

GIS REGISTRY
Cover Sheet

May, 2008
(RR 5367)

Source Property Information

SEP 12 2008

CLOSURE DATE: Sep 10, 2008

BRRTS #: 02-41-305453

ACTIVITY NAME: Former Silver Spring Substation (WE Energies)

PROPERTY ADDRESS: 5630 North Port Washington Road

MUNICIPALITY: Glendale

PARCEL ID #: 166-8996

FID #: 341165770

DATCP #:

COMM #:

*WTM COORDINATES:

X: 689525 Y: 296172

*Coordinates are in
WTM83, NAD83 (1991)

WTM COORDINATES REPRESENT:

- Approximate Center Of Contaminant Source
- Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

Groundwater Contamination > ES (236)

- Contamination in ROW
- Off-Source Contamination

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

Soil Contamination > *RCL or **SSRCL or Direct Contact > 4 ft (232)

- Contamination in ROW
- Off-Source Contamination

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

Land Use Controls:

Soil: maintain industrial zoning (220)

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

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

(note: maintenance plan for groundwater or direct contact)

Vapor Mitigation (226)

Maintain Liability Exemption (230)

(note: local government or economic development corporation)

Monitoring wells properly abandoned? (234)

- Yes
- No

*Residual Contaminant Level

**Site Specific Residual Contaminant Level

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

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

BRRTS #: 02-41-305453 PARCEL ID #: 166-8996

ACTIVITY NAME: Former Silver Spring Substation (WE Energies) WTM COORDINATES: X: 689525 Y: 296172

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

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

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: H-1 Title: Certified Survey Map
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

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

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

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: 1 Title: Site Location Map
- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 Title: Site Layout
- 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 #: 3 Title: Summary of Soil Investigation and Wipe Sample Analytical Results

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ACTIVITY NAME: Former Silver Spring Substation (WE Energies)

MAPS (continued)

Geologic Cross-Section Map: A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: 4 Title: Geologic Cross Section A to A'

Figure #: Title:

Groundwater Isoconcentration Map: For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: Title:

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

Figure #: Title:

Figure #: Title:

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

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

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

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

Table #: 1 Title: Soil Analytical Results

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

Table #: 2 Title: Groundwater Analytical Results

Water Level Elevations: Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: Title:

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.
Note: *If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.*

Not Applicable

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

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

Figure #: Title:

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

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

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

BRRTS #: 02-41-305453

ACTIVITY NAME: Former Silver Spring Substation (WE Energies)

NOTIFICATIONS

Source Property

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

Off-Source Property

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

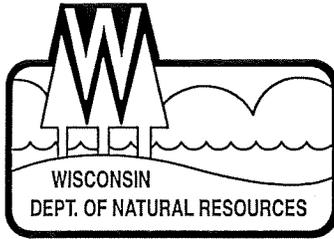
- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: Letters sent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

Number of "Off-Source" Letters:

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

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

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



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 53212-3128
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

September 10, 2008

Bayshore Town Center, LLC
Attn: Dwayne Furukawa
4016 Townsfair Way, Suite 201
Columbus, OH 43219-6083

Subject: Final Case Closure with Land Use Limitations or Conditions for the Former Silver Spring Substation (We Energies). 5630 North Port Washington Road, Glendale, WI

FID: 341165770
BRRTS: 02-41-305453

Dear Mr. Furukawa:

On July 6, 2005, the Wisconsin Department of Natural Resources ("the Department") reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On July 29, 2005, WE Energies was notified that the Department had granted conditional closure to this case.

On August 8, 2008, the Department received correspondence indicating that you have complied with the requirements of closure. A site plan map indicating the engineered controlled area and GIS Packet was received at this office.

Based on the correspondence and data provided, it appears that your case meets the requirements of ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which the current property owner and any subsequent property owners must adhere. 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. It is the Department's intent 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

Residual soil contamination remains at GP-1, GP-2, TP-1, TP-2, and TP-3, as indicated in the information submitted to the Department of Natural Resources (see enclosed Figure 5). If soil in the

specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Stats., and chs. 500 to 536, 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 would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards 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 to prevent a direct contact health threat to humans.

Cap/Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement, building foundation, and/or soil cover that currently exists in the location shown on the attached map (Figure G-1) shall be maintained in compliance with **the attached maintenance plan** in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. If soil 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 would be 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 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; or 6) construction or placement of a building or other structure.

In addition, depending on site-specific conditions, construction over contaminated materials may result in vapor migration into enclosed structures or migration along newly placed underground utility lines. The potential for vapor inhalation and 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.

Pal Exemption

Recent groundwater monitoring data at this site indicates exceedances of the ch. NR 140, Wis. Adm. Code, preventative action limit (PAL) for lead at monitoring points TW-1, TW-2, and TW-3. The Department may grant an exemption for a substance of public welfare concern, or nitrate, pursuant to s. NR 140.28(2)(a), Wis. Adm. Code, if actions have been taken to achieve the lowest possible concentration for that substance which is technically and economically feasible and the existing or anticipated increase in the concentration of that substance does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that the above criteria have been met. As stated in the Department's July 29, 2005 letter, actions have been taken to achieve the lowest possible concentration for that substance which is technically and economically feasible and the

existing or anticipated increase in the concentration of that substance does not present a threat to public health or welfare. Based on the information provided previously, the mean concentration of lead in the three temporary wells is half way between the PAL and ES for lead indicating a PAL exemption can be issued based on the mean (average) concentration of multiple samples where the mean of those samples is above a PAL, but below the ES, and also meets the criteria set forth in s. NR 140.28(3), Wis. Adm. Code. This letter again serves as your exemption for lead in groundwater as issued on July 29, 2005.

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

Sincerely,



James A. Schmidt
Southeast Region Team Supervisor
Remediation and Redevelopment

Enclosures: Figure 5, Summary of Confirmation Soil Sample analytical Results
Cap Maintenance Plan, 5630 North Port Washington Road
Exhibit "B", Figure G-1

C: John Van Lieshout, Reinhardt, Boerner, Van Deuren
John Osborne, GZA GeoEnvironmental
WDNR SER Files

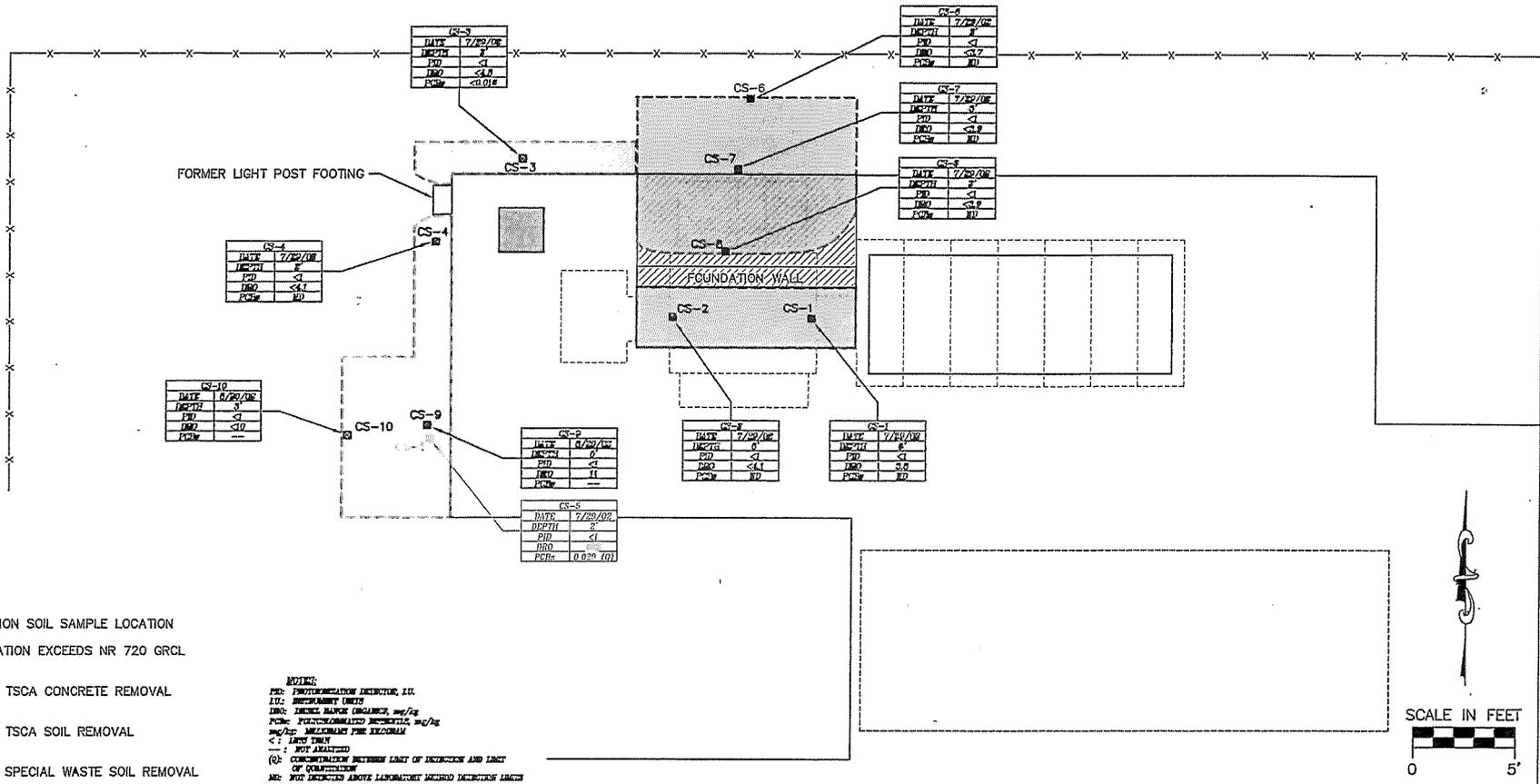


FIGURE 5
 SUMMARY OF CONFIRMATION SOIL SAMPLE ANALYTICAL RESULTS

SILVER SPRING SUBSTATION
 5630 NORTH FORT WASHINGTON ROAD
 GLENDALE, WISCONSIN

© 2002 Key Engineering Group Ltd.



| | |
|--|-----------------------|
| DESIGNED BY CMH | DATE 10/14/02 |
| DRAWN BY CS | PROJECT 1100013.14 |
| APPROVED BY GLJ | SHEET NO. 5 |
| CAD FILE: \CAM\1100013.14\11000131.dwg PLOT TMAN | |

CAP MAINTENANCE PLAN

June 25, 2008

Property Address:

Bayshore Town Center, LLC.
5800 North Port Washington Road
Glendale, Wisconsin
Glendale Tax Key #1668991008

FID #341054230
BRRTS #02-41-305453

Introduction

This document is the Cap Maintenance Plan (“Maintenance Plan”) for maintenance of surface conditions (“Cap Maintenance”) at 5630 North Port Washington Road in Glendale, Wisconsin (“Site”), in accordance with the requirements of s. NR 724.13(2), Wisconsin Administrative Code (WAC). This Maintenance Plan provides background information on Site conditions, presents the activities that are restricted on the Site because of the existing conditions and describes an on-going maintenance process that will limit the potential for future environmental concern at Site.

Background

The subsurface at the Site is impacted by polynuclear aromatic hydrocarbons (PAHs), diesel range organics (DRO) and lead. The current surface at the Bayshore Town Center that includes the Site, including buildings, paved areas and landscaping, has been constructed to limit potential exposure to environmental impacts. The protective cap structures at the Site include impervious surfaces and landscaped areas.

Impervious Surfaces

Asphalt, concrete and building floor slabs (“Impervious Surfaces”) at the Site limit the potential for contact with impacted soils. The impervious surfaces also act as a partial infiltration barrier to minimize future groundwater contamination migration. The impervious surfaces will be inspected once a year, normally in the spring after snow and ice are gone (from exterior locations) for deterioration, cracks and other potential problems that can cause additional infiltration into the subsurface. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Areas where soil has become or is 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 A, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soil is materially exposed. If repairs to the paved areas appear necessary, the owner of the Site will either make the necessary repairs or contract repair maintenance with full documentation in the inspection log. Owner will maintain the inspection log on-Site at the facility for review, if requested, by the Wisconsin Department of Natural Resources (WDNR). The limits of the cap are shown on the attached Figure G-1 in Exhibit B.

CAP MAINTENANCE PLAN
(Continued)

Landscaped Areas

Impacted soil beneath current landscaped areas was excavated to a depth of about 3 feet and backfilled with clean fill to limit the potential for contact with impacted soil. Landscaped areas shall be inspected annually to verify the areas remain at the current elevations and recorded on the Cap Inspection Log. Normal landscaping efforts, including the planting or removal of plants or shrubs, is permitted. However, if excavations or plantings will extend more than 3 feet below the ground, the work must be observed by a representative of GZA to verify the nature of the excavated soil. Relocation or addition of landscaped areas from the current configuration will require over-excavation of impacted soil under the direction of GZA.

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. In order to maintain the integrity of the protective cap structures, the property owner will maintain a copy of this Maintenance Plan on the Site and make it available to all interested parties (i.e., on-Site employees, contractors, future property owners, etc.) for viewing.

Amendment or Withdrawal of Maintenance Plan

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

Contact Information

Owner

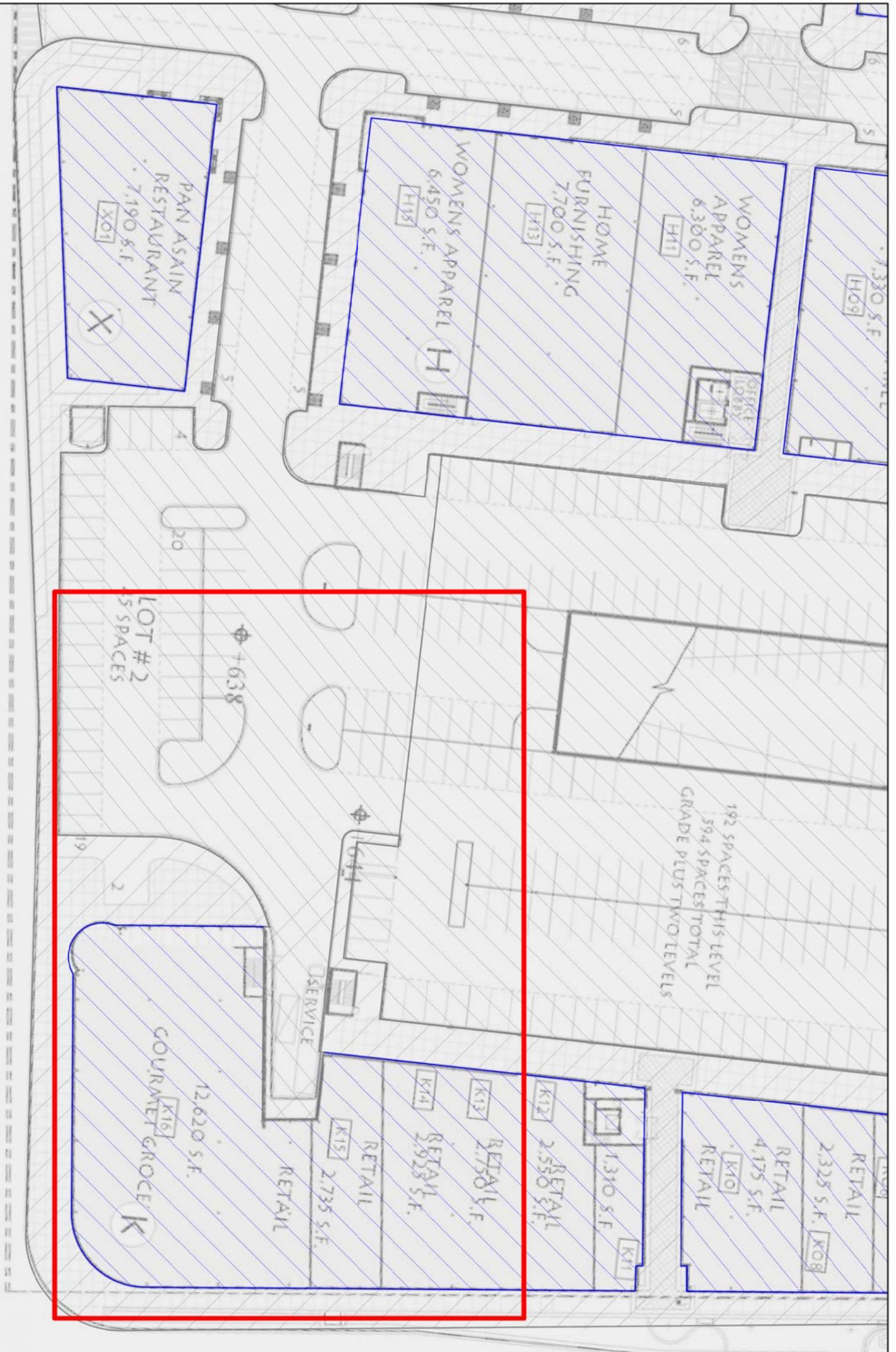
Bayshore Town Center, LLC
5900 North Port Washington Road
Glendale, WI 53217
Mr. Mike Mesenbourg
(414) 332-8136

Consultant

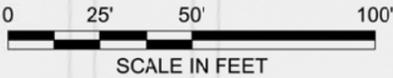
GZA GeoEnvironmental, Inc.
20900 Swenson Drive, Suite 150
Waukesha, WI 53186
Mr. John C. Osborne, P.G.
(262) 754-2560

WDNR

Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212
Mr. John J. Hnat, P.G.
(414) 263-8644



W. SILVER SPRING DRIVE



| LEGEND | |
|--------|-----------------------|
| | BUILDING FOOTPRINT |
| | CONCRETE FOOTPRINT |
| | LANDSCAPING FOOTPRINT |

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF GZA, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.

| NO. | ISSUE/DESCRIPTION | BY | DATE |
|---|---------------------------|-----------------|----------------------|
| SITE PLAN WITH ENGINEERING CONTROLS | | | |
| BAYSHORE TOWN CENTER GLENDALE, WISCONSIN | | | |
| PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists 20500 SWENSON DRIVE, SUITE 150 WALKESHA, WISCONSIN 53188 (262) 754-2560 | | PREPARED FOR: | |
| PROJ MGR: JFK | REVIEWED BY: JCO | CHECKED BY: SEF | FIGURE G-1 |
| DESIGNED BY: SEF | DRAWN BY: JAH | SCALE: | |
| DATE 8/1/08 | PROJECT NO. 20.0150985 | REVISION NO. | SHEET NO. |



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

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

July 29, 2005

Mr. Art Covi
WE Energies
231 W Michigan St.
Milwaukee, WI 53201

Subject: Conditional Closure for Silver Spring Substation, 5630 North Port Washington Road,
Glendale, WI

FID: ~~341054230~~ 341 165770
BRRTS: 02-41-305453

Dear Mr. Covi:

On July 6, 2005, your request for closure of the case described above was reviewed by the Wisconsin Department of Natural Resources ("the Department"). The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request and the additional information received from GeoSyntec Consultants on July 27, 2005, the Department has determined that the lead and PAH soil contamination on the site located along the southern property line (at GP-1, GP-2, TP-1, TP-2, and TP-3) appears to have been investigated to the extent practicable under site conditions. Your case will be closed if the following conditions are satisfied:

1. The temporary monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to this office on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw/ or provided by the Department of Natural Resources. The groundwater monitoring wells and any other remediation systems at the site must be properly abandoned in compliance with ch. NR 141, Wis. Admin. Code, within 60-days on receipt of this letter as required in s. NR 726.05(8)(a)1 and s. NR 141.25 Wis. Admin. Code. The Department requires the abandonment of these wells before issuing a final closure letter.
2. To close this site, the Department requires a Deed Notice be signed and recorded to give notice of the remaining soil contamination associated with the site. Residual soil contamination for lead and PAHs remain at GP-1, GP-2, TP-1, TP-2, and TP-3 as indicated in the information submitted to the Department of Natural Resources. If soil in this location (or these locations) is excavated in the future, the property owner at that time will be required to sample and analyze the excavated soil in order to determine whether the contamination still remains. The owner will also have to properly store, treat, or dispose of any excavated materials, based upon the results of that characterization, and take special precautions during excavation activities to prevent a direct contact threat to humans. The purpose of the notice is to notify all future owners that excavation of the contaminated soil may pose an inhalation or other direct contact hazard at the time of excavation.

You will need to submit a draft Deed Notice to me before the document is signed and recorded. You may find a model Deed Notice at our web site at www.dnr.state.wi.us/org/rr. To assist us in our review of the Deed Notice, you should submit a copy of the property deed to me along with the draft document. After the Department reviewed the document for completeness, you should

sign it if you own the property, or have the appropriate property owner sign it, and have it recorded at the Milwaukee County Register of Deeds Office. Then submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a Deed Notice is recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem. Deed notices (or restrictions) must comply with NR 726.05(8)(b), Wis. Admin Code, such that they must be recorded within 90 days of receipt of this letter at the Milwaukee County Deeds Office.

3. Submittal of a GIS Registry packet for residual soil contamination (lead and PAHs) remaining onsite and the required \$200 fee to this office. At final closure, your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit:

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

Lead In Groundwater Exemption

Recent groundwater monitoring data at this site indicates exceedances of the ch. NR 140, Wis. Adm. Code, preventative action limits (PAL) and enforcement standard (ES) for lead in TW-1 (4.7), TW-2 (16 ppb), and TW-3 (1.0). The Department may grant an exemption for a substance where the background concentrations is above a preventative action limit pursuant to s. NR 140.28(3), Wis. Adm. Code, if actions have been taken to achieve the lowest possible concentration for that substance which is technically and economically feasible and the existing or anticipated increase in the concentration of that substance does not present a threat to public health or welfare. Based on the information you provided, the mean concentration of lead in the three temporary wells is half way between the PAL and ES for lead indicating a PAL exemption can be issued based on the mean (average) concentration of multiple samples where the mean of those samples is above a PAL, but below the ES, and also meets the criteria set forth in s. NR 140.28(3), Wis. Adm. Code. This letter serves as your exemption for lead in groundwater.

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

Sincerely,



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

C: Gregory Johnson, GeoSyntec
WDNR SER Files

10



State Bar of Wisconsin Form 1 - 2003

WARRANTY DEED

DOC. # 09042239

Document Number

Document Name

THIS DEED, made between Community Development Authority of the City of Glendale, ("Grantor," whether one or more), and Bayshore Town Center, LLC, ("Grantee," whether one or more).

REGISTER'S OFFICE | SS Milwaukee County, WI

RECORDED 07/05/2005 01:03PM

JOHN LA FAVE REGISTER OF DEEDS

AMOUNT:29.00

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Milwaukee County, State of Wisconsin ("Property") (if more space is needed, please attach addendum): See legal description attached hereto as Exhibit A and incorporated herein.

Recording Area

Name and Return Address

Joseph J. Balistreri, Esq. Reinhart Boerner Van Deuren s.c. 1000 North Water Street, Suite 2100 Milwaukee, WI 53202

The Grantor and Grantee agree that a portion of the property will be dedicated for public roadways in locations acceptable to Grantee, Grantor and the City of Glendale, Wisconsin. Upon dedication of such public roadways, this provision shall automatically terminate and be of no further force or effect.

See attached Exhibit A

Parcel Identification Number (PIN)

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

This transfer is exempt from fee pursuant to Wis. Stats., Sec. 77.25(2) and exempt from the filing of a return pursuant to Wis. Stats., Sec. 77.255.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except: for those permitted exceptions set forth on Exhibit B attached hereto and incorporated herein.

Dated June 30, 2005

COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF GLENDALE

(SEAL) BY [Signature] (SEAL)

* R. Jay Hintze, Chairman

(SEAL) BY [Signature] (SEAL)

* Richard E. Maslowski, Executive Director

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s)

authenticated on

STATE OF WISCONSIN

Personally came before me on 6/30, 2005, the above-named R. Jay Hintze, as Chairman and Richard E. Maslowski, as Executive Director

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

[Signature]

Notary Public, State of Wisconsin My Commission (is permanent) (expires: 12-01-06)

TITLE: MEMBER STATE BAR OF WISCONSIN (If not, authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY: Justin F. Oeth, Esq. Reinhart Boerner Van Deuren s.c.

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

STATE BAR OF WISCONSIN

FORM No. 1-2003

*Type name below signatures.

09050350

Grantor: Community Development Authority of the City of Glendale
Grantee: Bayshore Town Center, LLC

EXHIBIT A
To Warranty Deed
Legal Description

PARCEL 1:

THAT PART OF THE WEST 1/5 OF THE SOUTH 10 ACRES OF GOVERNMENT LOT 4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, IN TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION, RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID 1/4 SECTION, 180.0 FEET TO A POINT; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION, 183.36 FEET TO A POINT; THENCE SOUTH 180.0 FEET TO A POINT WHICH IS 183.28 FEET EAST OF THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE WEST ALONG THE SOUTH LINE OF SAID 1/4 SECTION, 183.28 FEET TO THE PLACE OF COMMENCEMENT, EXCEPTING THEREFROM THE SOUTH 60 FEET AND THE WEST 60 FEET THEREOF.

For informational purposes only:

Parcel identification number: 166-8997

Street address: 5600 North Port Washington Road
(Site 2, Mobil Oil Corp.)

PARCEL 2:

THAT PART OF THE WEST 1/5 OF THE SOUTH 10 ACRES OF GOVERNMENT LOT 4 IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WEST LINE OF SAID 1/4 SECTION, WHICH IS 180.0 FEET NORTH OF THE SOUTHWEST CORNER OF SAID 1/4 SECTION, RUNNING THENCE ALONG THE WEST LINE OF SAID 1/4 SECTION, 150.0 FEET TO A POINT; THENCE EAST 263.42 FEET TO A

POINT ON THE EAST LINE OF SAID WEST 1/5, WHICH IS 330.0 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE SOUTH ALONG THE EAST LINE OF SAID WEST 1/5, 330.0 FEET TO A POINT IN THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST ALONG THE SOUTH LINE OF SAID 1/4 SECTION, 80.0 FEET TO A POINT, WHICH IS 183.28 FEET EAST OF THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID WEST 1/5, 180.0 FEET TO A POINT; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION, 183.36 FEET TO THE PLACE OF COMMENCEMENT.

For informational purposes only:

Parcel identification number: 166-8996

Street address: Vacant Land abutting Silver Spring Drive and
North Port Washington Road
(Site 3, WEPCO)

~~PARCEL 3:
LANDS IN THE SOUTHEAST 1/4 OF SECTION 29, IN TOWNSHIP 8
NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE
COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:~~

~~COMMENCING AT A POINT 828.12 FEET NORTH OF THE SOUTHWEST
CORNER OF SAID 1/4 SECTION; THENCE EAST 395.56 FEET TO THE
MOST NORTHWEST CORNER OF CERTIFIED SURVEY MAP NO. 2778;
THENCE SOUTH ALONG THE WEST LINE OF SAID CERTIFIED SURVEY
MAP NO. 2778, 331.49 FEET; THENCE EAST ALONG THE SOUTH LINE OF
CERTIFIED SURVEY MAP NO. 2778, 131.13 FEET; THENCE SOUTH
ALONG THE WEST LINE OF PARCEL 2 OF CERTIFIED SURVEY MAP
NO. 3329, 165.79 FEET TO THE NORTHWEST CORNER OF MONROE
SUBDIVISION; THENCE WEST TO THE CENTER LINE OF NORTH PORT
WASHINGTON ROAD; THENCE NORTH ALONG SAID CENTER LINE TO
POINT OF COMMENCEMENT, EXCEPT THE WEST 60 FEET THEREOF.~~

~~PARCEL 4:
PARCEL 2 OF CERTIFIED SURVEY MAP NO. 2777, BEING A PART OF
THE EAST 1/5 OF THE WEST 2/5 OF THE SOUTH 10 ACRES OF
GOVERNMENT LOT 4 IN THE SOUTHEAST 1/4 OF SECTION 29, IN
TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE,
MILWAUKEE COUNTY, WISCONSIN, RECORDED MARCH 22, 1976, IN
REEL 915, IMAGES 719 TO 721 INCLUSIVE, AS DOCUMENT NO. 4987524.~~

PARCEL 5:

PARCEL 2 OF CERTIFIED SURVEY MAP NO. 2778, BEING A PART OF GOVERNMENT LOT 4, IN THE SOUTHEAST 1/4 OF SECTION 29, IN TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN, RECORDED MARCH 22, 1976 IN REEL 915, IMAGES 740 TO 742 INCLUSIVE, AS DOCUMENT NO. 4987538

For informational purposes only (Parcels 3, 4 and 5):

Parcel identification number: 166-8992-002

Street address: 5656-5670 North Port Washington Road
(Site 4, Blackstone Hotel Limited Partnership)

PARCEL 6:

LOTS 1, 2, 3 AND 4 IN BLOCK 1, INCLUDING THE VACATED ALLEY IN SAID BLOCK 1, IN MONROE SUBDIVISION, BEING A SUBDIVISION OF A PART OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN.

AND ALSO:

ALL EXCEPT THE WEST 104 FEET OF THE EAST 2 ACRES OF THE WEST 4 ACRES OF THE SOUTH 10 ACRES OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN. EXCEPTING THEREFROM THE SOUTHERLY 60 FEET.

For informational purposes only:

Parcel identification number: 166-1007

Street address: 400 West Silver Spring Drive
(Site 6, 400 West Center LLC)

PARCEL 7:

LOTS 3 AND 4, IN BLOCK 2, INCLUDING THE NORTH 1/2 OF VACATED ALLEY ADJOINING SAID PROPERTY ON THE SOUTH, IN MONROE SUBDIVISION, BEING A SUBDIVISION OF A PART OF THE SOUTHEAST 1/4 OF SECTION 29, IN TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN.

For informational purposes only:

Parcel identification number: 166-1010

Street address: 5634 North Mohawk Avenue
(Site 7, Walter G. Noeske)

PARCEL 8:

LOTS 5 AND 6 AND THAT PORTION OF THE VACATED ALLEY ADJOINING SAID LOTS ON THE WEST IN BLOCK 1, IN MONROE SUBDIVISION, BEING A SUBDIVISION OF A PART OF THE SOUTHEAST 1/4 OF SECTION 29, IN TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN.

For informational purposes only:

Parcel identification number: 166-1008
Street address: 5631 North Mohawk Avenue
(Site 10, 5631 Realty, LLC)

PARCEL 9:

LOTS 1 AND 2 IN BLOCK 2, IN MONROE SUBDIVISION, BEING A SUBDIVISION OF A PART OF THE SOUTHEAST 1/4 OF SECTION 29, IN TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN, INCLUDING THE SOUTH 1/2 OF VACATED ALLEY ADJOINING SAID PREMISES ON THE NORTH.

For informational purposes only:

Parcel identification number: 166-1009
Street address: 330 West Silver Spring Drive
(Site 11, Scott N. Levin)

PARCEL 10:

A PORTION OF THE EAST 4 ACRES OF THE SOUTH 10 ACRES OF GOVERNMENT LOT 4, IN THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE SOUTH LINE OF SAID 1/4 SECTION, 903.49 FEET EAST OF THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE NORTH 0 DEG. 19' 24" WEST PARALLEL TO THE EAST LINE OF THE WEST 1/2 OF SAID 1/4 SECTION, 60.00 FEET TO THE NORTH LINE OF WEST SILVER SPRING DRIVE ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 89 DEG. 40' 12" WEST ALONG THE NORTH LINE OF WEST SILVER SPRING DRIVE, 113.67 FEET TO THE EAST LINE OF THE MONROE SUBDIVISION; THENCE NORTH 0 DEG. 24' 16" WEST ALONG SAID EAST LINE, 271.83 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 10 ACRES OF

SAID GOVERNMENT LOT 4; THENCE NORTH 89 DEG. 37' 18" EAST,
114.06 FEET TO A POINT; THENCE SOUTH 0 DEG. 19' 24" EAST, 271.93
FEET TO THE POINT OF BEGINNING.

For informational purposes only:

Parcel identification number: 166-8999-003
Street address: 300 West Silver Spring Drive
(Site 8, Glen Bay Plaza LLC)

PARCEL 11:

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 2777 RECORDED IN THE
OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY,
WISCONSIN, ON MARCH 22, 1976 AS DOCUMENT NO. 4987524 ON
REEL 915 IMAGES 719 THROUGH 721, INCLUSIVE, BEING A PART OF
THE EAST 1/3 OF THE WEST 2/5 OF THE SOUTH 10 ACRES OF
GOVERNMENT LOT 4, IN THE SOUTHEAST 1/4 OF SECTION 29, IN
TOWNSHIP 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE,
MILWAUKEE COUNTY, WISCONSIN.

For informational purposes only:

Parcel identification number: 166-8001
Street address: 450 West Silver Spring Drive
(Site 5, Guaranty Savings & Loan Association)

Grantor: Community Development Authority of the City of Glendale
Grantee: Bayshore Town Center, LLC

EXHIBIT B
To Warranty Deed

Permitted Exceptions

1. Affidavit Regarding Storm Water Management Practices dated January 2, 2005 and recorded on January 7, 2005 as Document No. 8930298. Affidavit of Correction to an Affidavit Regarding Storm Water Management Practices dated March 23, 2005 and recorded on March 23, 2005, as Document No. 8979081, as to Parcels 1 and 2.

2. Utility easement granted by Wisconsin Electric Power Company to The City of Glendale by an instrument recorded on January 22, 1959 in Volume 3893 of Deeds, Page 221, as Document No. 3711612, as to Parcel 2.

3. Utility easement granted by Wisconsin Electric Power Company by an instrument dated January 17, 1956 and recorded on February 16, 1956 in Volume 3540 of Deeds, Page 517, as Document No. 3468541, as to Parcel 2.

4. Utility easement granted by Wisconsin Electric Power Company to State of Wisconsin, Department of Transportation, Division of Highways, by its Highway Commission by an instrument recorded on June 24, 1975 in Volume 860 of Deeds, Page 1, as Document No. 4924766, as to Parcel 2.

5. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company by an instrument recorded on October 31, 1961 in Reel 4189, Image 174, as Document No. 3914085, as to Parcel 4.

6. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company by an instrument recorded on December 27, 1962 in Reel 56, Image 727, as Document No. 3995808, as to Parcel 4.

7. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company by an instrument recorded on February 15, 1972 in Reel 635, Image 1743, as Document No. 4653727, as to Parcels 3, 4 and 5.

8. Reservation for street affecting the Northerly 10 feet of insured premises recorded March 3, 1972 in Real 638, Image 1974, as Document No. 4657515, as to Parcel 3.

9. Utility easement granted to Wisconsin Electric Power Company by an instrument recorded on March 30, 1975 in Reel 854, Image 1249, as Document No. 4918655, as to Parcel 3.

10. Utility easement granted to Wisconsin Electric Power Company by an instrument recorded on June 15, 1976 in Reel 934, Image 1751, as Document No. 5010197, as to Parcel 4.

11. Utility easement granted to Wisconsin Electric Power Company by an instrument recorded on December 23, 1977 in Reel 1076, Image 166, as Document No. 5172949, as to Parcel 5.

12. Easement for Water Main recorded October 18, 1977 in Reel 1058 Image 672, as Document No. 5151764, as to Parcels 3 and 5.

13. Easement for Storm Sewer and Water Main Lines recorded April 28, 1978 in Reel 1105 Image 370, as Document No. 5206518, as to Parcel 5.

14. Easement Declaration for Right of Way recorded April 28, 1978 in Reel 1105 Image 376, as Document No. 5206519, as to Parcels 3 and 5.

15. Cross Easement Agreement recorded October 6, 1983 in Reel 1574 Image 971, as Document No. 5659556, as to Parcels 3 and 5.

16. Utility easement granted to Wisconsin Electric Power Company by an instrument recorded on June 19, 1974 in Reel 792, Image 1508, as Document No. 4849632, as to Parcels 3 and 5.

17. Sixty foot non-exclusive Right of Way as shown on Certified Survey Map No. 2778, as to Parcels 3 and 5.

18. Reciprocal Easement contained in Warranty Deed recorded March 31, 1976 in Reel 917 Image 1160, as Document No. 4989895, as to Parcel 4.

19. Utility easement granted to Wisconsin Electric Power Company by an instrument recorded on April 4, 1985 as Document No. 5799622, as to Parcels 3 and 5.

20. Right of Way easement contained in an instrument recorded January 20, 1955 as Document No. 3362717, as to Parcels 3 and 5.

21. Easement granted to the City of Glendale recorded June 11, 1957, as Document No. 3584250, as to Parcel 4.

22. Easement granted to Wisconsin Telephone Company dated November 8, 1962, recorded January 24, 1963, Reel 66, Image 620 as Document No. 4001015. as to Parcel 6.

23. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company by an instrument dated January 18, 1963 and recorded on February 1, 1963 in Reel 69, Image 513, as Document No. 4002552, as to Parcel 6.

24. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company by an instrument dated January 18, 1963 and recorded on February 1, 1963 in Reel 69, Image 514, as Document No. 4002553, as to Parcel 6.

25. Utility easement granted to Wisconsin Electric Power Company by an instrument dated May 6, 1963 and recorded on May 17, 1963 in Volume 107 of Deeds, Page 666, as Document No. 4023804, as to Parcel 6.

26. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company by an instrument dated January 30, 1963 and recorded on February 8, 1963 in Reel 71, Image 638, as Document No. 4003734, as to Parcel 9.

27. Declaration of Ingress, Egress and Parking Easements dated December 20, 2002, recorded January 6, 2003 as Document No. 8423359, as to Parcel 10.

28. Utility easement granted to Wisconsin Electric Power Company by an instrument recorded on June 15, 1976 in Reel 934, Image 1749, as Document No. 5010196, as to Parcel 11.

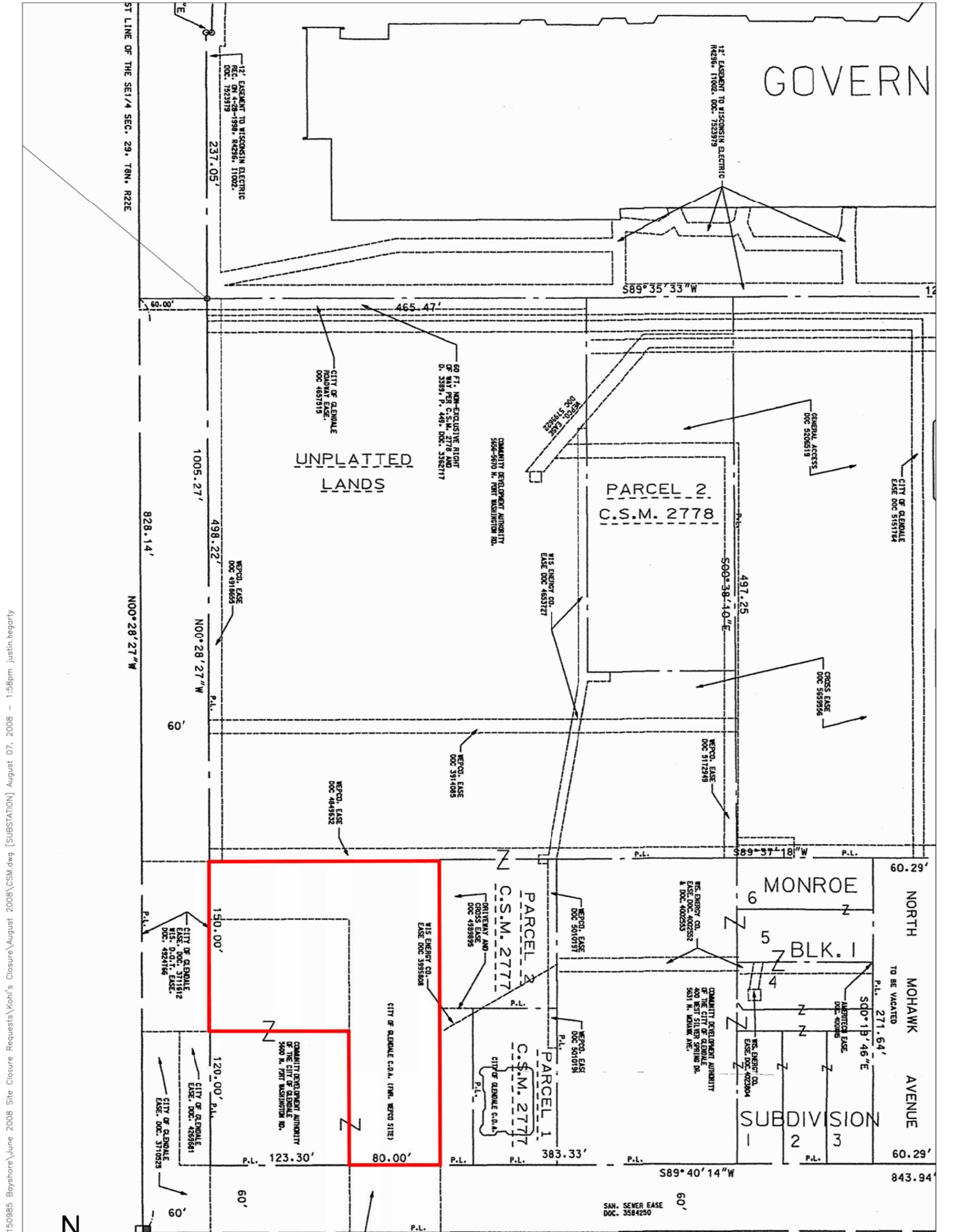
29. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company by an instrument recorded on February 15, 1972 in Reel 635, Image 1743, as Document No. 4653727, as to Parcel 11.

30. Covenants, conditions, easements and restrictions as set forth in Warranty Deed recorded March 31, 1976 in Reel 917 Image 1160, as Document No. 4989895, as to Parcel 11.

31. Terms and Conditions of Occupancy Agreement entered into by and between Community Development Authority of the City of Glendale and Guaranty Bank, f/k/a Guaranty Savings and Loan Association dated December 31, 2004 and recorded on January 17, 2005, as Document No. 8937058, as to Parcel 11.

32. The following matters as disclosed by survey dated November 23, 2004 and last revised June 28, 2005, prepared by HNTB Architects Engineers Planners, being Project No. 40404:

- a) Asphalt over various utility lines
- b) Overhead wires crossing subject property
- c) Watermain crossing subject property
- d) Underground gas lines crossing subject property
- e) Storm sewer crossing subject property
- f) Underground electric lines crossing subject property
- g) Underground telephone wires crossing subject property
- h) Sanitary sewer lines crossing subject property
- i) Any rights, title, interest or claim thereof to that portion of the land taken, used or granted for public streets, roads, highways and/or alley purposes.



GOVERN

UNPLATTED LANDS

PARCEL 2
C.S.M. 2778

MONROE
BLK. 1

PARCEL 2
C.S.M. 2777

PARCEL 1
C.S.M. 2777

NORTH MOHAWK AVENUE
TO BE VACATED

SUBDIVISION

W. SILVER

ST LINE OF THE SE 1/4 SEC. 29, T8N, R22E

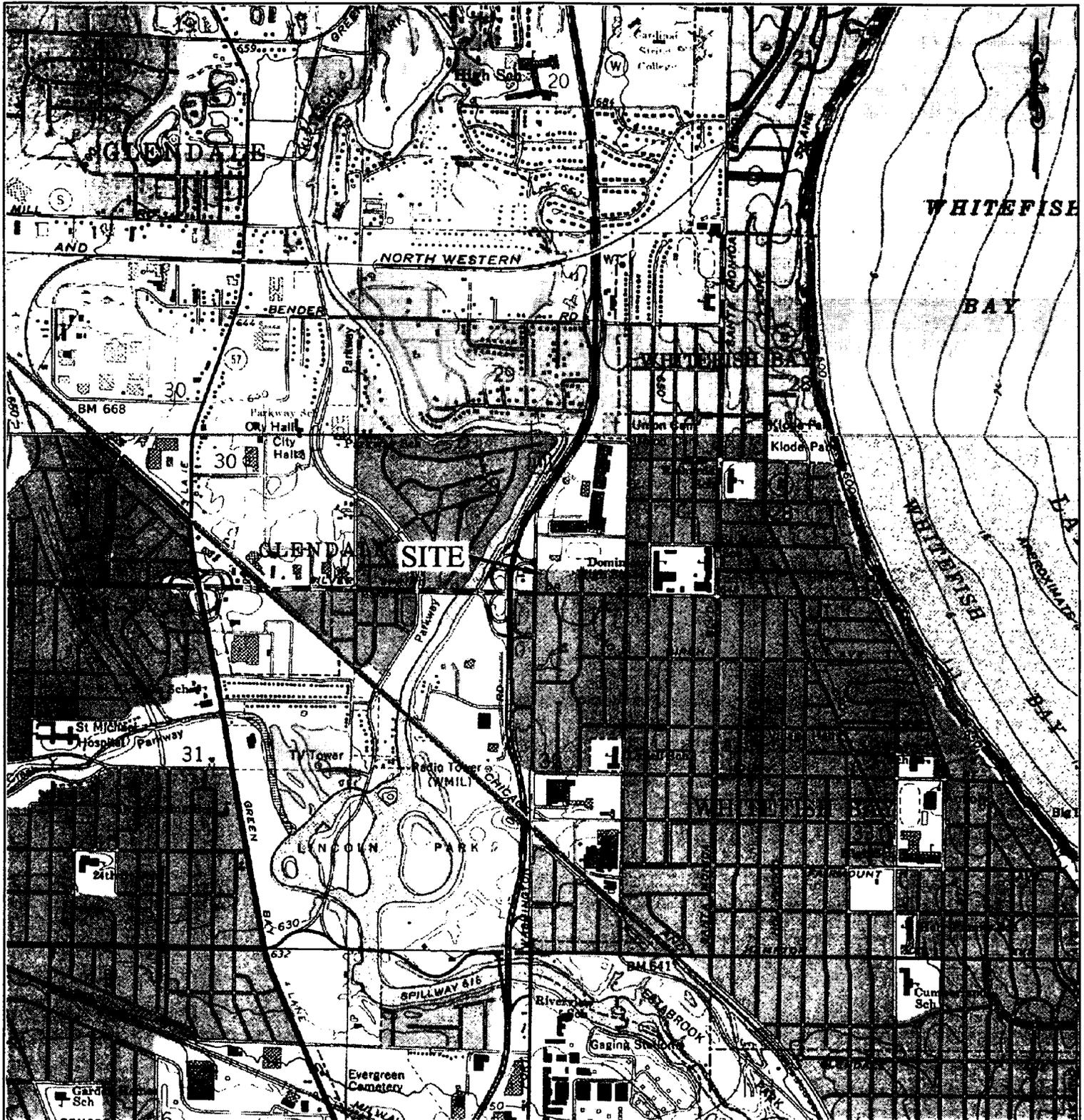
SW COR. OF SE 1/4 OF SEC. 29,
T8N, R22E - CONC. MON.



LEGEND
— SUBSTATION PROPERTY BOUNDARY

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR USE BY GZA'S CLIENT OR THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THE DRAWING. THE DRAWING SHALL NOT BE TRANSFERRED, REUSED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR MODIFICATION TO THE DRAWING BY THE CLIENT OR OTHERS, WITHOUT THE PRIOR WRITTEN EXPRESS CONSENT OF GZA, WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.

| NO. | ISSUE/DESCRIPTION | BY | DATE |
|---|-------------------------|-----------------|------------|
| CERTIFIED SURVEY MAP | | | |
| BAYSHORE TOWN CENTER GLENDALE, WISCONSIN | | | |
| PREPARED BY: GZA GeoEnvironmental, Inc. <i>Engineers and Scientists</i> 20500 SWENSON DRIVE, SUITE 150 WALKESHA, WISCONSIN 53188 (262) 754-2560 | | PREPARED FOR: | |
| PROJ MGR: JFK | REVIEWED BY: JCO | CHECKED BY: JFK | FIGURE |
| DESIGNED BY: SEF | DRAWN BY: JAH | SCALE: | H-1 |
| DATE: 8/1/08 | PROJECT NO.: 20.0150985 | REVISION NO.: | SHEET NO. |



SCALE IN FEET



0 2000'

SOURCE: USGS Milwaukee, Wisconsin Quadrangle Map
Topographic Map 1958
Photorevised 1971

© 2002 Key Engineering Group Ltd.

| | |
|--|-----------------------|
| DESIGNED BY CMH | DATE 10/04/02 |
| DRAWN BY CS | PROJECT 1108013.14 |
| APPROVED BY GLJ | SHEET NO. 1 |
| CADFILE @ VADP \1108013.14\110801314.dwg | |
| JREF LMAH | |

FIGURE 1
SITE LOCATION MAP

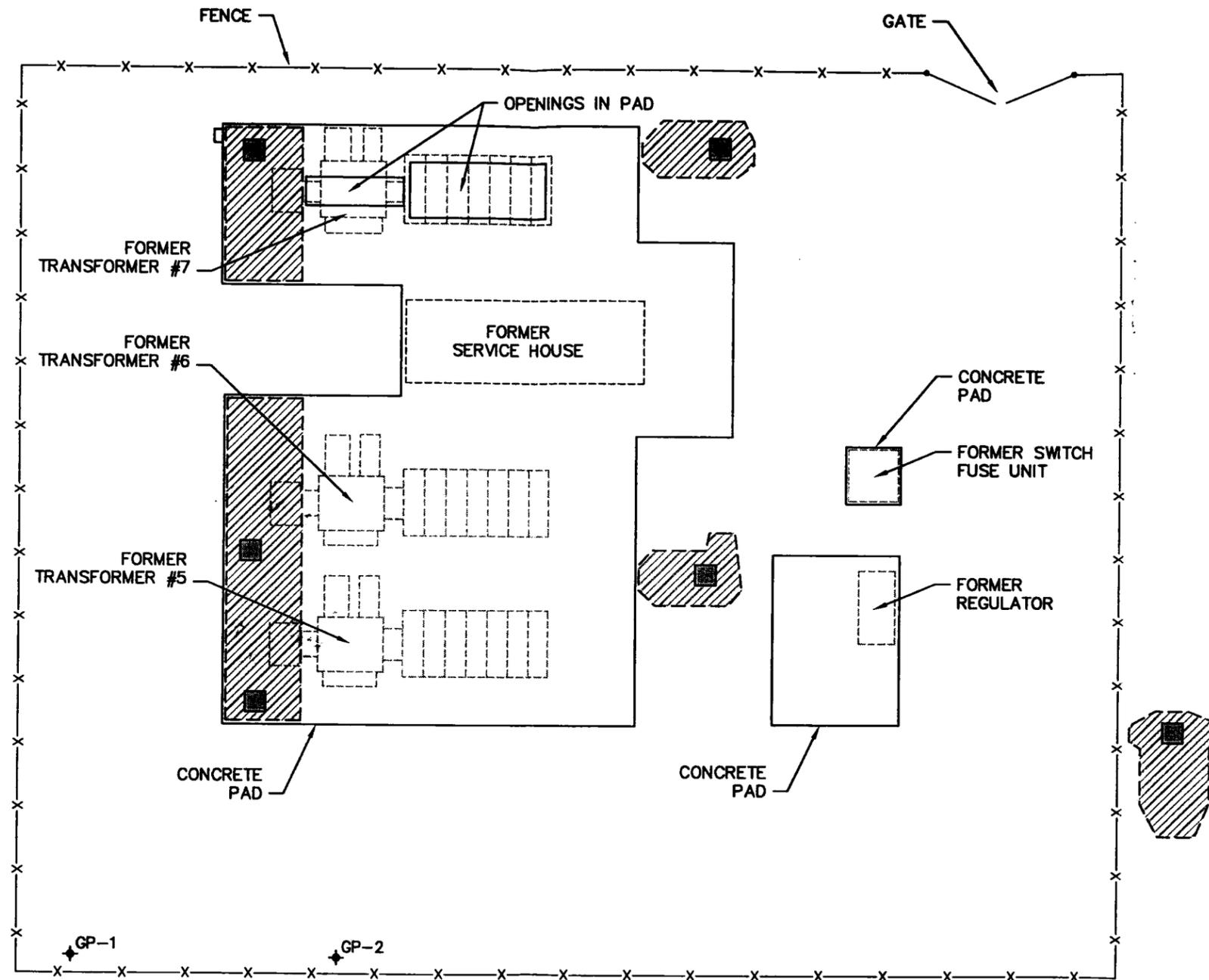
SILVER SPRING SUBSTATION
5630 NORTH PORT WASHINGTON ROAD
GLENDALE, WISCONSIN



NORTH PORT WASHINGTON ROAD

SIDEWALK

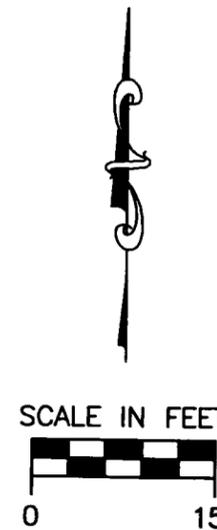
KOHL'S PARKING LOT



SILVER PORT SHELL SERVICE STATION (LUST SITE)

LEGEND

-  MANHOLE LOCATION
-  UNDERGROUND VAULT



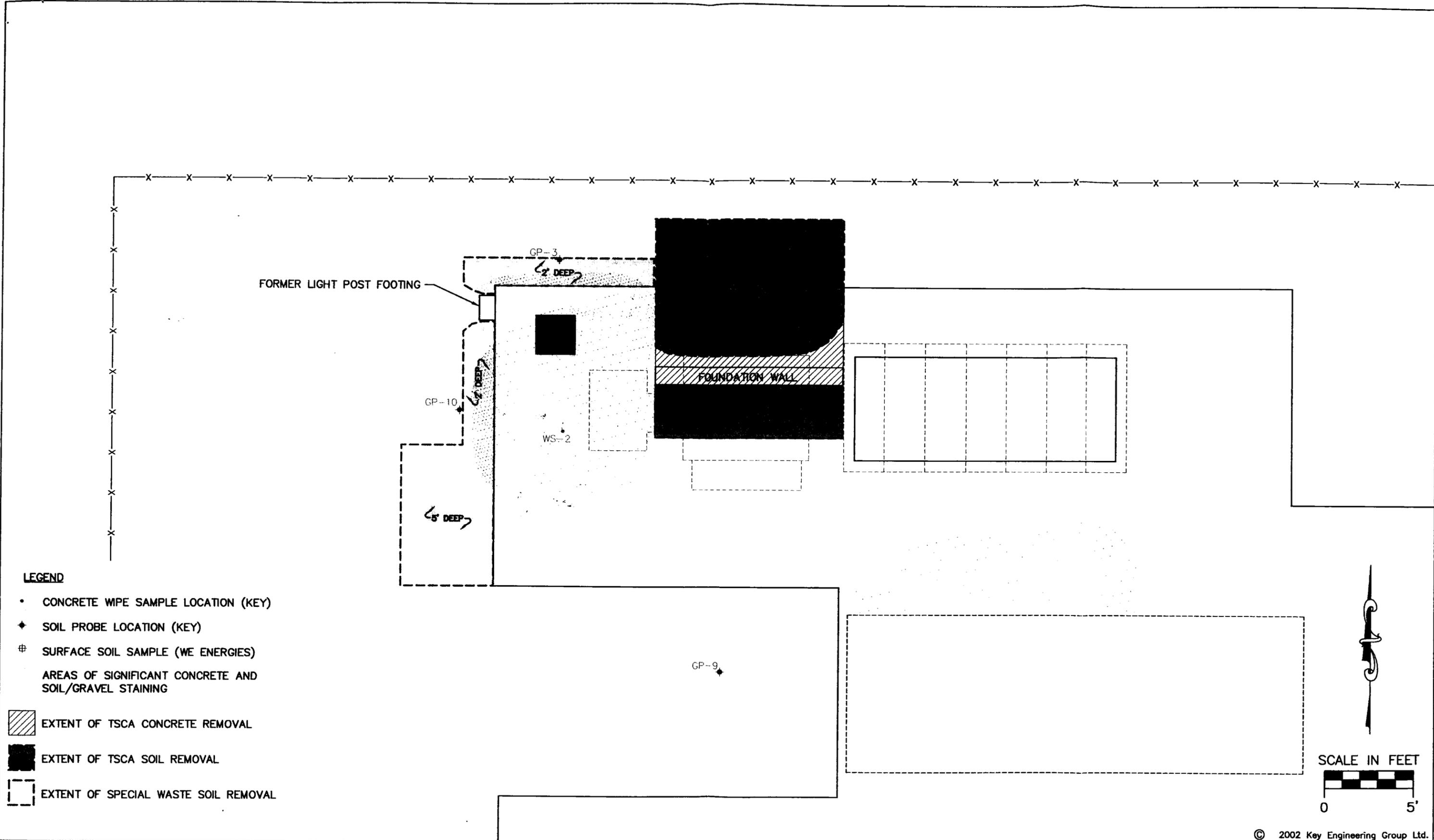
© 2002 Key Engineering Group Ltd.

| | |
|--|-----------------------|
| DESIGNED BY CMH | DATE 06/13/02 |
| DRAWN BY CS | PROJECT 1106013.14 |
| APPROVED BY GLJ | SHEET NO. 2 |
| CADFILE & VADAD\1106013.14\11060131-01.dwg | |
| USER LMAH | |

FIGURE 2
SITE LAYOUT

SILVER SPRING SUBSTATION
5630 NORTH PORT WASHINGTON ROAD
GLENDALE, WISCONSIN





LEGEND

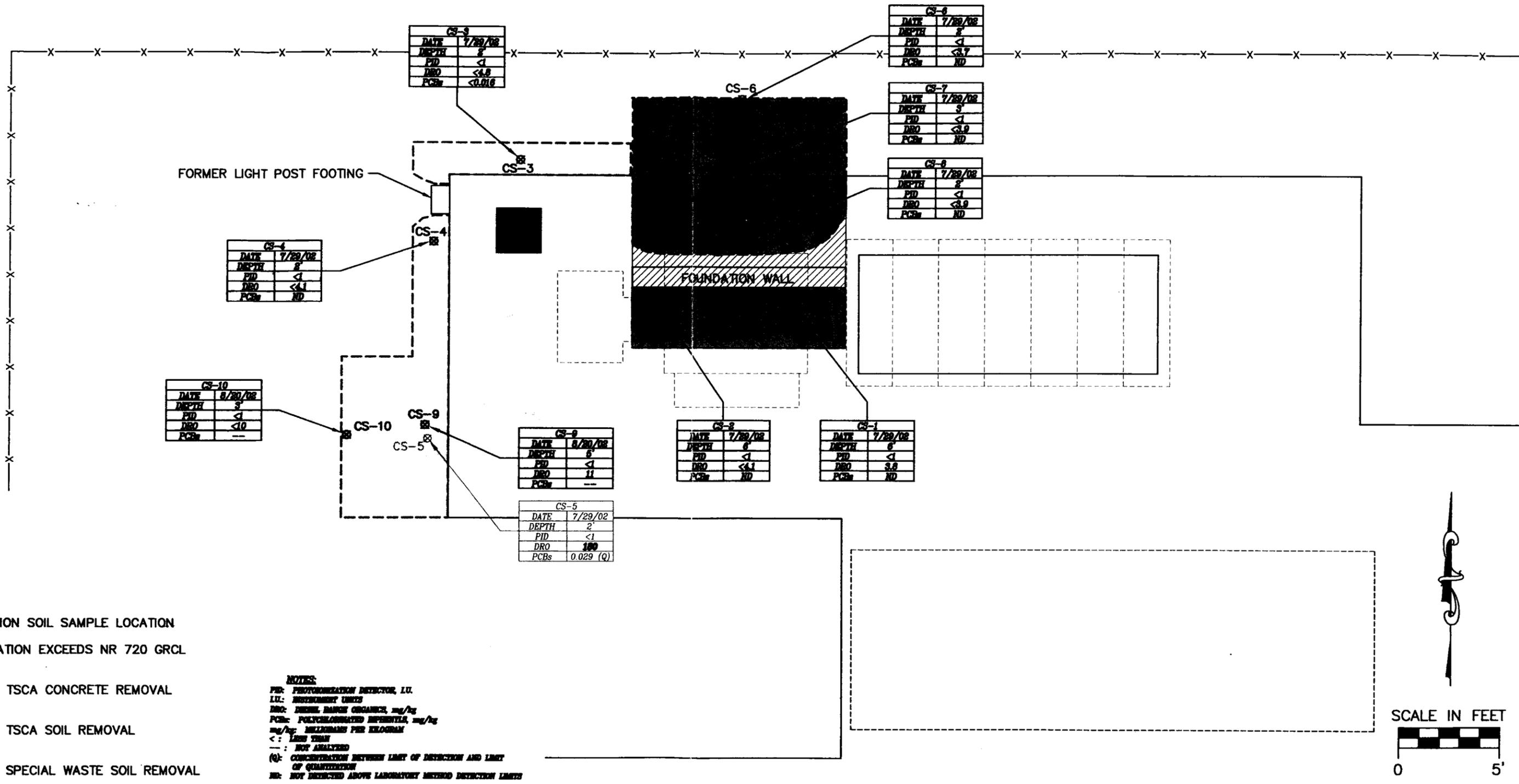
- CONCRETE WIPE SAMPLE LOCATION (KEY)
 - ◆ SOIL PROBE LOCATION (KEY)
 - ⊕ SURFACE SOIL SAMPLE (WE ENERGIES)
- AREAS OF SIGNIFICANT CONCRETE AND SOIL/GRAVEL STAINING
-  EXTENT OF TSCA CONCRETE REMOVAL
 -  EXTENT OF TSCA SOIL REMOVAL
 -  EXTENT OF SPECIAL WASTE SOIL REMOVAL

FIGURE 4
EXTENT OF CONCRETE AND SOIL REMOVAL
 SILVER SPRING SUBSTATION
 5630 NORTH PORT WASHINGTON ROAD
 GLENDALE, WISCONSIN

| | |
|--|-----------------------|
| DESIGNED BY CMH | DATE 10/14/02 |
| DRAWN BY CS | PROJECT 1106013.14 |
| APPROVED BY GLJ | SHEET NO. 4 |
| CADFILE & \CAD\1106013.14\110601314L.dwg | |
| XREF LMMH | |

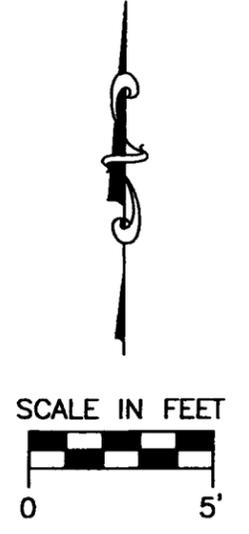
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- LEGEND**
- ⊗ CONFIRMATION SOIL SAMPLE LOCATION
 - ▨ CONCENTRATION EXCEEDS NR 720 GRCL
 - ▨ EXTENT OF TSCA CONCRETE REMOVAL
 - EXTENT OF TSCA SOIL REMOVAL
 - ⊡ EXTENT OF SPECIAL WASTE SOIL REMOVAL

NOTES:
 PID: PHOTOIONIZATION DETECTOR, I.U.
 LU: LUMINESCENCE UNITS
 DRO: DIENE RANGE ORGANICS, mg/kg
 PCBs: POLYCHLORINATED BI-PHENYLS, mg/kg
 mg/kg: MILLIGRAMS PER KILOGRAM
 < : LESS THAN
 --- : NOT ANALYZED
 (Q): CONCENTRATION BETWEEN LIMIT OF DETECTION AND LIMIT OF QUANTIFICATION
 ND: NOT DETECTED ABOVE LABORATORY METHOD DETECTION LIMITS



| | |
|--|-----------------------|
| DESIGNED BY CMH | DATE 10/14/02 |
| DRAWN BY CS | PROJECT 1106013.14 |
| APPROVED BY GLJ | SHEET NO. 5 |
| CADFILE & \ADMIN\1106013.14\1106013141.dwg | |
| XREF LMAN | |

FIGURE 5
 SUMMARY OF CONFIRMATION SOIL SAMPLE ANALYTICAL RESULTS
 SILVER SPRING SUBSTATION
 5630 NORTH PORT WASHINGTON ROAD
 GLENDALE, WISCONSIN

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KEY ENGINEERING GROUP L.T.D.
 ENVIRONMENTAL • CIVIL • RAILROAD

NOTES:
 DBO: DIESEL RANGE ORGANICS, mg/kg
 GBO: GASOLINE RANGE ORGANICS, mg/kg
 Pb: LEAD, mg/kg
 VOC: VOLATILE ORGANIC COMPOUNDS, mg/kg
 PAH: POLYCYCLIC AROMATIC HYDROCARBONS, mg/kg
 ANTE: ANTHRACENE, mg/kg
 B(a)A: BENZO(a)ANTHRACENE, mg/kg
 B(a)P: BENZO(a)PYRENE, mg/kg
 B(b)P: BENZO(b)FLUORANTHENE, mg/kg
 B(k)P: BENZO(k)FLUORANTHENE, mg/kg
 B(ghi)P: BENZO(ghi)PERYLENE, mg/kg
 B(ghi)P: BENZO(ghi)FLUORANTHENE, mg/kg
 CHRY: CHRYSENE, mg/kg
 B(a)A: BENZO(a,h)ANTHRACENE, mg/kg
 FLUA: FLUORANTHENE, mg/kg
 I(1,2,3-cd)P: INDENOPYRENE, mg/kg
 PER: PERANTHRENE, mg/kg
 PY: PYRENE, mg/kg
 PCB: POLYCHLORINATED BI-PHENYLS, mg/kg (SOIL SAMPLES) or mg/100cm² (WPE SAMPLES)
 mg/kg: MILLISEGRAMS PER KILOGRAM
 mg/m²: MICROGRAMS PER KILOGRAM
 mg/100cm²: MICROGRAMS PER 100 SQUARE CENTIMETERS
 <: LESS THAN
 -: NOT ANALYZED
 (Q): CONCENTRATION BETWEEN LIMIT OF DETECTION AND LIMIT OF QUANTIFICATION
 ND: NOT DETECTED ABOVE LABORATORY METHOD DETECTION LIMITS

LEGEND

- MANHOLE LOCATION
- CONCRETE WIPE SAMPLE LOCATION (KEY)
- ✦ SOIL PROBE LOCATION (KEY)
- ⊕ SURFACE SOIL SAMPLE OR CONCRETE VAULT SAMPLE (WE ENERGIES)
- ▨ AREAS OF SIGNIFICANT CONCRETE AND SOIL/GRAVEL STAINING
- ▨ CONCENTRATION EXCEEDS NON-INDUSTRIAL DIRECT CONTACT GRCL (SOIL)

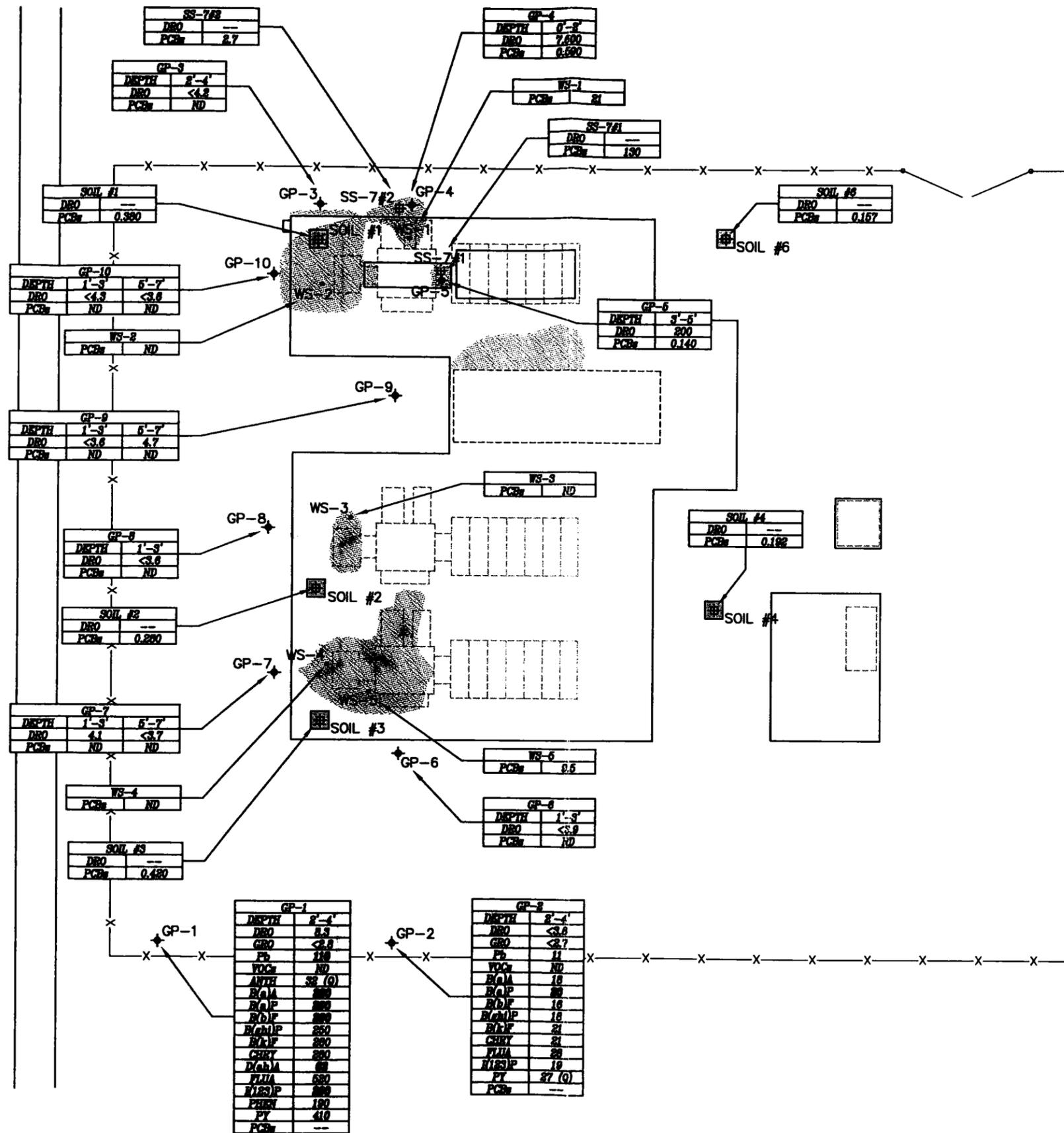


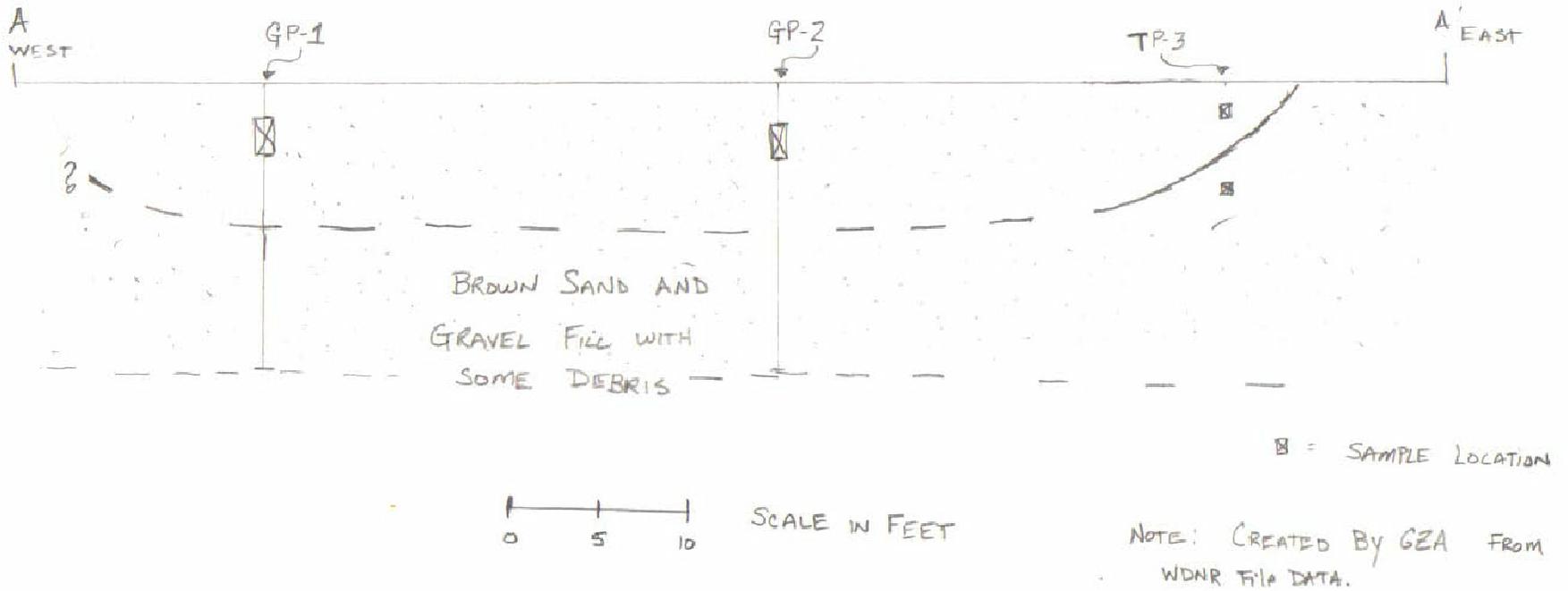
FIGURE 3
 SUMMARY OF INVESTIGATION SOIL AND WIPE SAMPLE ANALYTICAL RESULTS

SILVER SPRING SUBSTATION
 5630 NORTH PORT WASHINGTON ROAD
 GI FNDAL F WISCONSIN

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| | |
|---|-----------------------|
| DESIGNED BY CMH | DATE 06/13/02 |
| DRAWN BY CS | PROJECT 1108013.14 |
| APPROVED BY GLJ | SHEET NO. |
| CADFILE: \\CAD\1108013.14\11080131-41.dwg | |



PREPARED BY:  **GZA GeoEnvironmental, Inc.**
Engineers and Scientists

PREPARED FOR:

**GEOLOGIC X-SECTION
A TO A'**

| NO. | ISSUE/DESCRIPTION | BY | DATE |
|-----|-------------------|----|------|
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| PROJ MGR: JFK | DATE | FIGURE |
| DESIGNED BY: DPS | 6/16/08 | |
| REVIEWED BY: JFK | PROJECT NO. | 4 |
| DRAWN BY: DPS | 20.0150985.60 | |
| CHECKED BY: JFK | REVISION NO. | SHEET NO. |
| SCALE: | | |

**FORMER SUBSTATION
GLENDALE, WISCONSIN**

Table 1
Soil Analytical Results

| Parameters | Post-Excavation Closure Sample Identification | | | | | | | | | |
|------------------|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--|
| | CS-1 | CS-2 | CS-3 | CS-4 | CS-6 | CS-7 | CS-8 | CS-9 | CS-10 | |
| Date Collected | 7/29/2002 | 7/29/2002 | 7/29/2002 | 7/29/2002 | 7/29/2002 | 7/29/2002 | 7/29/2002 | 8/20/2002 | 8/20/2002 | |
| Depth (feet bgs) | 6 | 6 | 2 | 2 | 2 | 3 | 2 | 5 | 2 | |
| DRO (mg/kg) | 3.8 | <4.1 | <4.0 | <4.1 | <3.7 | <3.9 | <3.9 | 11 | 10 | |

| Parameters | Soil Sample Identification | | | | | |
|--------------------------|----------------------------|-----------|-----------|-----------|-----------|-----------|
| | GP-1 | GP-2 | TP-2 | | TP-3 | |
| Date Collected | 5/23/2002 | 5/23/2002 | 9/16/2003 | 9/16/2003 | 9/16/2003 | 9/16/2003 |
| Depth (feet bgs) | 2-4 | 2-4 | 1.5 | 6 | 1.5 | 6 |
| GRO (mg/kg) | <2.8 | <2.7 | NA | NA | NA | NA |
| DRO (mg/kg) | 8.3 | <3.8 | NA | NA | NA | NA |
| Lead | 110 | 11 | 11 | 3.4 | 56 | 5.5 |
| VOCs (ug/kg) | ND | ND | NA | NA | NA | NA |
| Acenaphthylene | ND | ND | ND | ND | 32 | ND |
| Anthracene | 32 Q | <13 | ND | ND | 68 | ND |
| Benzo (a) anthracene | 220 | 18 | 28 | 22 | 490 | ND |
| Benzo (a) pyrene | 290 | 20 | 32 | 25 | 600 | ND |
| Benzo (b) fluoranthene | 290 | 20 | 33 | 24 | 600 | ND |
| Benzo (ghi) perylene | 250 | 16 | 22 | 19 | 290 | ND |
| Benzo (k) fluoranthene | 280 | 21 | 29 | 23 | 500 | ND |
| Chrysene | 280 | 21 | 32 | 27 | 560 | ND |
| Dibenzo (a,h) anthracene | 63 | <12 | ND | ND | 98 | ND |
| Fluoranthene | 520 | 28 | 51 | 36 | 890 | ND |
| Indeno (1,2,3-cd) pyrene | 290 | 19 | 22 | 17 | 12 | ND |
| Phenanthrene | 190 | <12 | 16 | 9.7 | 290 | ND |
| Pyrene | 410 | 27 Q | 45 | 31 | ND | ND |
| Naphthalene | ND | ND | ND | ND | 12 | ND |

Notes:

1. Table compiled by GZA from information in Wisconsin Department of Natural Resources file for Site.
2. ug/kg = micrograms per kilogram; mg/kg = milligrams per kilogram.
3. NA= Sample was not analyzed for that parameter.
4. DRO = diesel range organics, GRO = Gasoline Range Organics, VOC = Volatile Organic Compounds
5. Q = detected between the limit of detection and limit of quantification
6. Data from TP-1 was not available.

Table 2
Groundwater Analytical Results

| | Sample Identification | | | |
|---------------------|-----------------------|---------|-----------|-----------|
| | GP-1 | GP-2 | TW-1 | TW-2 |
| Date Collected | 5/23/2002 | | 9/16/2003 | 9/16/2003 |
| Parameters | | | | |
| Lead (ug/l) | <0.39 | 3.5 | 4.7 | 16 |
| DRO (ug/l) | <100 | <100 | NA | NA |
| VOCs (ug/l) | ND | ND | NA | NA |
| GRO (ug/l) | <50 | <50 | NA | NA |
| Naphthalene | 0.041 Q | 0.039 Q | NA | NA |
| 2-Methylnaphthalene | <0.028 | 0.028 Q | NA | NA |

Notes:

1. Table compiled by GZA from information in Wisconsin Department of Natural Resources file for Site.
2. ug/kg = micrograms per kilogram; mg/kg = milligrams per kilogram.
3. NA= Sample was not analyzed for that parameter.
4. DRO = diesel range organics, GRO = Gasoline Range Organics, VOC = Volatile Organic Compounds
5. Q = detected between the limit of detection and limit of quantification
6. Data from TP-1 was not available.

July 11, 2008
File No. 20.0150985.60

Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212

Attention: Mr. John Hnat

Subject: Attached Legal Description
Former We Energies Substation
5630 North Port Washington Drive
Glendale, Wisconsin
BRRTS No. 02-41-305453

Dear Mr. Hnat:

Please find the attached legal description for the Former We Energies Substation property located at 5630 North Port Washington Drive in Glendale, Wisconsin. To the best of my knowledge, this legal description makes up the entire property within the impacted Site boundary and is being provided to you as part of the GIS Registry Packet.

Approved by Responsible Party

Bayshore Town Center, LLC,
a Delaware limited liability company

By: Baypar, LLC, its Managing Member

By:

