

IRON PIPE
FOUND

486.20'

FENCE COR
1.78' EAST OF PIPE

ELEV 169.56

N89°30'45"E

C.S.M. NO. 500 PARCEL 21

IRON PIPE
SET

ELEV 172.98

521.14'

ELEV 166.28

114TH 301.20'

WIRE FENCE WITH WOOD POSTS

LOT 1

79,574 SQ. FT.
OR 1.827 AC.

N45°40'23"W
7.09'

ELEV 165.90

IRON PIPE FOUND 2.50' WEST OF FENCE
WIRE FENCE WITH WOOD POSTS

N00°39'41"W

IRON PIPE SET

260.57'

FENCE 1.46' EAST OF PIPE

ELEV 172.98

521.14'

ELEV 166.28

ELEV 169.37

S89°30'45"W RECORDED AS S89°40'05"E

513.55'

ELEV 185.00

IRON PIPE FOUND

RECORDED AS N89°40'05"W
S89°30'45"W 465.00' N00°25'05"W 53.00'

W. LINCOLN AVE.

979.86'

SE CORNER OF THE SE 1/4 OF SEC 6, T8N, R21E

11100 W. LINCOLN AVE. WEST ALLIS, WISCONSIN 53227

POOR COPY PRESENTED FOR RECORDING

8024942

REGISTER'S OFFICE 1 SS
Milwaukee County, WI

RECORDED AT 3:42 PM

02-15-2001

WALTER R. BARCZAK
REGISTER OF DEEDS

AMOUNT 16.00

Document Number | GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: Lot Two (2) of Certified Survey Map No. 6146, a division of Parcel 2 of Certified Survey Map No. 5001 of Milwaukee County, being a part of the Southeast One-quarter (1/4) and the Southwest One-quarter (1/4) of the Southeast One-quarter (1/4) of Section Six (6), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, Milwaukee County, Wisconsin, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on September 7, 1995, in Reel 3623, Image 878 to 880 inclusive, as Document No. 7123011.

Recording Area

Fred Carlson
Design Build, Inc.
1265 E. Wisconsin Avenue
Pewaukee, WI 53072

Name and Return Address

481-9991-012
Parcel ID Number

STATE OF WISCONSIN)
) SS
COUNTY OF MILWAUKEE)

WHEREAS, Frederick D. and Cheryl A. Carlson are the owners of the above-described property.

WHEREAS, one or more zinc and antimony discharges have occurred on adjacent properties. Zinc- and antimony-contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards exist on the adjacent properties and have likely migrated onto this property. Soil contamination exists at the following locations: lead at Vapor Monitoring well-2 (VM-2) which is depicted on the attached Figure 3 and hereby made a part of this restriction. A Certified Survey Map which depicts the location of Lot 2 is also attached as Exhibit 1 and hereby made a part of this restriction.

WHEREAS, it is the desire and intention of the property owners to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater 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 water quality exceeds the 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.

7

NOW THEREFORE, the owners hereby declare 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.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

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 and assigns. The Department, its successors or assigns, may initiate proceedings at law or 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 restrictions set forth in this covenant are no longer required. Upon 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 can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owners of the property have executed this Declaration of Restrictions, this 16th day of Oct., 2000.

Signature: *Fred Carlson* Signature: *Cheryl Carlson*

Printed Name: FREDERICK D. CARLSON Printed Name: CHERYL A. CARLSON

Subscribed and sworn to before me
this 16th day of October, 2000.

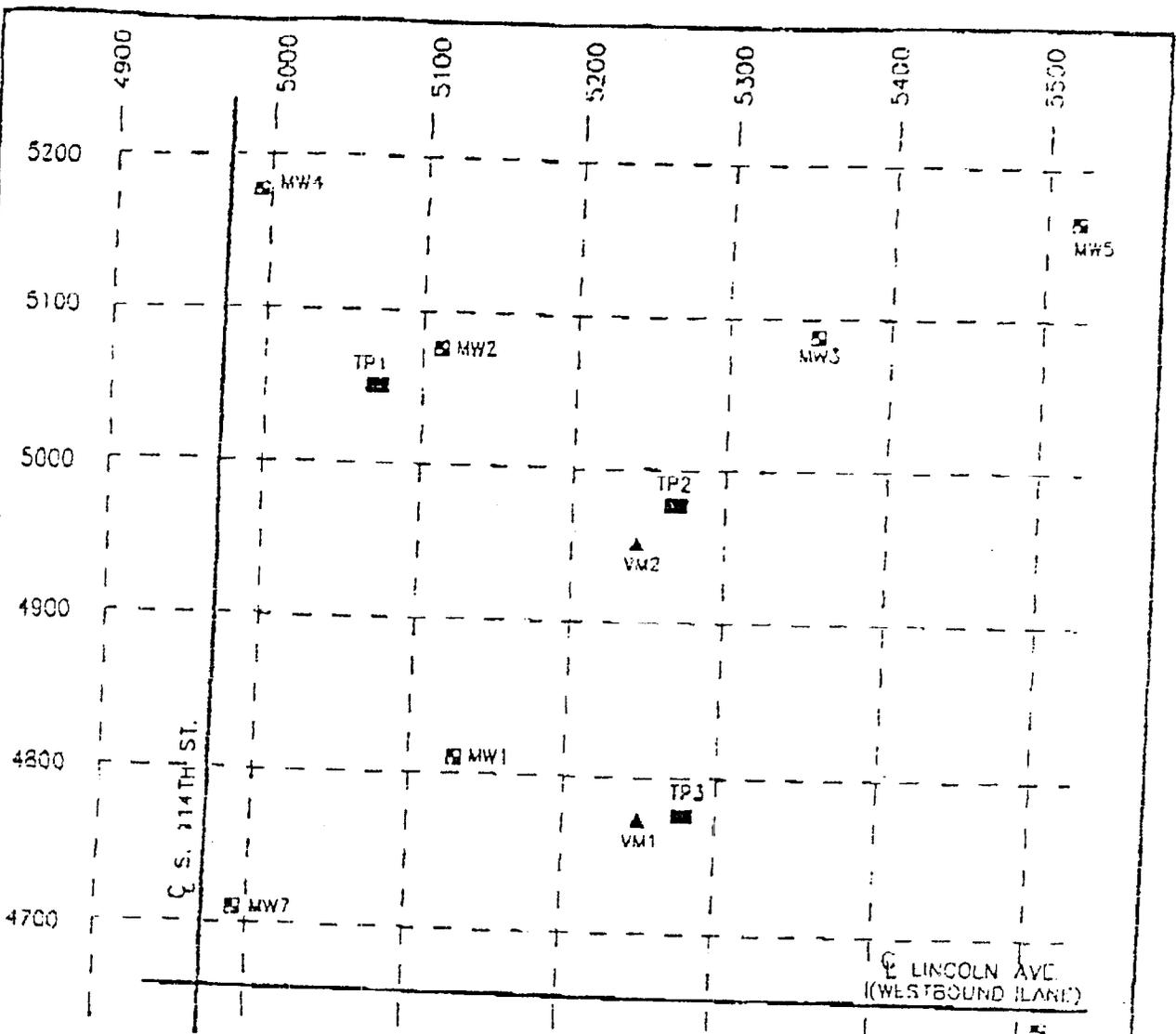
Janiee Buehler

Notary Public, State of WI

My commission expires 4-8-2001

RSV Engineering, Inc. drafted this document based upon information provided by the Wisconsin Department of Natural Resources.

REEL 5010 IMAGE 2186



LOCATION	NORTH	EAST	TOC ELEVATION	LEGEND
MW1	4808.79	5131.82		Monitoring Well Location
MW2	5074.22	5114.50		
MW3	5088.45	5354.96		
MW4	5180.22	4994.64	748.28	
MW5	5165.10	5519.28	741.75	
MW6	4641.94	5517.51	745.97	
MW7	4712.85	4994.21	749.17	
VM1	4775.73	5253.69		Vapor Monitoring Well Location
VM2	4953.84	5241.35		
				Test Pit Location



0 ~ 100'

Applied Environmental Sciences, Inc.

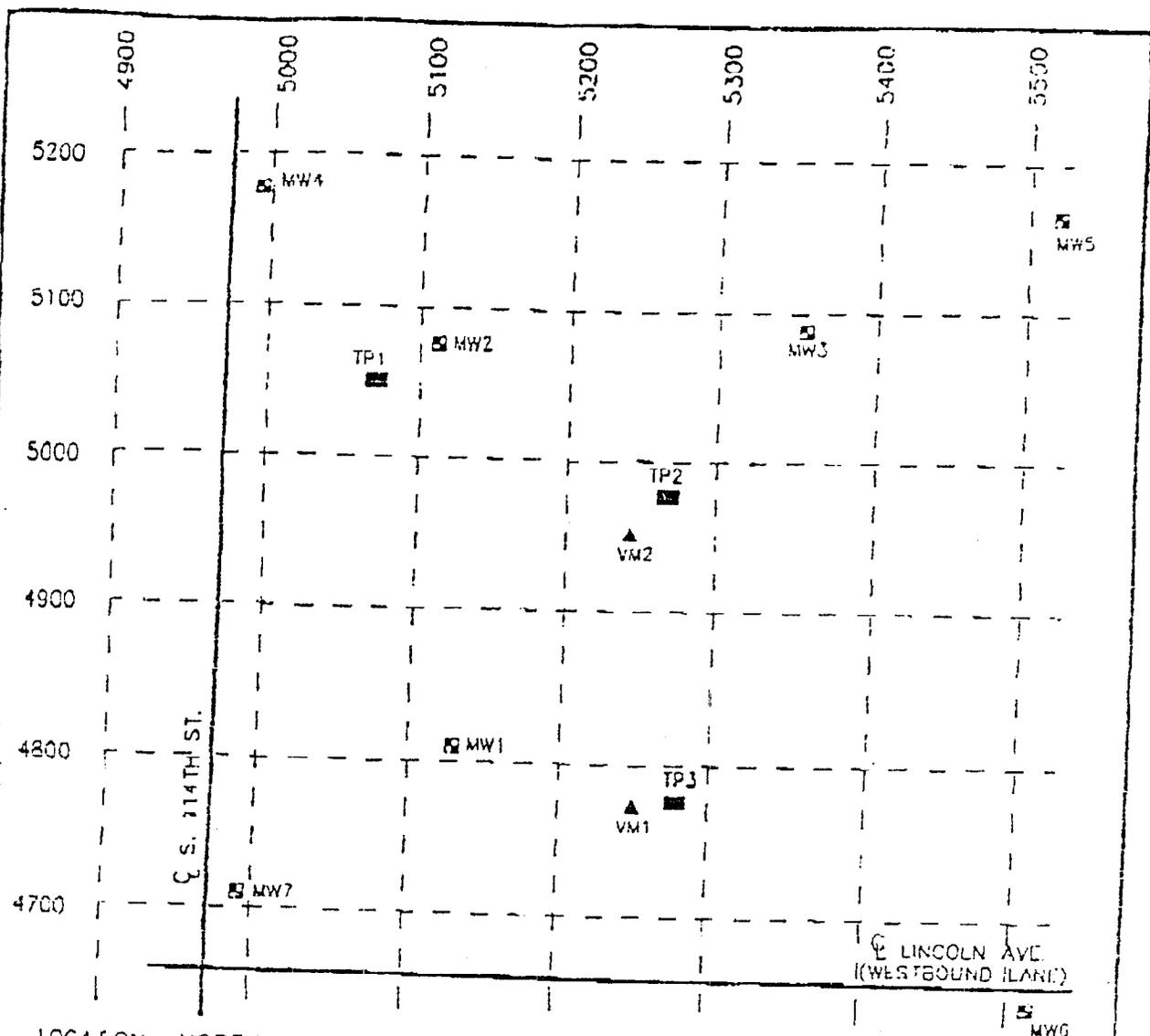
MONITORING WELL & TEST PIT LOCATION MAP
MAYNARD STEEL CASTING
WEST ALLIS, WISCONSIN

FIGURE

3

DRAWN	CHECKED	APPROVED	DATE	DRAWING NUMBER
JWI	RKW	<i>James Chen</i>	8/5/98	E121-01 006

REEL 5010
IMAGE 2186



LOCATION	NORTH	EAST	TOC ELEVATION	LEGEND
MW1	4808.79	5131.82		Monitoring Well Location Vapor Monitoring Well Location Test Pit Location
MW2	5074.22	5114.50		
MW3	5088.45	5354.96		
MW4	5180.22	4994.64	748.28	
MW5	5165.10	5519.28	741.75	
MW6	4641.94	5517.51	745.97	
MW7	4712.85	4994.21	749.17	
VM1	4775.73	5253.69		
VM2	4953.84	5241.35		

0 ——— ~ 100'

Applied Environmental Sciences, Inc.		MONITORING WELL & TEST PIT LOCATION MAP			FIGURE 3
		MAYNARD STEEL CASTING WEST ALLIS, WISCONSIN			
DRAWN JWI	CHECKED IRKW	APPROVED <i>Dennis</i>	DATE 8/5/95	DRAWING NUMBER E121-01 006	

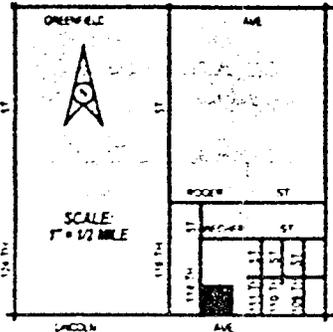


Stock No. 26273

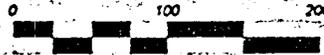
REEL 3623 PAGE 578

CERTIFIED SURVEY MAP No. 6146

A DIVISION OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 5001 OF MILWAUKEE COUNTY BEING A PART OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 6 TOWN 8 NORTH RANGE 21 EAST IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WIS.



LOCATION MAP
SECTION 6, T8N, R21E

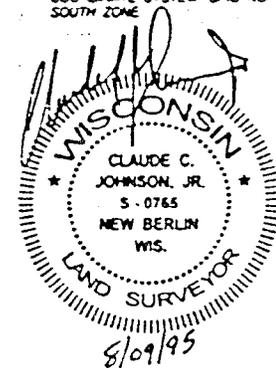


GRAPHIC SCALE
1" = 100'

INDICATES 1" x 24" IRON PIPE
1.13 LBS PER LINEAL FOOT
UNLESS OTHERWISE NOTED

SUBURBAN SURVEYS & ENGINEERING INC
PLANNERS ENGINEERS COMPUTER SURVEYORS
1407 E. SUNSET DRIVE
SUITE 100
WAUKESHA WISCONSIN 53186

OWNER WEST ALLIS INVESTMENTS, INC
EDMUND D. WABISZEWSKI
EDMUND E. WABISZEWSKI
11100 W. LINCOLN AVE.
WEST ALLIS, WISCONSIN 53227



IRON PIPE FOUND 1.47 WEST OF FENCE

C.S.M. NO. 3678

PAGE 1

RECORDED AS N89°40'05"W

522.67'

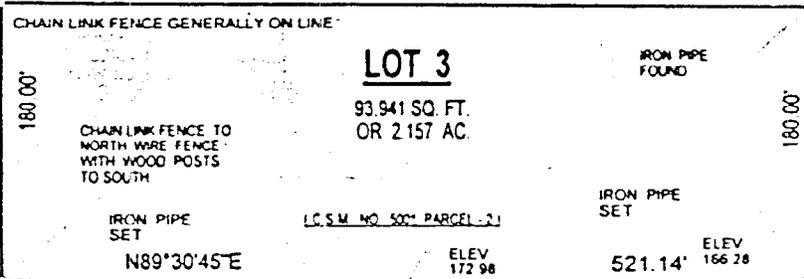
ELEV 164.64

FENCE CORNER 1.65' NORTH OF PIPE

ELEV 168.33

N89°30'45"E

ST. 180.00'
481.20'



ELEV 169.59

114 TH

11

S.

ELEV 169.37

WIRE FENCE WITH WOOD POSTS
S00°54'15"E RECORDED AS S00°05'05"E

260.57'

LOT 1

79,574 SQ. FT.
OR 1.827 AC.

N45°40'23"W
7.09'

IRON PIPE FOUND 2.50' WEST OF FENCE
WIRE FENCE WITH WOOD POSTS
ELEV 169.18

L.C.S.M. NO. 500 PARCEL 2

ELEV 172.98

WIRE FENCE WITH WOOD POSTS
N00°39'41"W

IRON PIPE SET

260.57'

LOT 2

79,587 SQ. FT.
OR 1.827 AC.

FENCE CORNER 1.75' NORTH

FENCE 1.38' NORTH OF PIPE

IRON PIPE SET

513.55'

ELEV 165.00

IRON PIPE SET

ELEV 166.28

260.57'

FENCE 1.46' EAST OF PIPE

FENCE CORNER 1.75' NORTH

259.27'

CHAIN LINK FENCE
RECORDED AS N00°24'05"E

N00°25'05"W

ELEV 166.28

C.S.M. NO. 5001
PARCEL 1

FENCE CORNER 1.65' EAST

RECORDED AS N89°40'05"W

S89°30'45"W 465.00'

IRON PIPE FOUND

RECORDED AS N89°40'05"W
S89°30'45"W

SE CORNER OF THE SE 1/4 OF SEC 6 T8N R21E
COORD. MON. SURV. SYS.
37° 57' 33" N
2,527.436' E

W. LINCOLN AVE.

POOR COPY PRESENTED FOR RECORDING

REEL 5010 IMAGE 2187

8024943

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED AT 3:42 PM

02-15-2001

WALTER R. BARCZAK
REGISTER OF DEEDS

AMOUNT 16.00

Document Number | GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: Lot Three (3) of Certified Survey Map No. 6146, a division of Parcel 2 of Certified Survey Map No. 5001 of Milwaukee County, being a part of the Southeast One-quarter (1/4) and the Southwest One-quarter (1/4) of the Southeast One-quarter (1/4) of Section Six (6), Township Six (6) North, Range Twenty-one (21) East, in the City of West Allis, Milwaukee County, Wisconsin, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on September 7, 1995, in Reel 3623, Image 878 to 880 inclusive, as Document No. 7123011.

Recording Area

Fred Carlson
Design Build, Inc.
1265 E. Wisconsin Avenue
Pewaukee, WI 53072

Name and Return Address

481-9991-013
Parcel ID Number

STATE OF WISCONSIN)
) SS
COUNTY OF MILWAUKEE)

WHEREAS, 222 Partnership LLC is the owner of the above-described property.

WHEREAS, one or more zinc and antimony discharges have occurred on adjacent properties. Zinc- and antimony-contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards exist on the adjacent properties and have likely migrated onto this property. Soil contamination exists at the following locations: lead at Vapor Monitoring well-2 (VM-2) which is depicted on the attached Figure 3 and hereby made a part of this restriction. A Certified Survey Map which depicts the location of Lot 3 is also attached as Exhibit 1 and hereby made a part of this restriction.

WHEREAS, it is the desire and intention of the property owners to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater 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 water quality exceeds the 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.

1

NOW THEREFORE, the owners hereby declare 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.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

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 and assigns. The Department, its successors or assigns, may initiate proceedings at law or 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 restrictions set forth in this covenant are no longer required. Upon 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 can be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owners of the property have executed this Declaration of Restrictions, this 4th day of January, 2001.

Signature: [Signature] Signature: _____
Printed Name: Roger Jensen Printed Name: _____

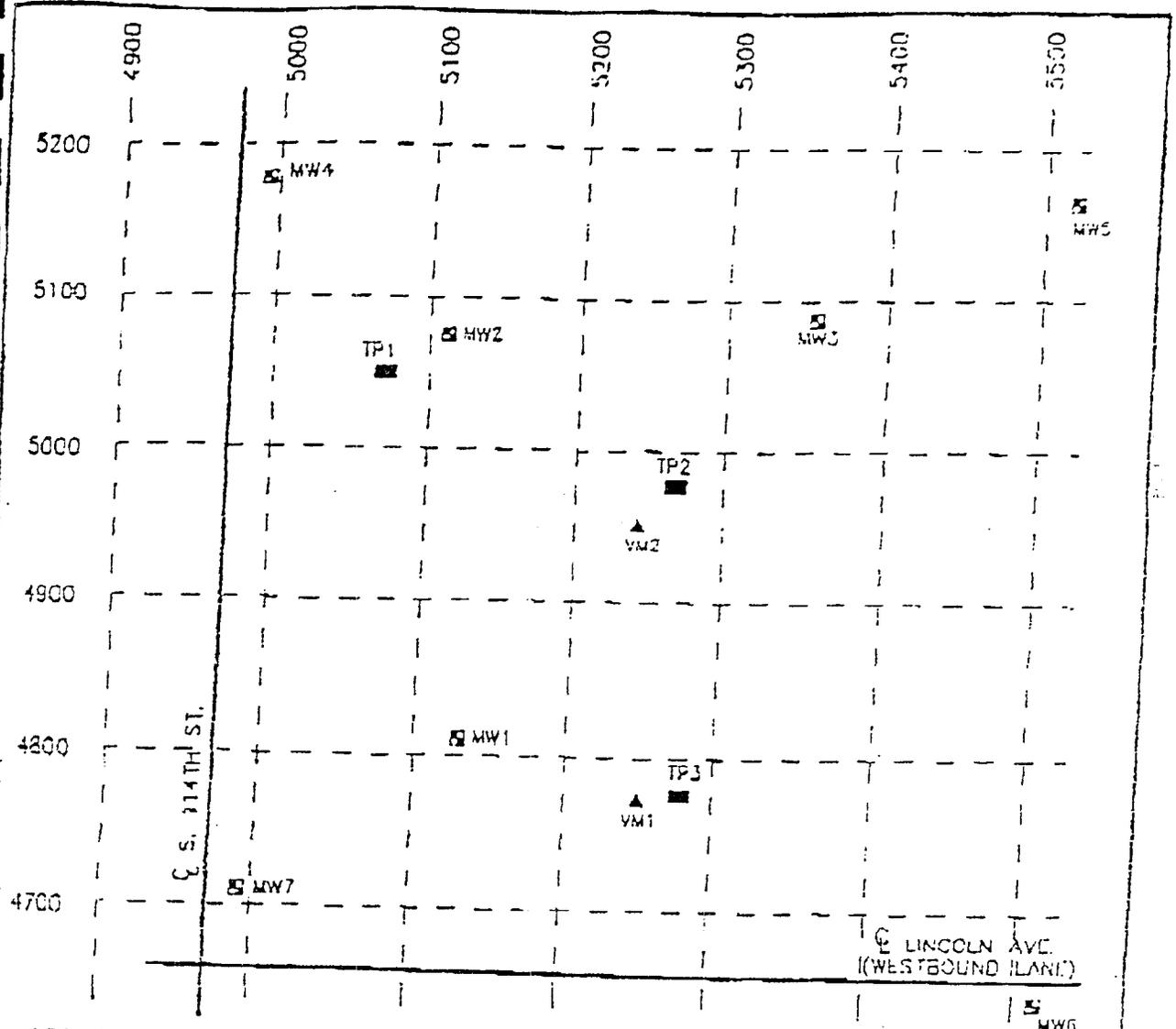
Subscribed and sworn to before me
this 4th day of January, 2001.

[Signature]
Notary Public, State of WI
My commission expires 4-8-2001



RSV Engineering, Inc. drafted this document based upon information provided by the Wisconsin Department of Natural Resources.

REEL 5010 IMAGE 2190

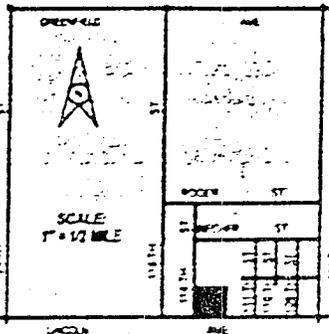


LOCATION	NORTH	EAST	LOC ELEVATION	LEGEND
MW1	4808.79	5131.82		Monitoring Well Location
MW2	5074.22	5114.50		
MW3	5088.45	5354.96		
MW4	5180.22	4994.64	748.28	
MW5	5165.10	5519.28	741.75	
MW6	4641.94	5517.51	745.97	
MW7	4712.85	4994.21	749.17	
VM1	4775.73	5253.69		Vapor Monitoring Well Location
VM2	4953.84	5241.35		
TP1				Test Pit Location
TP2				
TP3				

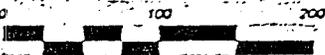
Applied Environmental Sciences, Inc.	MONITORING WELL & TEST PIT LOCATION MAP			FIGURE 3
	MAYNARD STEEL CASTING WEST ALLIS, WISCONSIN			
DRAWN JWI	CHECKED RKW	APPROVED <i>Dennis Chasen</i>	DATE 8/5/95	DRAWING NUMBER E121-01 000

CERTIFIED SURVEY MAP No. 6146

A DIVISION OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 5001 OF MILWAUKEE COUNTY, BEING A PART OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWN 8 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WIS.



LOCATION MAP SECTION 6, T8N, R21E

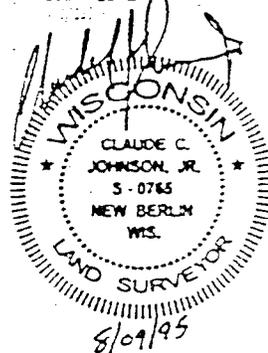


GRAPHIC SCALE 1" = 100'

INDICATES 1" x 26" IRON PIPE 113 LBS PER LINEAL FOOT UNLESS OTHERWISE NOTED

SUBURBAN SURVEYS & ENGINEERING INC
PLANNERS ENGINEERS COMPUTER SURVEYORS
1801 E SUNSET DRIVE
SUITE 100
WAUKEGA, WISCONSIN 53186

IDENTIFIABLE DIRECTION - SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 6, T8N, R21E, 150°04'57" WISCONSIN PLANE COORDINATE SYSTEM G18 NORTH SOUTH ZONE



OWNER WEST ALLIS INVESTMENTS, INC
EDMUND D. WABISZEWSKI
EDMUND E. WABISZEWSKI
11100 W. LINCOLN AVE.
WEST ALLIS, WISCONSIN 53227

IRON PIPE FOUND 1.47 WEST OF FENCE

C.S.M. NO. 2873

PARCEL 1

ELEV 168.33

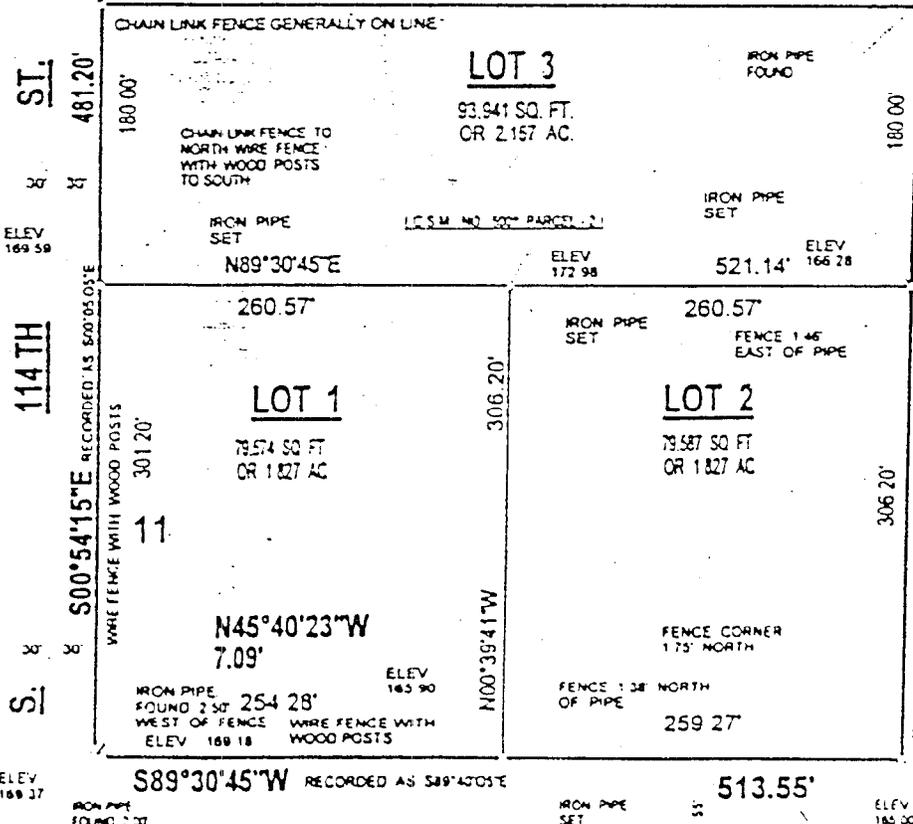
N89°30'45"E

RECORDED AS N89°40'05"W

522.67'

ELEV 164.64

FENCE CORNER 1.65' NORTH OF PIPE



ELEV 169.59

114 TH ST.

ELEV 169.37

IRON PIPE FOUND SOUTH OF FENCE

S89°30'45"W RECORDED AS S89°40'05"E

IRON PIPE SET

513.55'

ELEV 163.00

IRON PIPE FOUND RECORDED AS N89°40'05"W

W. LINCOLN AVE.

SE CORNER OF THE SE 1/4 OF SEC 6, T8N, R21E

POOR COPY PRESENTED FOR RECORDING

REEL 5010 IMAGE 2191

REEL 3654 IMAGE 887
STATE BAR OF WISCONSIN FORM 1 1982
WARRANTY DEED

This Deed, made between West Allis Investment, Inc.

Grantor:
Mr. Frederick D. Carlson and Cheryl A. Carlson

Witnesseth, that the said Grantor, for a valuable consideration

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

TRANSFER
\$ 1000.00
FEE

7140182
REGISTER'S OFFICE } SS
Milwaukee County, WI }
RECORDED AT 8:00 PM

OCT 20 1995
REEL 3654 IMAGE 887
Wanda Engel REGISTER OF DEEDS

NAME AND RESIDENCE ADDRESS:
Frederick D. Carlson
Cheryl A. Carlson
1275 E. Wisconsin Ave.
Pewaukee, WI 53072

481-9991-007

(Parcel Identification Number)

Lots 1, 2 and 3 of Certified Survey Map No. 6146, a division of Parcel 2 of Certified Survey Map No. 5001 of Milwaukee County, being a part of the South East 1/4 and the South West 1/4 of the South East 1/4 of Section 6, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, Wisconsin, recorded in the office of the Register of Deeds for Milwaukee County on September 7, 1993, in Reel 3623, Images 878 to 880 Inclusive, as Document No. 7123011.

RECORDED
RTX
10.00
1000.00

This is not homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging.

And Grantee warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except municipal and zoning ordinances, recorded easements for public utilities, recorded Building Restrictions, Document No. 410,067, and general taxes levied in the year of closing.

and all warrants and debts be same.
Dated this 10-18

Post-it Fax Note
To: PAUDY
From: FRD
Date: 10/18
of pages: 3
Co: JOURNAL
Phone #: DEED
Fax #:

October 1995
West Allis Investment, Inc.

BY: Michael Hill
• ROBERT A HILL, SECRETARY

AUTHENTICATION

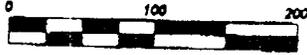
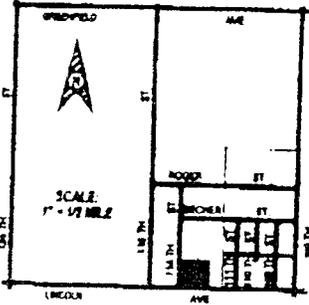
ACKNOWLEDGMENT

CERTIFIED SURVEY MAP No. 6146

A DIVISION OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 5007 OF MILWAUKEE COUNTY BEING A PART OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 6 NORTH RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WIS.



IDENTIFIABLE DIRECTION - SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 6, T8N, R21E, S89°30'45"W, WISCONSIN PLANE COORDINATE SYSTEM, GRID NORTH SOUTH ZONE

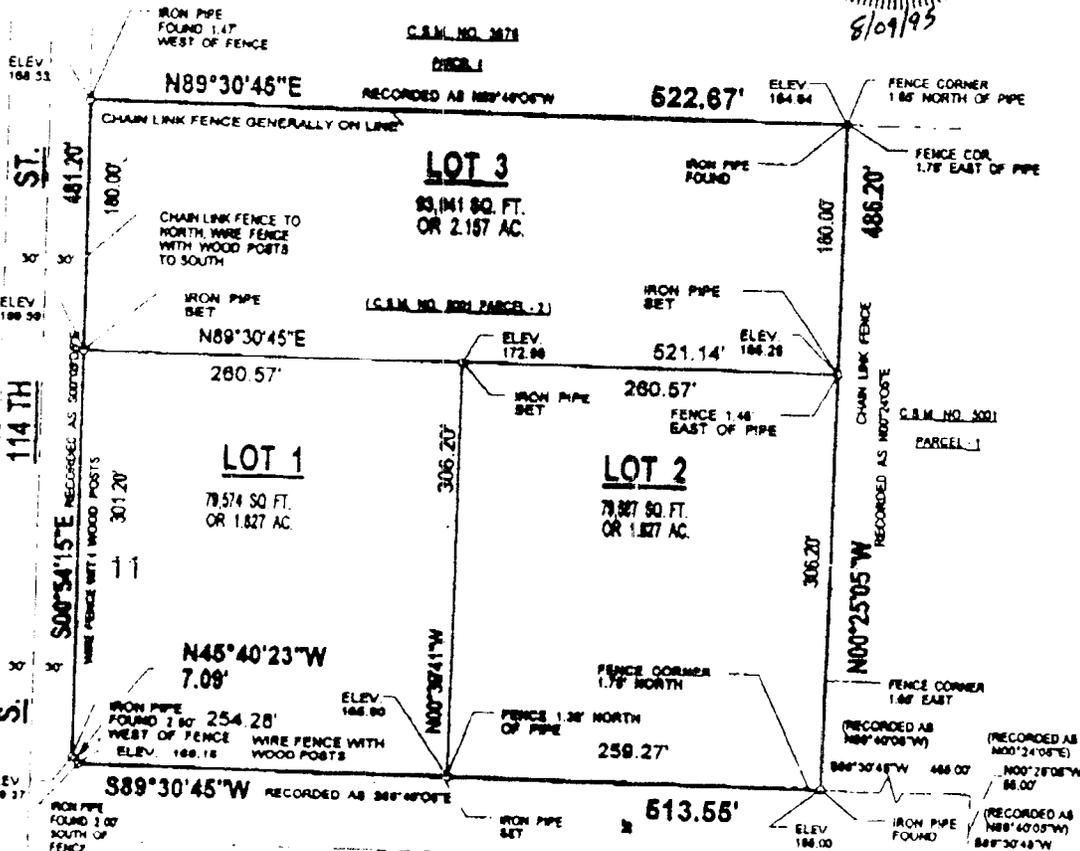


GRAPHIC SCALE
1" = 100'

○ - INDICATES 1" x 3/4" IRON PIPE, 1.13 LBS PER LINEAL FOOT, UNLESS OTHERWISE NOTED

SUBURBAN SURVEYS & ENGINEERING, INC.
PLANNERS ENGINEERS COMPUTERS SURVEYORS
1407 E. SUNSET DRIVE
SUITE 100
WALWISAW, WISCONSIN, 53190

OWNER: WEST ALLIS INVESTMENTS, INC.
EDWARD D. WARSZEWSKI
EDWARD E. WARSZEWSKI
11780 W. LINCOLN AVE.
WEST ALLIS, WISCONSIN 53227



W. LINCOLN AVE.

THIS INSTRUMENT DRAFTED BY CLAUDE C. JOHNSON, JR., P.L.S. 9-0788

SHEET 1 OF 3 SHEETS.

S.E. CORNER OF THE SE 1/4 OF SEC. 6, T8N, R21E (N89°30'45"W) (N89°30'45"W) (N89°30'45"W) (N89°30'45"W) 448.00' 371.617' (83.14) 2,822' 438.70'E

D-613

REEL 436 10452368

7576561

STATE BAR OF WISCONSIN FORM 2 - 1982
WARRANTY DEED

DOCUMENT NO.

FREDERICK D. CARLSON

REGISTRY'S OFFICE }
MILWAUKEE COUNTY, WI }
RECORDED BY } A 21
AUG - 4 1998
REEL 434 PAGE 2368
REGISTER
OF DEEDS

GRANTOR and PARTIES: KAREN M. JENSEN and ROGER L. JENSEN and
THOMAS G. POLLACK and HARVEY A. POLLACK, each an
Individual 1/4 interest, as tenants in common

THIS SPACE RESERVED FOR RECORDING DATA
NAME AND OFFICE ADDRESS

H. Pollack
7700 W. Bluemound Rd.
Wauwatosa, WI 53213
414-991-013

The following described real estate is situated in _____ County,
State of Wisconsin.

Lot Three (3) of Certified Survey Map No. 6146, a
division of Parcel 2 of Certified Survey Map No. 5001 of
Milwaukee County, being a part of the Southeast One-
quarter (1/4) and the Southeast One-quarter (1/4) of the
Southeast One-quarter (1/4) of Section Six (6),
Township Six (6) North, Range Twenty-one (21) East, in
the City of West Allis, Milwaukee County, Wisconsin, recorded
in the Office of the Registrar of Deeds for Milwaukee County,
Wisconsin on September 7, 1995, in Reel 3623, Page 878 inclusive, as
Document No. 7123011.

** Wisconsin as Document No. 1317352. Covenants, conditions and restrictions contained
in Fence Agreement recorded as Document no: 6934730 and utility easement granted by an
instrument recorded as Document No. 7540559.

TRANSFER

\$ 3,795.30
FEE

7576561
RECORDS 10.00
FEE 3795.30

This IS NOT intended property

Buyer's interest Municipal & zoning ordinances, recorded easements for public utilities
servicing the property, recorded building & use restrictions & covenants, general taxes levied
in the year of closing, utility easement granted by an instrument recorded in the Office of
the Registrar of Deeds for Milwaukee County, as

Dated this 22nd day of July 1998

SEAL

SEAL

Frederick D. Carlson

Frederick D. CARLSON

SEAL

AUTHENTICATION

of Frederick D. Carlson

witnessed this 22nd day of July 1998
Daniel P. Fay

Daniel P. Fay
TITLE MEMBER STATE BAR OF WISCONSIN
204
ADDRESS: 157 N. 4th St.

ACKNOWLEDGMENT

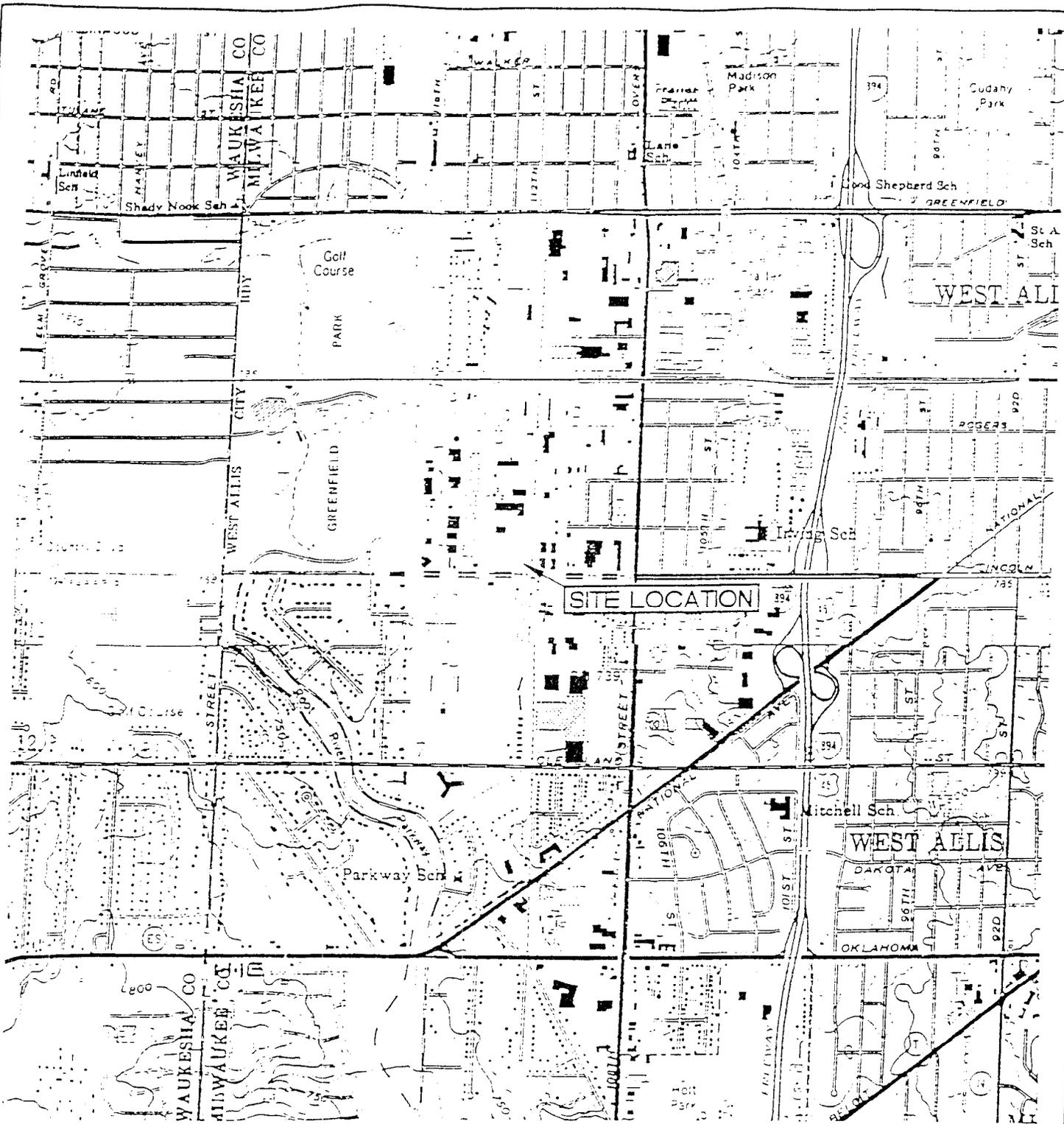
State of Wisconsin }
County }
Personal name under the title _____ City of _____
_____ the above named

In the presence of the person _____ who declared the foregoing
contents and acknowledged the same

Notary Public _____ County, Wis.
My commission expires _____

THIS INSTRUMENT WAS DRAFTED BY
Attorney Daniel P. Fay
State Bar no: 1317261

1000



Adapted from HALES CORNERS and WAUWATOSA, WISCONSIN
7.5 minute USGS topographic quadrangles, 1994



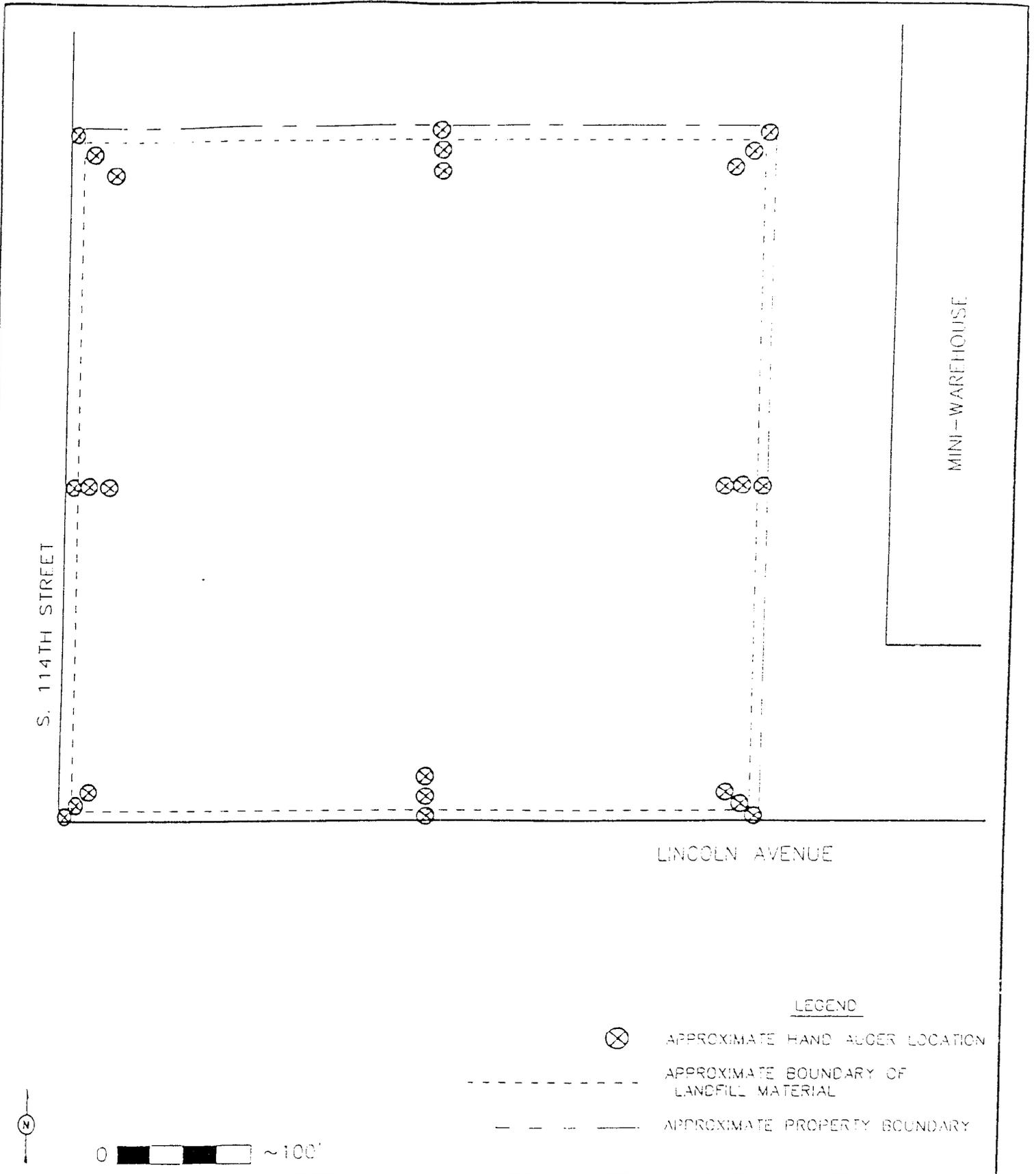
0 2,000'

Applied Environmental
Sciences, Inc.

SITE LOCATION MAP
MAYNARD STEEL CASTING
West Allis, Wisconsin

FIGURE
1

DRAWN	CHECKED	APPROVED	DATE	DRAWING NUMBER
JWI	IRKW	<i>Dennis Peterson</i>	8/8/95	E121-01-009



LEGEND

- ⊗ APPROXIMATE HAND AUGER LOCATION
- APPROXIMATE BOUNDARY OF LANDFILL MATERIAL
- APPROXIMATE PROPERTY BOUNDARY

Applied Environmental
Sciences, Inc. _____

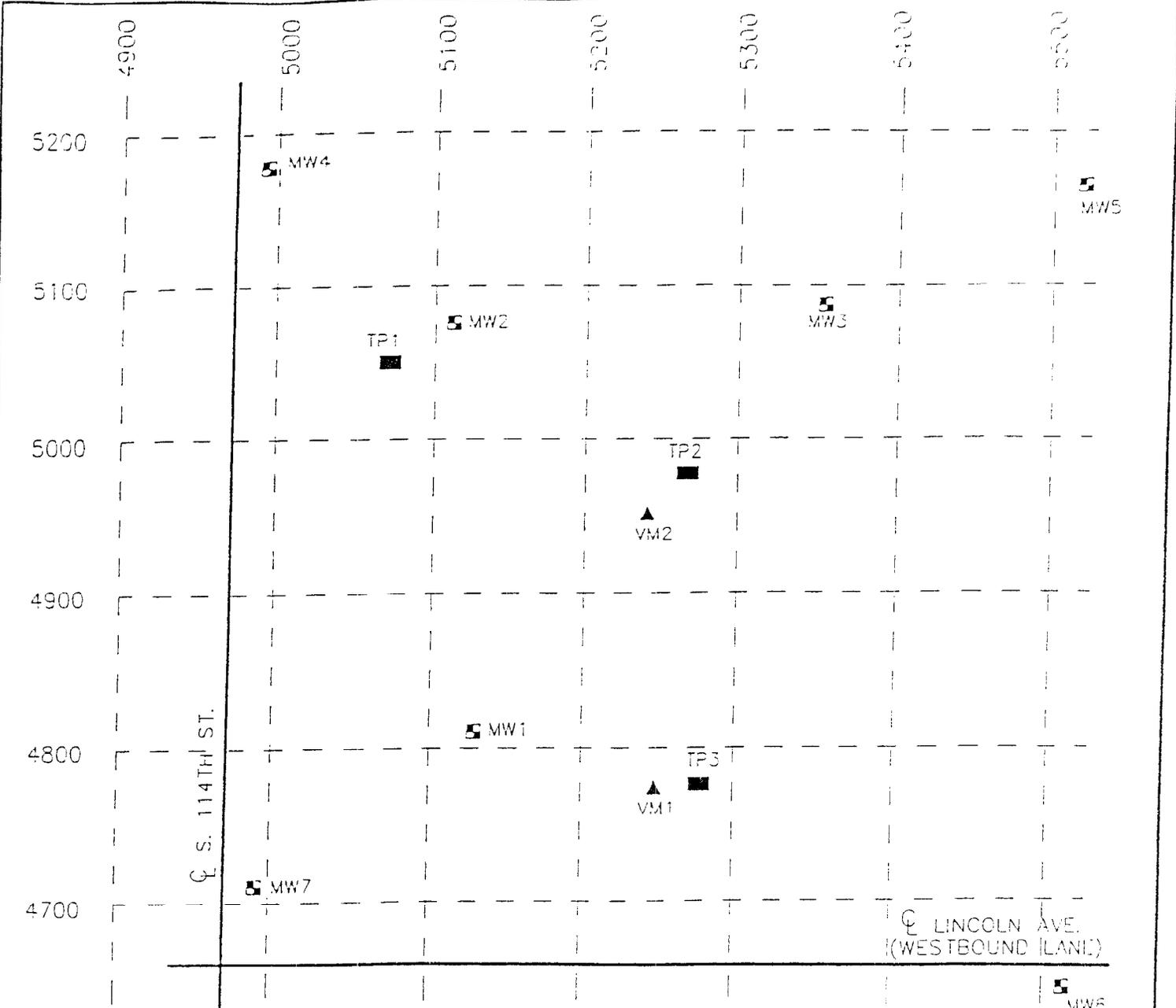
HAND AUGER LOCATIONS & FILL DELINEATION MAP

MAYNARD STEEL CASTING
WEST ALLIS, WISCONSIN

FIGURE

2

DRAWN	CHECKED	APPROVED	DATE	DRAWING NUMBER
JWI	IRKW	<i>Dennis Lewin</i>	8/5/95	E121-008



LOCATION	NORTH	EAST	TOC	ELEVATION	LEGEND
MW1	4808.79	5131.82			Monitoring Well Location Vapor Monitoring Well Location Test Pit Location
MW2	5074.22	5114.50			
MW3	5088.45	5354.96			
MW4	5180.22	4994.64	748.28		
MW5	5165.10	5519.28	744.75		
MW6	4641.94	5517.51	745.97		
MW7	4712.85	4994.21	749.17		
VM1	4775.73	5253.69			
VM2	4953.84	5241.35			



Applied Environmental Sciences, Inc.

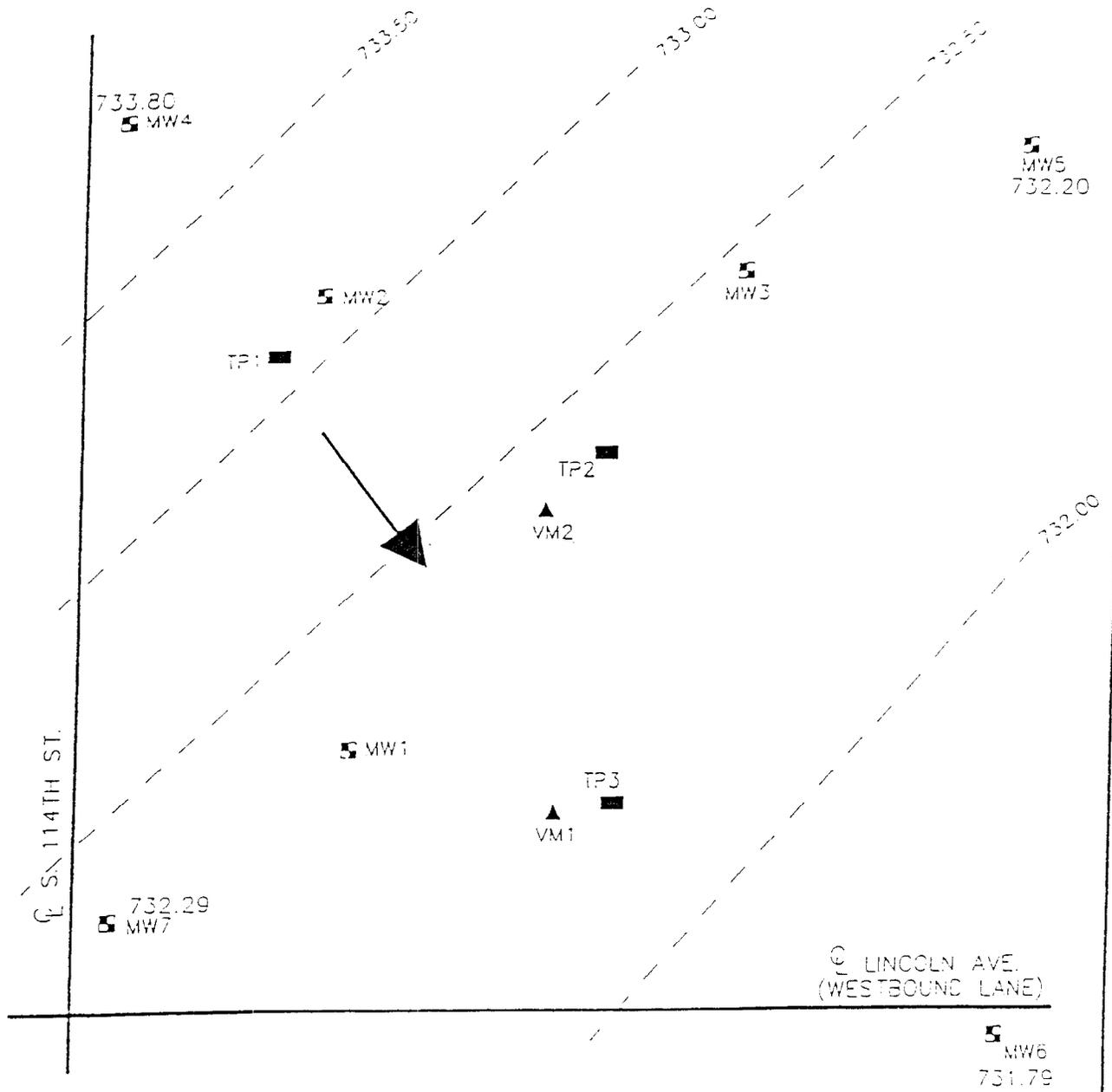
MONITORING WELL & TEST PIT LOCATION MAP

MAYNARD STEEL CASTING
WEST ALLIS, WISCONSIN

FIGURE

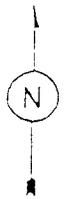
3

DRAWN	CHECKED	APPROVED	DATE	DRAWING NUMBER
JWI	RKW	<i>Dennis Schum</i>	8/5/95	E121-01-006



LEGEND

-  MW5 Monitoring Well Location
-  VM1 Vapor Monitoring Well Location
-  TP3 Test Pit Location



Potentiometric surface based on groundwater elevations determined June 15, 1995

Applied Environmental Sciences, Inc.		POTENTIOMETRIC SURFACE MAP			FIGURE 4
		MAYNARD STEEL CASTING WEST ALLIS, WISCONSIN			
DRAWN	CHECKED	APPROVED	DATE	DRAWING NUMBER	
JWI	SJH	<i>James Hewa</i>	8/4/95	E121-01-00701	



■ MW-4 (733.96)

■ MW-5

■ MW-2

■ MW-3

DIRECTION
FLOW
↓

733.85

733.00

732.75

■ MW-1

732.50

■ MW-7 (732.39)

732.25

■ MW-6 (732.19)



LEGEND	
■ MW-7	MONITORING WELL
MW-7 (732.39)	GROUNDWATER ELEVATION
-----	CALCULATED ISO-CONTOUR
-----	INFERRED ISO-CONTOUR

RSV ENGINEERING, INC.
 ENGINEERS, PLANNERS, SURVEYORS
 CONSTRUCTION MANAGERS
 ENVIRONMENTAL SCIENTISTS

110 N. LINCOLN DR., SUITE C, JEFFERSON, WI 53548 (820)674-3411

GROUNDWATER FLOW DIRECTION MAP
 MAYNARD STEEL CASTING
 WEST ALLIS, WISCONSIN

FIGURE

5

DRAWN BY:

WJP

CHECKED BY:

SJH

DATE DRAWN:

8-18-98

FILE NAME:

98-064

Table 4. Laboratory Analytical Results of Groundwater Samples Collected Between June 5, 1995 and March 17, 1998 at the Former Maynard Steel Landfill.

NR 140 Public Health and Welfare

Groundwater Quality Standards

Date Sampled Sampled By	MW-4							MW-5							PAL	ES
	6/5/95 AES	7/3/95 AES	1/4/96 AES	4/11/96 AES	7/9/96 AES	10/4/96 RSV	3/27/98 RSV	6/5/95 AES	7/3/95 AES	1/4/96 AES	4/11/96 AES	7/9/96 AES	10/4/96 RSV	3/27/98 RSV		
Constituent																
METALS																
Antimony	5.3	bdl	bdl	bdl	bdl	bdl	3	bdl	bdl	bdl	bdl	bdl	5.2	NS	1.2	6.0
Arsenic	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	3.2	bdl	bdl	bdl	5.8	NS	5.0	50.0
Beryllium	bdl	bdl	bdl	bdl	bdl	bdl	0.071	bdl	bdl	bdl	bdl	bdl	bdl	NS	0.4	4.0
Cadmium	bdl	bdl	bdl	bdl	bdl	bdl	0.065	bdl	bdl	bdl	bdl	bdl	bdl	NS	0.5	5.0
Chromium	bdl	bdl	bdl	bdl	bdl	bdl	0.8	bdl	bdl	bdl	bdl	bdl	bdl	NS	10.0	100.0
Lead	1.9	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	1.5	15.0
Mercury	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	0.5	bdl	bdl	NS	0.2	2.0
Selenium	bdl	7.1	bdl	bdl	bdl	bdl	4.5	bdl	bdl	bdl	bdl	bdl	bdl	NS	10.0	50.0
Thallium	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	0.4	2.0
Zinc	35	bdl	bdl	bdl	bdl	bdl	15.0	bdl	bdl	bdl	bdl	bdl	bdl	NS	2.5	5.0
VOLATILE ORGANICS																
Bromodichloromethane	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	0.06	0.6
Chloroform	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	0.6	6.0
Dibromochloromethane	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	6.0	60.0

NR 140 Public Health and Welfare

Groundwater Quality Standards

Date Sampled Sampled By	MW-6							MW-7							PAL	ES
	6/5/95 AES	7/3/95 AES	1/4/96 AES	4/11/96 AES	7/9/96 AES	10/4/96 RSV	3/27/98 RSV	6/5/95 AES	7/3/95 AES	1/4/96 AES	4/11/96 AES	7/9/96 AES	10/4/96 RSV	3/27/98 RSV		
Constituent																
METALS																
Antimony	5.1	bdl	bdl	bdl	bdl	bdl	3	6.6	bdl	8.4	bdl	bdl	NS	1.8	1.2	6.0
Arsenic	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	bdl	5.0	50.0
Beryllium	bdl	bdl	bdl	bdl	bdl	bdl	0.11	bdl	bdl	bdl	bdl	bdl	NS	bdl	0.4	4.0
Cadmium	bdl	bdl	bdl	bdl	bdl	bdl	0.2	bdl	bdl	bdl	bdl	bdl	NS	0.068	0.5	5.0
Chromium	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	bdl	10.0	100.0
Lead	2.7	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	2.5	1.5	15.0
Mercury	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	bdl	0.2	2.0
Selenium	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	bdl	10.0	50.0
Thallium	bdl	bdl	bdl	bdl	bdl	bdl	1.9	bdl	bdl	bdl	bdl	bdl	NS	bdl	0.4	2.0
Zinc	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	bdl	NS	36.0	2.5	5.0
VOLATILE ORGANICS																
Bromodichloromethane	bdl	bdl	bdl	bdl	3.5	1.1	0.78	bdl	bdl	bdl	bdl	bdl	NS	bdl	0.06	0.6
Chloroform	bdl	bdl	bdl	bdl	7.1	4.6	1.4	bdl	bdl	bdl	bdl	bdl	NS	bdl	0.6	6.0
Dibromochloromethane	bdl	bdl	bdl	bdl	1.3	bdl	0.29	bdl	bdl	bdl	bdl	bdl	NS	bdl	6.0	60.0

(1) - Results reported in micrograms per liter (ug/L).
 bdl - Concentration reported as below detection limit.
 NS - Not sampled, due to damage.

 PAL Exceedance
 ES Exceedance