

GIS REGISTRY
Cover Sheet

March, 2010
(RR 5367)

Source Property Information

BRRTS #: 02-41-223672
ACTIVITY NAME: Spic & Span Inc. DBA Dryclean USA
PROPERTY ADDRESS: 1438 E. Brady Street
MUNICIPALITY: Milwaukee
PARCEL ID #: 355-0054-100-6

CLOSURE DATE: Apr 26, 2010
FID #: 241300400
DATCP #:
COMM #:

***WTM COORDINATES:**

X: 691607 Y: 288888

** 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 #: PARCEL ID #:

ACTIVITY NAME: WTM COORDINATES: X: Y:

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

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:** ALTA/ACSM Land Title Survey

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 must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

Location Map: A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.

Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.

Figure #: 1 **Title:** 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 #: 3 **Title:** Site Features 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 #: 4 **Title:** Approximate Extent of Soil Impacts Diagram

BRRTS #: 02-41-223672

ACTIVITY NAME: Former Dry Clean USA

- 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 must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.

Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1, 3, & 4 Title: VOC Analytical Results

- Groundwater Analytical Table:** Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: Title:

- 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:

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 #: 02-41-223672

ACTIVITY NAME: Former Dry Clean USA

Source Property

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

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

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

Number of "Governmental Unit/Right-Of-Way Owner" Letters: 1



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TTY 414-263-8713

April 26, 2010

Mr. Doug Benach
East Town WI, LLC
152 W. 57th Street, 60th Floor
New York, NY 10019

SUBJECT: Final Case Closure with Continuing Obligations
East Town Plaza Property, containing former Spic & Span, Inc., 1400-1438 E.
Brady Street, Milwaukee, WI
WDNR BRRTS Activity #: 02-41-223672, FID# 241300400

Dear Mr. Benach:

On April 14, 2010, the above referenced case was reviewed for closure by the Wisconsin Department of Natural Resources. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. Site assessments conducted at this property identified drycleaner solvent and petroleum product impacts in soil beneath the northeast portion of this property. The drycleaner solvent impacts were found beneath the building where the former Spic & Span (Dryclean USA) business had operated, and appear to be limited to a small area beneath this former operation. Petroleum impacts were found in soil beneath the northeast part of the parking lot area, and appeared to be related to the former operation of an auto body shop at this property. Based on the proximity of the petroleum impacts to the adjacent N. Cambridge Avenue right-of-way, a notification of potential impacts was provided to the City of Milwaukee, as required for case closure. A sub-slab soil vapor sample collected from beneath the former drycleaner floor found a low level of tetrachloroethylene (PCE), which is below the Department's target level for non-residential use facilities, but above the target level for residential use facilities. Based on the extent and degree of contamination found, the proposed remedial response to utilize and maintain the existing building foundation and parking lot pavement as a direct contact and infiltration barrier is appropriate and acceptable for case closure.

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,
- Before the land use changes to allow residential or sensitive population use, the Department must be notified and additional work may be required.

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.

Residual Soil Contamination and Barrier Maintenance: Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement or other impervious cap that currently exists in the location shown on the attached map shall be maintained in compliance with the **attached maintenance plan** in order to minimize the infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code, and to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil in the specific locations described above 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 at the office of the property manager. Please submit the inspection log to the Department only upon request.

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.

Site Specific Exposure Assumptions Used to Assess Potential Risk to Building Occupants from Contaminated Soil Vapor: Tetrachloroethylene was found in the sub-slab soil vapor sample, VP-1, collected beneath the former dry cleaner, at 169 ug/m³. Based on the expected exposure conditions for the building containing the former dry-cleaner, which would be applicable to adults in an average work setting, the measured sub-slab soil vapor concentration for this site is not expected to pose a risk to occupants that would exceed a 1-in-100,000 excess lifetime cancer risk level. Additional investigation and remediation will not be required to address this vapor level, provided the floor integrity above the residual soil contamination is maintained, and the exposure assumptions dictated by building use and occupancy do not change. You must notify the Department if the building use is to change to housing, or to a more sensitive population such as elderly, children or populations with medical conditions (adult or child day care, schools, medical facilities). Additional investigation, remediation or mitigation actions may be required, which may include but not be limited to recalculation of occupant exposure risk based on exposure assumptions relevant to the anticipated use, additional sub-slab vapor sampling, or indoor air sampling.

Vapor Migration: Depending on site-specific conditions, construction over contaminated materials may result in vapor migration of contaminants into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and means of mitigation should be evaluated when planning any future redevelopment, and measures should be taken to ensure the continued protection of public health, safety, welfare and the environment at the site.

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, an engineered cover or a soil barrier that must be maintained over contaminated soil
- Planned change in building use, such that the accepted non-residential exposure assumptions for indoor air are no longer applicable.

Please send written notifications in accordance with the above requirements to the Wisconsin DNR, Southeast Region Remediation & Redevelopment Program, to the attention of the Program Associate.

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 Pam Mylotta at (414) 263-8758.

Sincerely,



James A. Schmidt, Team Supervisor
Southeast Region Remediation & Redevelopment Program

Attachment: Cap Maintenance plan (including Cap Maintenance Plan Diagram)

cc: Rick Frieseke – EDS, Inc.

CAP MAINTENANCE PLAN

March 31, 2010

Property Located at:

1432-1438 East Brady Street, Milwaukee, Wisconsin

East Town Mall Property
FID No. 241300400
BRRTS No. 02-41-223672

Described as follows:

1414-1438 East Brady Street
Tax Key # 355-0054-100-6
As described on the attached Exhibit A

Introduction:

This document is the Maintenance Plan for a cap at the above-referenced property (the "Property") in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code. The maintenance activities relate to the existing cap within specific areas of the Property.

More site-specific information about the Property may be found in:

- The case file in the Wisconsin Department of Natural Resources (DNR) southeast 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://dnrmmaps.wisconsin.gov/imf/imf.jsp?site=brrts2> and
- The DNR project manager (contact information found on the last page).

Description of Residual Impacts:

1. The Property is currently occupied by a retail strip mall and is zoned for commercial use. The zoning is consistent with the current and planned future use. A former dry cleaner and a former automotive garage operated at the site. Soil sampling and site investigation activities have been conducted. The results of site investigation activities at the Property indicated that soils impacted with the dry cleaning solvent tetrachloroethylene (PCE) were present at the Property in the immediate vicinity of the former dry cleaning machine from 0.5 to 6 feet below ground surface (bgs) at levels that are above DNR standards. The area of residual solvent impacts is now covered by the concrete floor of the building, which is acting as a Cap for direct contact and groundwater pathway at the Property. The results of site investigation activities at the Property also indicated that soils impacted with petroleum constituents were present at the Property in the northeast portion of the parking lot from 6 to 16 feet bgs at levels that are above DNR standards. The area of residual petroleum impacts is now covered by the asphalt paving of the parking lot, which is acting as a Cap for direct contact and groundwater pathway at the Property. Groundwater was not encountered during the soil sampling or the site investigations to a depth of 16 feet bgs, the maximum depth explored, and the actual groundwater table is understood to be at a depth greater than 50 feet bgs in this area of Milwaukee. The maintenance activities relate to the existing concrete floor of the building and the asphalt in the northeast portion of the parking lot occupying an area over the contaminated soils on site. The location of the ground surface to be maintained in accordance with this Plan and the extent of residually impacted soil is identified on the attached Exhibit B.

Description of the Cap to be maintained:

The building foundation, and concrete/asphalt paved areas (these features combined construe the "Cap") that exist over residual soil impacts on the above-described property in the locations shown on the attached map ("Exhibit B") serve as a barrier to prevent direct human contact with residual soil impacts and groundwater infiltration that might otherwise pose a threat to human health. Based on the current and future use of the Property, the Cap should function as intended unless disturbed.

Annual Inspection:

The Cap overlying residual soil impacts and as depicted on the attached map ("Exhibit B") 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 cause exposure to underlying soils. 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 soils have 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 C, "Cap Inspection Log." The inspection log will include recommendations for necessary repair of any areas of the Cap where underlying soils are 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 available for submittal or inspection by DNR 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 larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the Property owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment (PPE). The Property owner must also sample any soil that is excavated from the Property prior to disposal to ascertain if soil impacts remain. The soil must be treated, stored, and disposed of by the Property owner in accordance with applicable local, state, and federal law.

In the event that the Cap overlying the residual soil impacts is removed or replaced, the replacement barrier must be equivalent for the purpose of minimizing direct contact with the underlying soils and groundwater infiltration. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Cap Maintenance Plan unless indicated otherwise by the DNR or its successor.

The Property owner, in order to maintain the integrity of the Cap, will maintain a copy of this Cap Maintenance Plan at the office of the property manager (Siegel-Gallagher Inc. - 700 North Water Street, Suite 400) 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 DNR Prior to Actions Affecting the Cap:

The following activities are prohibited on any portion of the Property where the Cap is required as shown on Exhibit B, unless prior written approval has been obtained from the DNR: (1) permanent removal of the existing cap; (2) replacement of the cap with another type of barrier; (3) excavating or grading of the land surface; (4) filling on the capped surface; (5) plowing for agricultural cultivation; and (6) construction or placement of a building or other structure within the capped area.

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 DNR.

Contact Information (as of March 31, 2010):

Site Owner and Operator: East Town WI, LLC,
152 West 57th Street; 60th Floor
New York, NY 10019
Mr. Doug Benach
(917) 502-4808.

Signature: _____
Mr. Doug Benach

Consultant: Environmental & Development Solutions, Inc.
Attn: Rick Frieseke, P.E.
6637 N. Sidney Place
Milwaukee, WI 53209
(414) 228-9810

Signature: _____

DNR: Ms. Pam Mylotta
Hydrogeologist
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King J. Dr.
Milwaukee, WI 53212
(414) 263-8758

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

Lots 29, 30, 31 and 32, Block 242, in Cambridge Subdivision, being a part of Lot 6, in Section 21 and Lots 15 and 16, Block 198, in Rogers Addition, in the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

ALSO Lots 2, 3, 4 and 5, Block B, in the Subdivision of Southwest 1/4 of the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

PARCEL 2:

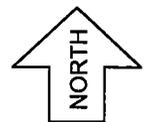
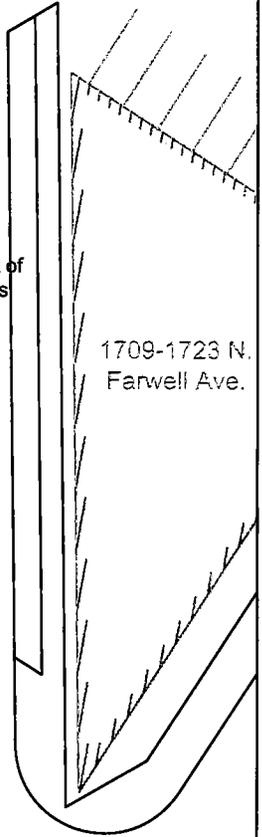
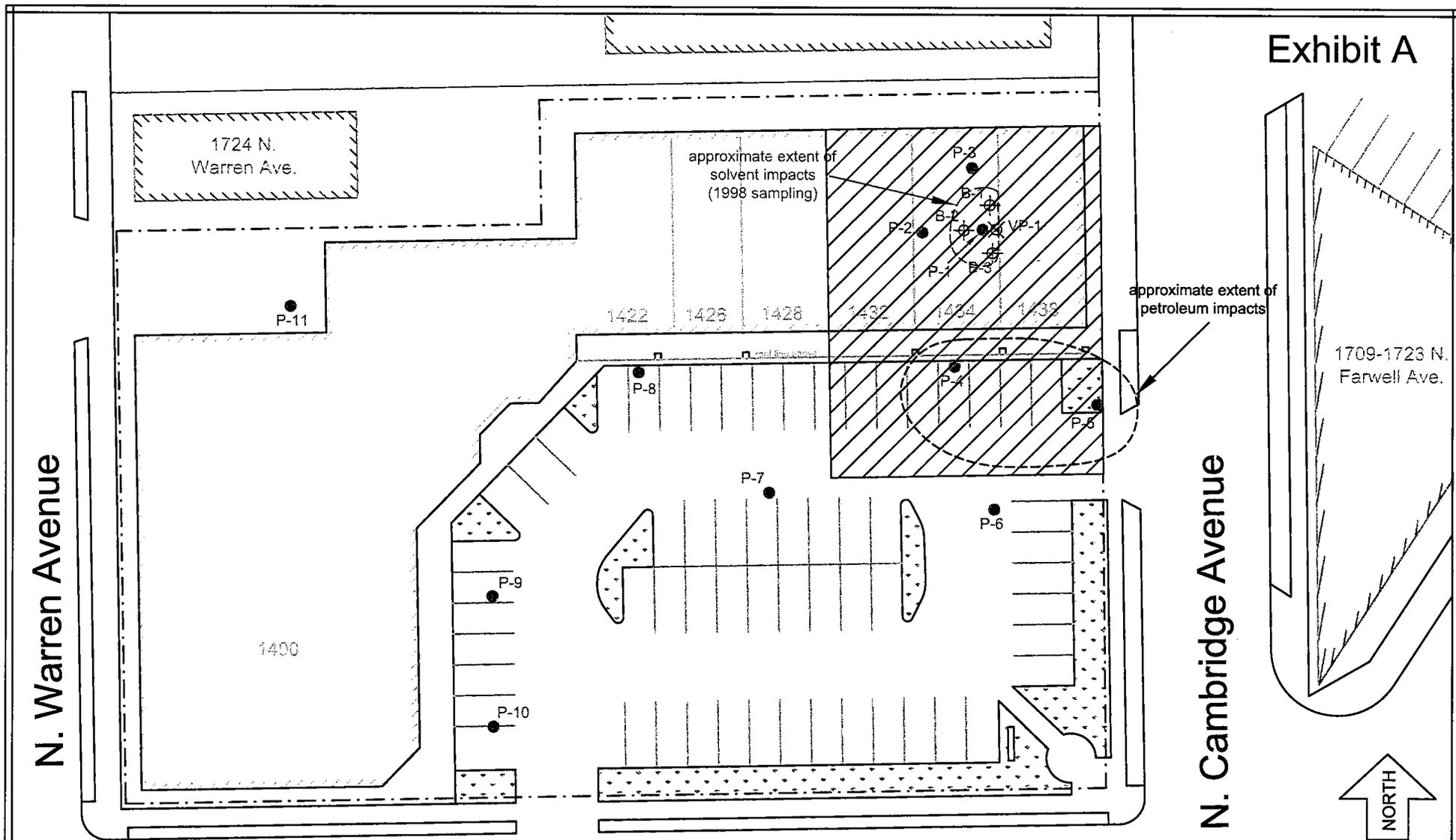
Lot 28, Block 242, Cambridge Subdivision, being a part of Lot 6, in Section 21 and Lots 15 and 16, Block 198, in Rogers Addition, in the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No: 355-0054-100-6

Address: 1414-1438 East Brady Street

*Special Warranty Deed
(Sierra Center Twenty Five)*

Exhibit A



KEY

- = Phase II probehole (McClaren Hart 1998)
- = SI probehole (EDS 2010)
- = sub-slab vapor sampling point (EDS 2010)
- = Area subject to inspections per the Cap Maintenance Plan (April 2010)

Scale

0 40

1 inch = 40 feet

All dimensions on this diagram are approximate

E. Brady Street



File No.: 100204d
DWG Date: 3-31-10
Rev Date:
Drawn By: JEB
Checked By (PM): RWF

Cap Maintenance Plan Diagram
 East Towne Plaza Property
 1400-1438 E. Brady Street
 Milwaukee, Wisconsin

Figure
 5

SPECIAL WARRANTY DEED

DOC.# 09820161

REGISTER'S OFFICE
Milwaukee County, WI

RECORDED
12/02/2009 02:22PM

JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT: \$19.00

FEE EXEMPT #: 14
1B33Y

** The above recording information
verifies that this document has
been electronically recorded and
returned to the submitter. **

Document Number

Document Title

Recording Area

Name and Return Address
CHICAGO TITLE INSURANCE CO.
COURTNEY MCLEAN
171 N. CLARK ST., ML-03ND
CHICAGO, IL 60601

355-0054-100-6

Parcel Identification Number (PIN)

THIS PAGE IS PART OF THIS LEGAL DOCUMENT-DO NOT REMOVE

This information must be completed by submitter; document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.517, WRDA 2/96

Prepared By and When
Recorded Return To:

Greenberg Traurig, LLP
77 West Wacker Drive, Suite 3100
Chicago, IL 60601
Laurence B. Dobkin, Esq.

Tax Parcel No. 355-0054-100-6

SPECIAL WARRANTY DEED

20903293
THIS SPECIAL WARRANTY DEED, effective as of 30th day of November, 2009, between SIERRA CENTER TWENTY FIVE, A LIMITED LIABILITY COMPANY, a Wisconsin limited liability company, whose address is 1818 North Farwell Avenue, Milwaukee, Wisconsin 53202 (hereinafter referred to as "Grantor") and EAST TOWNE WI LLC, a Delaware limited liability company, who address is 152 West 57th Street, 11th Floor, New York, New York 10019 (hereinafter referred to as "Grantee").

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said GRANTEE, together with the rents, profits, fixtures and other appurtenant interests, in that tract or parcel of land lying and being in Milwaukee County, Wisconsin, and being more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein, together with the improvements and fixtures located thereon.

TO HAVE AND TO HOLD, the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said GRANTEE forever in Fee Simple, subject to the permitted encumbrances set forth on Exhibit "B" attached hereto and made an essential part hereof (hereinafter referred to as "Permitted Exceptions").

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property unto the said GRANTEE against the claims of all persons owning, holding or claiming by, through and under the GRANTOR, except for claims arising under or by virtue of the Permitted Exceptions.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, the GRANTOR has signed and sealed this Special Warranty Deed, the day and year first above written.

GRANTOR:

**SIERRA CENTER TWENTY FIVE,
A LIMITED LIABILITY COMPANY,
a Wisconsin limited liability company**

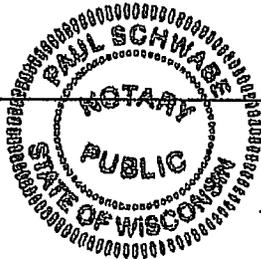
By: East Towne Plaza, Inc.,
a Wisconsin corporation,
its managing member

By: David M. Marks
Name: David M. Marks
Title: President

STATE OF WISCONSIN
COUNTY OF MILWAUKEE

On this 24 day of NOVEMBER, 2009, before me a Notary Public in and for the State of Wisconsin in the County aforesaid, personally appeared David M. Marks, to me known to be the president of East Towne Plaza, Inc., a Wisconsin corporation, the managing member of Sierra Center Twenty Five, a Limited Liability Company, a Wisconsin limited liability company, that executed the foregoing instrument, and upon oath did depose that he is the president of such corporation, that the signature to said instrument was made by the president of said corporation as indicated after said signature, and that the instrument was freely and voluntarily executed for the uses and purposes therein mentioned.

(NOTARY SEAL)



Paul Schwabe
Notary Public, State of WISCONSIN

Printed Name: PAUL SCHWABE

Notary Commission No. _____

My Commission Expires: 02-19-2012

*Special Warranty Deed
(Sierra Center Twenty Five)*

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

Lots 29, 30, 31 and 32, Block 242, in Cambridge Subdivision, being a part of Lot 6, in Section 21 and Lots 15 and 16, Block 198, in Rogers Addition, in the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

ALSO Lots 2, 3, 4 and 5, Block B, in the Subdivision of Southwest 1/4 of the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

PARCEL 2:

Lot 28, Block 242, Cambridge Subdivision, being a part of Lot 6, in Section 21 and Lots 15 and 16, Block 198, in Rogers Addition, in the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No: 355-0054-100-6

Address: 1414-1438 East Brady Street

*Special Warranty Deed
(Sierra Center Twenty Five)*

EXHIBIT "B"

PERMITTED EXCEPTIONS TO SPECIAL WARRANTY DEED

1. General taxes for the year 2009, not yet due and payable. 2008 Second Installment in the amount of \$7,451.74 is due and delinquent.
2. Utility Basement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company recorded as Document No. 4239415.
3. Rights of Walgreen Co., lessee, as disclosed by Memorandum of Lease entered into by and between Frank P. Crivello and Joseph A. Crivello, as tenants in common, and Walgreen Co., dated September 17, 1985 and recorded October 1, 1985, on Reel 1800, Image 759, as Document No. 5850259.
4. Rights of Subway Restaurants, Inc., as lessee, as disclosed in Memorandum of Lease dated March 12, 1999 and recorded June 29, 2004, as Document No. 8812606.
5. Taxes and assessments, general or special, for the year 2008, unless a tax receipt showing full payment is presented.
6. Water and sewer service charges, if any, not yet due and payable.
7. The following matters as depicted on the survey dated November 2, 2007 last revised November 9, 2007 by Dennis Sauer and known as File Number 170216.
 - a. Encroachment of retaining wall onto adjoining property by 3.27' in the SW corner
 - b. Encroachment of building into utility easement by 5.93' in the NW corner
 - c. Encroachment of building onto adjacent property by 3.30' along the E property line
 - d. Encroachment of concrete curb onto adjacent property ranging from 3.43' to 2.05' along the S property line.

*Special Warranty Deed
(Sierra Center Twenty Five)*

ELECTRONIC REAL ESTATE TRANSFER RECEIPT
 WISCONSIN DEPARTMENT OF REVENUE

INSTRUCTIONS

1. Grantors and grantees must review this receipt, noting grantor and grantee responsibilities.
2. Mail or deliver the following items to:
**Milwaukee County Register of Deeds, 901 N 9TH ST RM 103,
 MILWAUKEE, WI 53233-1425**
 - This receipt page, along with a transfer fee of \$0.00.
 - The deed or Instrument of conveyance, along with a recording fee of \$11.00 for the first page and \$2.00 for each additional page.

To view the details of the real estate transfer return online, go to <https://ww2.revenue.wi.gov/RETRWebPublic/application>. You will need to know the receipt number, the total value of the real estate transferred, and the last name of one grantor or grantee.

Receipt 1B33Y , Filed November 30, 2009, 6:13 PM - Milwaukee County , Conveyance date 2009-11-30 .			
Value transferred	\$5,600,000	Transfer fee	\$0.00
Value subject to fee	\$0	Fee exemption number	14
Grantors	Sierra Center Twenty Five, a Limited Liability Company		
Grantees	East Towne WI LLC		
Tax bill address	East Towne WI LLC, 152 West 57th Street, 11th Floor, New York, New York 10019		
Property Location	1414-1438 East Brady Street (City of Milwaukee)		
Parcels	355-0054-100 (S21/T7N/R22E) (Cambridge/29/242)		
Short legal description	PARCEL 1; Lots 29, 30, 31 and 32, Block 242, in Cambridge Subdivision, being a part of Lot 6, in Section 21 and Lots 15 and 16, Block 198, in Rogers Addition, in the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee,		
Grantor responsibilities: Grantors are responsible for paying the proper fee amount—verify the total property value, fee amount and fee exemption before sending this receipt to the county Register of Deeds. ¹			
Grantee responsibilities: Grantees assert that this property is <u>not</u> a primary residence ² , and that the property is <u>not</u> subject to weatherization standards with exclusion code "W-3". ³			
Preparer	Greenberg Traurig, LLP, 312-456-8400, caikinsd@gtlaw.com		
Grantor agent	Leverson & Metz, SC, (414) 271-8500, lg@levmetz.com		
Grantee agent	Greenberg Traurig, LLP, 312-456-8400, caikinsd@gtlaw.com		

If you have any questions about the Real Estate Transfer Return visit the Real Estate Transfer Web site at <http://www.dor.state.wi.us/ret/rtn.htm>. You can also contact your County Register of Deeds (see <http://www.wria.org/>).

Information on the real estate transfer return is used to administer Wisconsin's laws of income tax, real estate transfers, rental unit energy efficiency, lottery tax credit and general property tax. The transfer of Wisconsin real estate in a taxable transaction must be reported on your Wisconsin income tax return. This is true whether you were a resident, a part-year resident, or a nonresident of Wisconsin. If you are a nonresident of Wisconsin, you must file Form INPR to report the sale.

¹ Penalties for use of an improper exemption are imposed per s. 77.26(8), Stats. Penalties for falsifying the property value are imposed per s. 77.27, Stats.

² Penalties for improperly claiming the Lottery & Gaming Credit as Primary Residence are imposed per Chapter Tax 20.19.

³ Penalties relating to Weatherization claims are imposed per s. 101.122, Stats.

* For more information see Chapter COMM67, s. 67.03 and 67.04.

SURVEYOR'S CERTIFICATE

I hereby certify to: Seyfarth Shaw and Greenburg Traurig, and its successors and/or assigns, Brady Street Partners LLC, Monroe Acquisition Partners LLC, John Hancock Life Insurance Company (U.S.A.) and Chicago Title Insurance Company Commitment No. 21020627:

That this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Table A items 2, 3, 4, 6, 7(a), 7(b)(1), 8, 9, 10, 11(a) and 13. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Wisconsin, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

March 18, 2010/Rev. 3-22-10
Date

Dennis C. Sauer
Dennis C. Sauer
Registered Land Surveyor S-2421

LEGAL DESCRIPTION

PARCEL 1:
Lots 29, 30, 31 and 32, Block 242, in Cambridge Subdivision, being a part of Lot 6, in Section 21 and Lots 15 and 16, Block 198, in Rogers Addition, in the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

ALSO Lots 2, 3, 4 and 5, Block B, in the Subdivision of Southwest 1/4 of the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

PARCEL 2:
Lot 28, Block 242, Cambridge Subdivision, being a part of Lot 6, in Section 21 and Lots 15 and 16, Block 198, in Rogers Addition, in the Northeast 1/4 of Section 21, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No. 355-0054-100-6
Address: 1414-1438 East Brady Street, Milwaukee, Wisconsin

The above legal description describes the same property as insured in the title commitment referenced in the Certification shown hereon.

SCHEDULE B II EXCEPTIONS

- Utility Easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company recorded as Document No. 4239415 is plotted hereon.
- The building situated on the subject premises encroaches into the North Cambridge Avenue right-of-way to a maximum extent of 3.32 feet, as shown on a survey prepared by Metropolitan Survey Service, Inc., dated November 2, 2007, last revised on November 12, 2007 as Job No. 100897 is not a correct statement as the treated wood landscape planter is the encroachment not the building and is plotted hereon.
- A treated wood landscape planter situated on the subject premises encroaches into the East Brady Street right-of-way to a maximum extent of 3.27 feet, as shown on a survey prepared by Metropolitan Survey Service, Inc., dated November 2, 2007, last revised on November 12, 2007 as Job No. 100897 is plotted hereon.
- The building situated on the subject premises encroaches into the East Brady Street right-of-way to a maximum extent of 0.13 foot, as shown on a survey prepared by Metropolitan Survey Service, Inc., dated November 2, 2007, last revised on November 12, 2007 as Job No. 100897 is plotted hereon.

ALTA/ACSM Land Title Survey

UTILITY COMPANIES

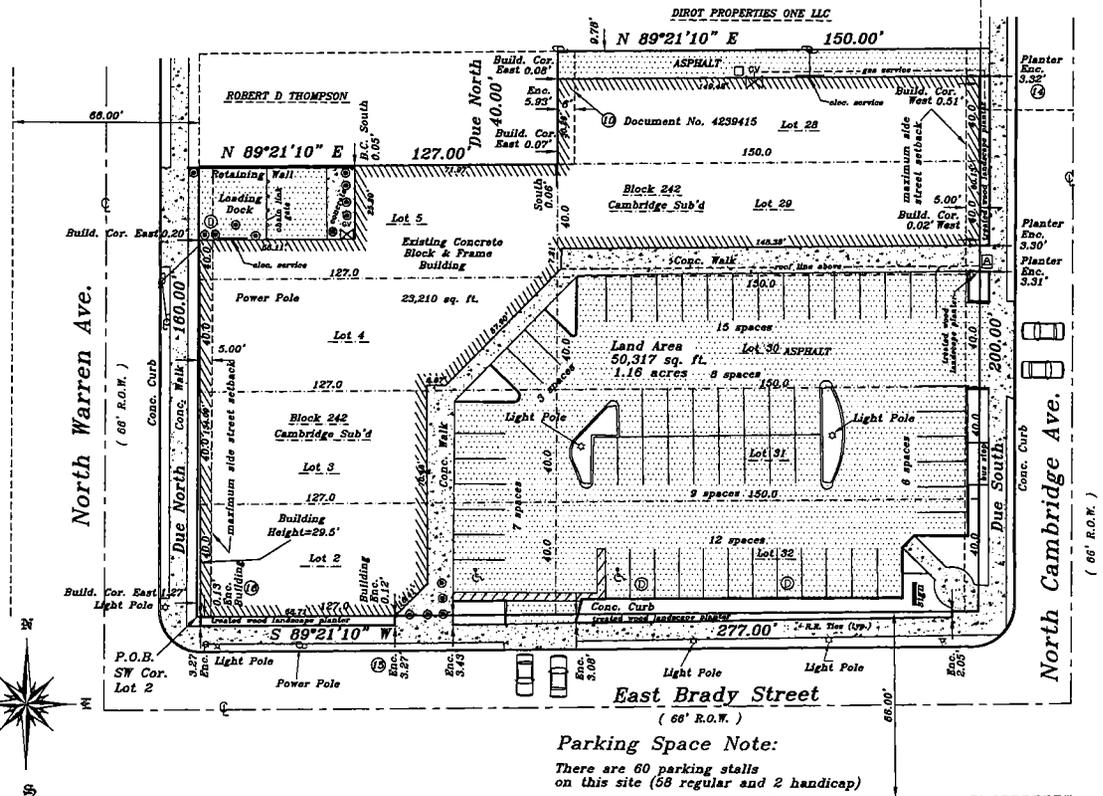
UTILITIES SHOWN ARE BASED ON LIMITED DATA. THERE IS NO GUARANTEE AS TO THEIR LOCATION OR SIZE. PLEASE CONTACT RESPECTIVE UTILITY COMPANIES PRIOR TO CONSTRUCTION. POSSIBLE CONTACTS IN THIS AREA ARE:

ELECTRIC-WE Energies
231 W. Michigan Street
Milwaukee, WI 53203
(800) 242-9137

GAS-WE Energies
231 W. Michigan Street
Milwaukee, WI 53203
(800) 242-9137

PHONE- SBC Mailing Address
225 W. Randolph St., Floor 27A
Chicago, IL 60606
PHONE 1-800-924-1000

Diggers Hotline in Wisconsin
1-800-242-8511



ZONING INFORMATION: <http://www.mkecd.org/cso/index.asp>
ZONED L22

REQUIREMENTS L22	900 sq. ft.
Minimum Lot Area Per Dwelling Unit	900 sq. ft.
Minimum Lot Width (ft)	--
Minimum Corner Lot Width (ft)	--
Principal Building	
Minimum Front Setback from Street Right-of-Way (ft)	none
Minimum Front Setback from Side Street Right-of-Way (ft)	none
Maximum Front Setback (ft)	average
Maximum Front Setback from Side Street Right-of-Way (ft)	5'
Minimum Rear Setback (ft)	none
Minimum Side Setback (ft)	none
Minimum Principal Building Height (ft)	18'
Maximum Principal Building Height (ft)	60'
Multiple Principal Buildings Permitted	yes
Total Floor Area of all Buildings as Percentage of Lot Area	--



PREPARED FOR:
Brady Street Partners LLC

PROJECT LOCATION:
Milwaukee County, Wisconsin

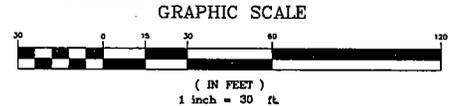
PROJECT ADDRESS:
1414-1438 East Brady Street
Milwaukee WI 53202

PROJECT NAME:
ALTA/ACSM LAND
TITLE SURVEY

SURVEY NUMBER: 102470
FILE: 170216

Dennis C. Sauer
Registered Land Surveyor S-2421

METROPOLITAN SURVEY SERVICE, INC.
REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS
5307 S. 92ND STREET, SUITE 140,
HALES CORNERS, WI 53130
PH. (414) 529-5380 FAX (414) 529-9787



FLOOD DATA This property is in Zone X of the Flood Insurance Rate Map/Community Panel No. 55079C 0092 E which has an effective date of September 28, 2008 and IS NOT in a Special Flood Hazard Area. Field surveying was not performed to determine this zone. An elevation certificate may be needed to verify this determination or apply for an amendment from the Federal Emergency Management Agency.

STANDARD LEGEND

● BOLLARD	○ SEWER MANHOLE
⊕ POWER POLE	⊙ STORM DRAIN MANHOLE
⊛ LIGHT POLE	⊙ CURB RAIL
⊞ ELEC. TRANSFORMER	⊙ TELEPHONE POLE
⊞ HYDRANT	⊙ ELECTRIC METER
⊞ GAS VALVE	⊙ PAY PHONE

East Towne WI LLC
152 West 57th Street, 60th Floor
New York, NY 10019

March 31, 2010

Program Assistant
Remediation & Redevelopment Program
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King Jr. Dr.
Milwaukee, WI 53212

RE: Site Closure with GIS Registry for the Property Located at 1400 -1438 East
Brady Street, Milwaukee Wisconsin — EDS Project # 100204, DNR BRRTS
02-41-223672, FID # 241300400

Dear Program Assistant:

The property is located at 1400-1438 East Brady Street in Milwaukee, Wisconsin. I have provided the necessary information in order to obtain site closure with placement of the property on the DNR's soil GIS registry. To the best of my knowledge, I believe that the legal descriptions attached to this statement are complete and accurate.

Respectfully,



Mr. Doug Benach
East Town WI, LLC



Approximate
Scale

1" = 1,585'

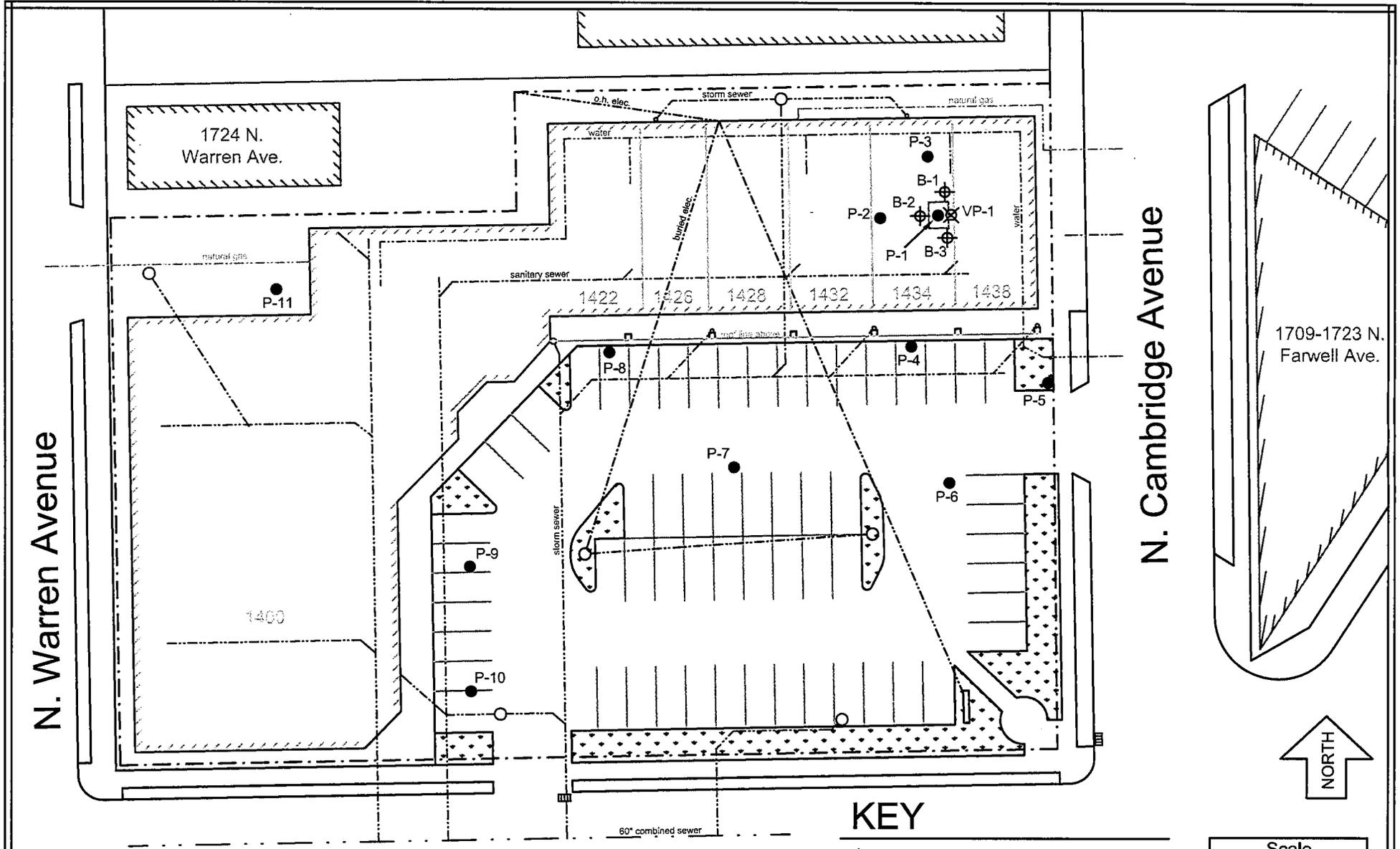
United States Geological Survey Topographic Map
Milwaukee Quadrangle

S 1/2 of NE 1/4 of Sec 21, T7N, R22E



Site Location Diagram
1400-1438 E. Brady Street Property
Milwaukee, Wisconsin

Figure
1



Note:
utility locations obtained from plans
provided by others and are approximate.

KEY

- ⊕ = Phase II probehole (McClaren Hart 1998)
- = SI probehole (EDS 2010)
- ⊗ = sub-slab vapor sampling point

Scale

0 40

1 inch = 40 feet

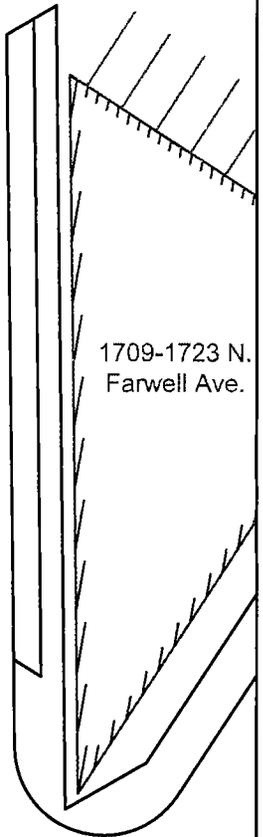
All dimensions on this diagram
are approximate

E. Brady Street

N. Warren Avenue

N. Cambridge Avenue

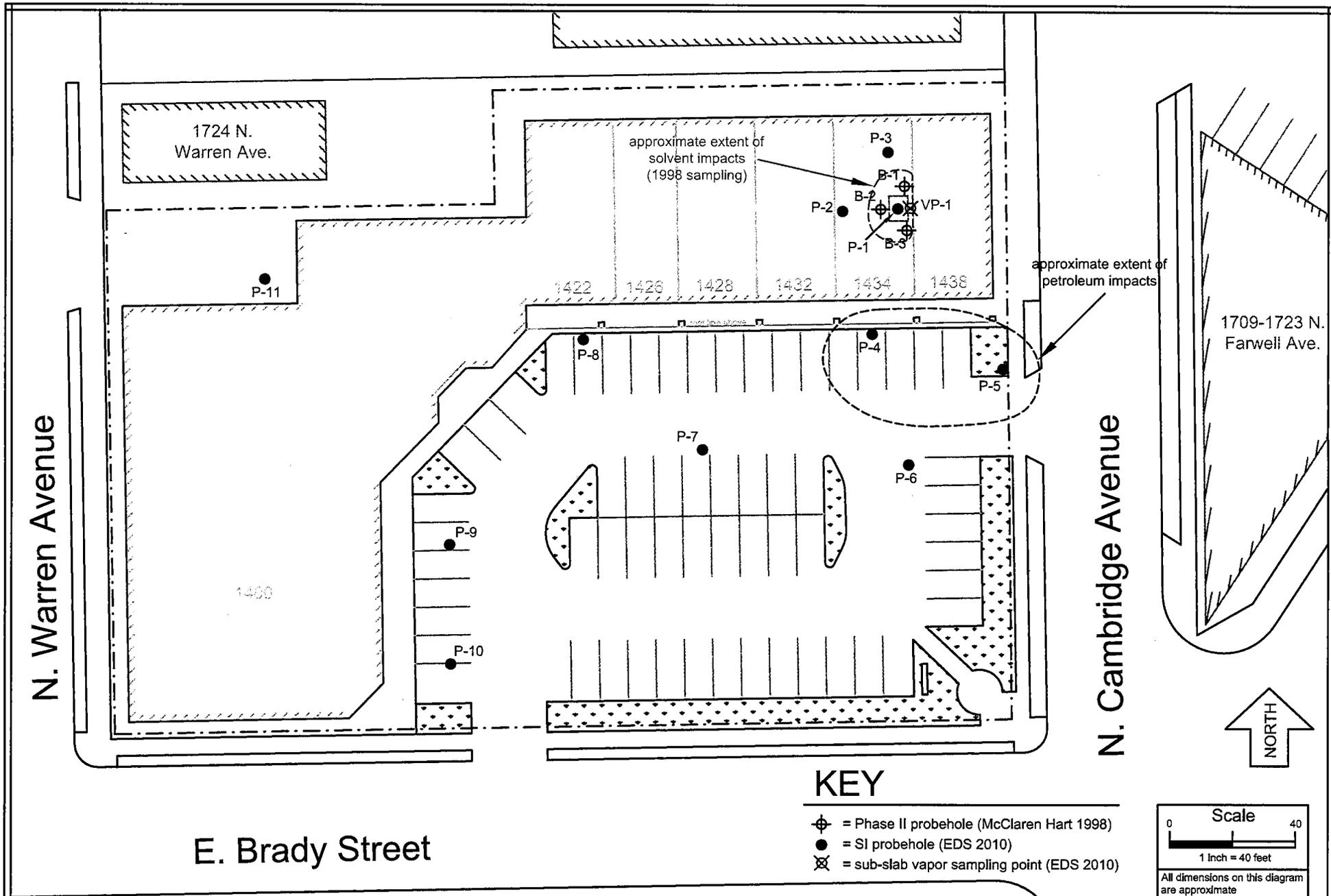
1724 N.
Warren Ave.



File No.: 100204b
DWG Date: 3-12-10
Rev Date: 3-24-10
Drawn By: JEB
Checked By (PM): JEB

Site Features Diagram
East Towne Plaza Property
1400-1438 E. Brady Street
Milwaukee, Wisconsin

Figure
3



File No.: 100204c
 DWG Date: 3-29-10
 Rev Date:
 Drawn By: JEB
 Checked By (PM): RWF

Approximate Extent of Soil Impacts Diagram
 East Towne Plaza Property
 1400-1438 E. Brady Street
 Milwaukee, Wisconsin

Figure
4

Table 1
Former Dry Cleaner VOC Analytical Results
1438 East Brady Street Property
Milwaukee, Wisconsin

Sample Location	Sample Depth (ft)	Sampling Date	PCE (ppb)	TCE (ppb)	Vinyl Chloride (ppb)	Benzene (ppb)	p-Isopropylbenzene (ppb)	Ethylbenzene (ppb)	Naphthalene (ppb)	n-Propylbenzene (ppb)	1,2-DCA (ppb)	Toluene (ppb)	Combined TMBs (ppb)	Total Xylenes (ppb)
B-1	0.5-2.5	10/20/1998	5,100	38	<25.0	NA	NA	NA	NA	NA	<25.0	NA	NA	NA
	4.5-5.5	10/20/1998	76	<25.0	<25.0	NA	NA	NA	NA	NA	<25.0	NA	NA	NA
B-2	0.5-2.5	10/20/1998	2,400	<25.0	<25.0	NA	NA	NA	NA	NA	<25.0	NA	NA	NA
	4.5-5.5	10/20/1998	<25.0	<25.0	<25.0	NA	NA	NA	NA	NA	<25.0	NA	NA	NA
B-3	0.5-2.5	10/20/1998	95	<25.0	<25.0	NA	NA	NA	NA	NA	<25.0	NA	NA	NA
	4.5-6	10/20/1998	<25.0	<25.0	<25.0	NA	NA	NA	NA	NA	<25.0	NA	NA	NA
P-1	0-2	2/26/2010	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
	4-6	2/26/2010	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	106	<25.0	<25.0	<25.0	<50.0	<75.0
P-2	6-8	2/26/2010	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
P-3	6-8	2/26/2010	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
P-4	8-10	2/26/2010	<250.0	<250.0	<250.0	2,860	889	7,830	4,800	2,700	<250.0	1,500	25,680	25,800
	14-16	2/26/2010	<25.0	<25.0	<25.0	427	46.0J	443	<25.0	54.5J	96.5	116	300.5	304.9
NR 720 Generic GW Pathway RCL			<i>4.1</i>	<i>3.7</i>	<i>1.3</i>	<i>5.5</i>	NS	2,900	3,100	NS	5.5	1,500	NS	4,100
NR 746 or Calc. DC Pathway RCL			<i>12,300</i>	<i>140</i>	<i>426</i>	<i>8,500</i>	NS	4,600	68,000	NS	600	38,000	83K/11K	42,000

Notes:

1. Only detected compounds are presented.
2. Concentrations that exceed their respective generic RCL for the groundwater pathway are in *blue italics*.
3. Concentrations that exceed their respective Table 1 values for the direct contact pathway are in **red bold** (only within the top 4 feet bgs).
4. "J" = estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.
5. NA = Not Analyzed for that parameter

Table 2
Sub-Slab Soil Gas Sample VOC Analytical Results (ppbv)
Former Dry Clean USA Facility
Milwaukee, Wisconsin

Sample Location		Sampling Date	cis-1,2-DCE ($\mu\text{g}/\text{m}^3$)	trans-1,2-DCE ($\mu\text{g}/\text{m}^3$)	PCE ($\mu\text{g}/\text{m}^3$)	TCE ($\mu\text{g}/\text{m}^3$)	Vinyl Chloride ($\mu\text{g}/\text{m}^3$)
VP-1	fmr. Dry Clean machine area	2/26/10	11.49	<7.13	169	43	<2.35
<i>EPA Regional Soil Screening Values ($\mu\text{g}/\text{m}^3$)</i>			<i>NS</i>	<i>2,600</i>	<i>210</i>	<i>610</i>	<i>280</i>

Notes:

1. EPA screening values are for indoor air and were obtained from the "EPA Screening Levels for Chemical Contaminants at Superfund sites, July 7, 2008.
2. EPA table values were adjusted by one order of magnitude for sub-slab samples, and an additional order of magnitude for carcinogens per the Wisconsin Department of Health guidelines.
3. Concentrations that exceed their respective EPA screening values are in red bold.

Table 3
PVOC Analytical Results
1438 Brady Street Property
Milwaukee, Wisconsin

Sample Location	Sample Depth (ft)	Sampling Date	Benzene (ppb)	Ethyl-benzene (ppb)	MTBE (ppb)	Naphthelene (ppb)	Toluene (ppb)	Combined TMBs (ppb)	Total Xylenes (ppb)
P-1	0-2	2/26/2010	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
	4-6	2/26/2010	<25.0	<25.0	<25.0	106	<25.0	<50.0	<75.0
P-4	8-10	2/26/2010	2,860	7,830	<250	4,800	1,500	25,680	25,800
	14-16	2/26/2010	427	443	<25.0	<25.0	116	300.5	304.9
P-5	8-10	3/18/2010	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
	14-16	3/18/2010	239	<25.0	<25.0	45.8J	112	<50.0	<75.0
P-6	8-10	3/18/2010	<25.0	<25.0	<25.0	43.6J	<25.0	<50.0	<75.0
	12-14	3/18/2010	<25.0	<25.0	<25.0	32.8J	<25.0	<50.0	<75.0
P-7	0-2	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
	8-10	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
NR 720 Generic GW Pathway RCL			5.5	2,900	NS	3,100	1,500	NS	4,100
NR 746 or Calc DC Pathway RCL			8,500	4,600	NS	68,000	38,000	83K/11K	42,000

Notes:

1. Only PVOC compounds are presented.
2. Concentrations that exceed their respective generic RCL for the groundwater pathway are in **blue italics**.
3. Concentrations that exceed their respective Table 1 values for the direct contact pathway are in **red bold** (only within the top 4 feet bgs).
4. "J" = estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.

Table 4
PVOC Analytical Results
1438 Brady Street Property
Milwaukee, Wisconsin

Sample Location	Sample Depth (ft)	Sampling Date	Benzene (ppb)	Ethyl-benzene (ppb)	MTBE (ppb)	Naphthelene (ppb)	Toluene (ppb)	Combined TMBs (ppb)	Total Xylenes (ppb)
P-7	0-2	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
	8-10	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
P-8	2-4	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
P-9	2-4	3/18/10	<25.0	<25.0	<25.0	66.8J	<25.0	<50.0	<75.0
P-10	0-2	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
	6-8	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
P-11	0-2	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
	6-8	3/18/10	<25.0	<25.0	<25.0	<25.0	<25.0	<50.0	<75.0
<i>NR 720 Generic GW Pathway RCL</i>			<i>5.5</i>	<i>2,900</i>	<i>NS</i>	<i>3,100</i>	<i>1,500</i>	<i>NS</i>	<i>4,100</i>
<i>NR 746 or Calc. DC Pathway RCL</i>			<i>8,500</i>	<i>4,600</i>	<i>NS</i>	<i>68,000</i>	<i>38,000</i>	<i>83K/11K</i>	<i>42,000</i>

Notes:

1. Only PVOCs analyzed.
2. Concentrations that exceed their respective generic RCL for the groundwater pathway are in *blue italics*.
3. Concentrations that exceed their respective Table 1 values for the direct contact pathway are in **red bold** (only within the top 4 feet bgs).
4. "J" = estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.

March 31, 2010

Mr. Jeffrey S. Polenske
City Engineer
Room 701
841 North Broadway
Milwaukee, WI 53202



RE: Off-Site Notification Letter Associated with the Former Dry Clean USA Property Located at 1438 East Brady Street in Milwaukee, Wisconsin — EDS Project No. 100204; DNR BRRTS No. 02-41-223672; DNR FID No. 241300400

Dear Mr. Polenske:

On behalf of East Town WI, LLC, the owner of the above referenced site, **Environmental & Development Solutions, Inc (EDS)** submits this letter as a requirement of the Wisconsin Department of Natural Resources ("DNR") for the pending closure request for the above-referenced site.

Contamination that appears to have originated on the property located at 1400-1438 East Brady Street has possibly migrated beneath the right-of-way of North Cambridge Street, immediately east of the above referenced property. The level of benzene in the soil from 14 to 16 feet below ground surface adjacent to the right-of-way (illustrated on the attached diagram) is present at a concentration above its generic residual contaminant level (RCL) found in Ch. NR 720, Wisconsin Administrative Code. However, the impact has been investigated, and no further action is warranted for the impacts based on both the protection of groundwater and risk of direct contact. The site will meet the requirements for case closure that are found in chapter NR 726 and chapter NR 746, Wisconsin Administrative Code. A request will be submitted to DNR to grant case closure with the soil impacts left in place. Closure means that DNR will not be requiring any further investigation or cleanup action to be taken, other than the reliance on the maintenance of the existing concrete of the building and parking lot, which are acting as a cap.

If DNR grants closure it will be documented in a letter and all properties within the site boundaries where soil contamination above chapter NR 720 soil standards was found at the time that the case was closed will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. You may obtain a copy of the closure letter and any maps associated with the GIS Registry for the site by accessing the DNR

GIS Registry of Closed Remediation Sites on the internet at <http://www.dnr.wi.gov/org/aw/rr/gis/index.htm>. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites and can be referenced by the BRRTS or FID Nos. listed at the top of this letter.

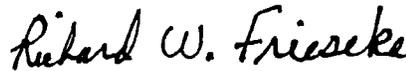
If you need more information, you may contact me at (414) 228-9810 or you may contact Ms. Pam Mylotta of the DNR.

Respectfully,

Environmental & Development Solutions, Inc.



Jason E. Bartley, P.G.
Vice President



Richard W. Frieseke, P.E.
President

Enclosures

100204d