

35 PDF  
SCANNED  
RK

GIS REGISTRY INFORMATION

SITE NAME: The Equitable Bank Building  
 BRRTS #: 02-41-415354 FID # (if appropriate): 341071940  
 COMMERCE # (if appropriate): \_\_\_\_\_  
 CLOSURE DATE: 01/9/07  
 STREET ADDRESS: 2290 N. Mayfair Rd  
 CITY: Wauwatosa  
 SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 19036 Y= 289372

CONTAMINATED MEDIA: Groundwater  Soil  Both   
 OFF-SOURCE GW CONTAMINATION >ES:  Yes  No

IF YES, STREET ADDRESS 1: \_\_\_\_\_  
 GPS COORDINATES (meters in WTM91 projection): X= \_\_\_\_\_ Y= \_\_\_\_\_

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

IF YES, STREET ADDRESS 1: \_\_\_\_\_  
 GPS COORDINATES (meters in WTM91 projection): X= \_\_\_\_\_ Y= \_\_\_\_\_

CONTAMINATION IN RIGHT OF WAY:  Yes  No

DOCUMENTS NEEDED:

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



## 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  
PO Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8716  
TTY 414-263-8713

January 9, 2007

Mr. Robert B. Peregrine  
The Equitable Bank, S.S.B.  
2290 North Mayfair Road  
Wauwatosa, WI 53222

SUBJECT: Final Case Closure, The Equitable Bank, 2290 North Mayfair Road, Wauwatosa, Wisconsin, WDNR BRRTs # 02-41-415354, FID # 341071940

Dear Mr. Peregrine:

On January 9, 2007 the Department of natural Resources, Southeast Region reviewed your request for closure of the case described above. The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. On July 24, 2003 you were notified that the Department had granted conditional closure to this case pending the recording of a deed restriction which the Department now has a copy of the recorded deed on file.

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.

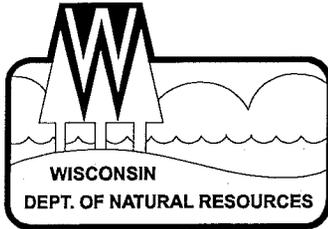
Please be aware that this case may be reopened pursuant to s. NR 726.05, Wis. Adm. Code if additional information regarding site conditions indicate that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

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 GIS Registry. To review the sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your 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://www.dnr.state.wi.us/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

Sincerely,

Binyoti F. Amungwafor  
Hydrogeologist

cc: Mr. Thomas C. Sweet, Moraine Environmental, Inc. /Case File



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Southeast Region  
Milwaukee Service Center  
2300 N. Dr. ML King Drive, PO Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8716  
TDD 414-263-8713

July 24, 2003

The Equitable Bank, Inc.  
2290 North Mayfair Road  
Wauwatosa, Wisconsin 53222

Subject: Conditional Case Closure, The Equitable Bank, 2290 North Mayfair Road,  
Wauwatosa, Wisconsin. WDNR BRRTS#02-41-415354; FID#341071940.

To Whom It May Concern:

We have reviewed the report entitled, "The Equitable Bank Building Site Investigation and Closure Report...", which is dated April 18, 2003 and was prepared and submitted on your behalf by your environmental consultant, Moraine Environmental, Inc. After review of the data provided, the department has determined that the hydraulic oil contamination on the site from the hydraulic hoist appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

### **WASTE AND SOIL PILE REMOVAL**

Any remaining waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Please send a letter advising me that any remaining waste and/or soil piles have been removed once that work is completed.

### **DEED RESTRICTION FOR CONTAMINATED SOIL**

To close this site, the Department requires a deed restriction be signed and recorded to address the issue of the remaining soil contamination associated with the site. The purpose of the restriction is to maintain a surface barrier over the remaining soil contamination to prevent it from impacting human health and the environment.

You will need to submit a draft deed restriction to me before the document is signed and recorded. You may find a model deed restriction enclosed for your use or visit our web site at [www.dnr.state.wi.us/org/rr](http://www.dnr.state.wi.us/org/rr). To assist us in our review of the deed restriction, you should submit a copy of the property deed to me along with the draft document. After the Department of Natural Resources has reviewed the draft document for completeness, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by Milwaukee County Register of Deeds. Then submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a deed restriction 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.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed. Your site will be listed on the



WHEREAS, it is the desire and intention of the property owners to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the property at the present time. The owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitations and / or restrictions:

Residual Diesel Range Organic contaminated soil remains in the area of the former leaking elevator hoist as shown on the attached figure (s) and table (s). The depth of residual contamination ranges from 14 feet below ground surface (bgs) to the maximum depth of investigation of 21 feet bgs. The property owner has selected a cover barrier of concrete and / or asphalt as the remedial option to limit potential direct contact with the residual petroleum contaminated soil. In addition, a building exists on the property and covers most concentrated residual soil contamination. The surface barrier shall be maintained across the property until; 1) the soil is actively remediated or 2) it can be shown that the soil has naturally degraded to levels shown to be protective of the environment and human health. If subsurface work is done on the property, all contaminated media encountered, shall be properly managed in accordance with applicable laws.

Any person who is, or becomes, owner of the property described above may request that the Wisconsin Department of Commerce, or its successor issue a determination that the restrictions set forth in this covenant are no longer required. That property owner shall provide any and all necessary information to the Department in order for the Department to be able to make a determination. Upon receipt of such a request, the Department shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction, or portions of this restriction are no longer binding. Any restrictions placed upon this property shall not be extinguished without the Department's written determination.

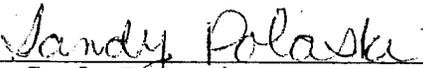
By signing this document, Robert B. Peregrine asserts that he is duly authorized to sign this document on behalf of The Equitable Bank, ~~INC.~~ S.S.B. 

IN WITNESS WHEREOF, the owner of the property have executed this Declaration of Restriction, this 12th day of January, 2004.

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

Printed Name: Mr. Robert B. Peregrine

Subscribed and sworn to before me this 12th day of January, 2004.

  
Sandy Polaski

Notary Public, State of Wisconsin

My commission expires September 18, 2005

This document prepared by : WDNR and Moraine Environmental, Inc.



REEL 2892 IMAGE 1307

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 1-1988  
WARRANTY DEED

THIS SPACE RESERVED FOR RECORDING DATE

6679517

This Deed, made between WEST AVENUE ASSOCIATES LP,  
a New Jersey Limited Partnership  
Grantor,  
and THE EQUITABLE BANK, S.S.B.  
Grantee,

REGISTER'S OFFICE  
Milwaukee County, WI } SS

RECORDED AT 8 10 PM

OCT 23 1992

REEL 2892 IMAGE 1307 1309

REGISTER 1992  
MILWAUKEE COUNTY

RETURN TO

Box 187

Witnesseth, That the said Grantor, for a valuable consideration  
conveys to Grantee the following described real estate in Milwaukee  
County, State of Wisconsin:

Tax Parcel No: 340-9996-001

THE LEGAL DESCRIPTION IS SET FORTH ON PAGE 2 HEREOF

TRANSFER  
\$ 2,700.00  
FEE

6679517  
RECORD 14.00  
RTX 2700.00

This is not homestead property.  
(If not)

Together with all and singular the benefits and appurtenances thereto belonging:  
And WEST AVENUE ASSOCIATES LP, a New Jersey Limited Partnership  
warrants that the title is good, indefeasible to its simple and free and clear of encumbrances except municipal  
and zoning ordinances and recorded easements for public utilities, recorded building  
restrictions and taxes from January 1, 1992,  
and will warrant and defend the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
SIGNATURES AND ACKNOWLEDGMENTS ARE SET FORTH ON PAGE 2 & 3 HEREOF

\_\_\_\_\_  
(SEAL)  
\_\_\_\_\_  
(SEAL)  
\_\_\_\_\_  
(SEAL)  
OCT 23 1992 (SEAL)

AUTHENTICATION

Signature(s) \_\_\_\_\_  
authenticated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not authorized by § 766.05, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
Attorney Robert B. Penegrine

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

County \_\_\_\_\_  
Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ the above named

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

Notary Public \_\_\_\_\_ County, Wis.  
My Commission expires \_\_\_\_\_ (if not same expiration date) \_\_\_\_\_ 10\_\_\_\_

102 3296

Handwritten: NW 20-7-21

Handwritten: 6679517

(14) Of real estate  
(15) Under a lien  
Between a co-  
spouse or lien  
any interest in 40  
years. U.S.  
any U.S. citizen  
any U.S. citizen  
any U.S. citizen

LEGAL DESCRIPTION

Commencing at the Northwest corner of Section 20, Town 7 North, Range 21 East, City of Wauwatese, County of Milwaukee, State of Wisconsin; thence South 00° 00' 00" East along the West line of said 1/4 Section 400.00 feet to a point; thence North 89° 17' 00" East and parallel to the North line of said 1/4 Section 60.00 feet to the point of beginning of the land to be described; thence North 00° 00' 00" East and parallel to the West line of said 1/4 Section 103.36 feet to a point; thence North 41° 29' 00" East 140.95 feet to a point; thence North 77° 27' 00" East 63.04 feet to a point of beginning of curvature; thence Northeasterly 36.23 feet along the arc of a curve whose center lies to the Southeast whose radius is 1049.06 feet and whose chord bears North 78° 19' 11" East 36.23 feet to a point; thence South 00° 00' 00" East and parallel to the West line of said Section 252.09 feet to a point; thence North 90° 00' 00" East and perpendicular to the West line of said 1/4 Section 100.00 feet to a point; thence South 00° 00' 00" East and parallel to the West line of said 1/4 Section 58.07 feet to a point; thence South 09° 17' 00" West and parallel to the North line of said 1/4 Section, 310.00 feet to the point of beginning, except the West 66 feet of the North 400 feet of said Northwest 1/4.

Tax Key No. 360-9993-001

Address: 10727 West North Avenue

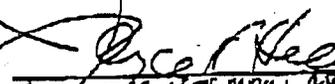
SIGNATURES AND ACKNOWLEDGMENTS

WEST AVENUE ASSOCIATES LP, a New Jersey Limited Partnership

BY: KENBEE MANAGEMENT, INC.,  
General Partner

  
ROBERT J. LO SCHIAVO, President  
VICE

ATTEST

  
JOYCE HELMAR, ASST. Secretary

BY:   
Roger D. Starn, General Partner

REEL 2892 IMAGE 1309

CORPORATE ACKNOWLEDGMENT

STATE OF NEW JERSEY )  
BELDEN COUNTY ) ss.

Personally came before me this 10th day of OCTOBER 1992, ROBERT W. ROSCIANO Vice President and JOYCE HELLMAN Secretary of Kanbee Management, Inc., a General Partner of West Avenue Associates LP, to me known to be the persons who executed the foregoing instrument and to me known to be the President and Secretary of Kanbee Management, Inc. and acknowledged that they executed the foregoing and attached instrument as such officers as the deed of the corporation by its authority as a General Partner of said limited partnership.

Dawn M. Meyer

SEAL

Notary Public, State of NJ  
My Commission expires: 10/17/93

DAWN M. MEYER  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Oct 17, 1993

INDIVIDUAL ACKNOWLEDGMENT

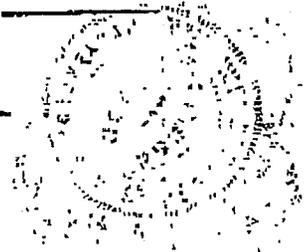
STATE OF NEW YORK )  
NEW YORK COUNTY ) ss.

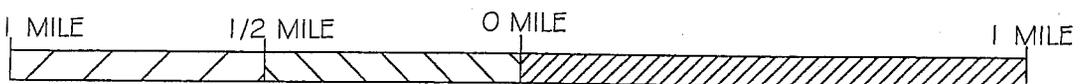
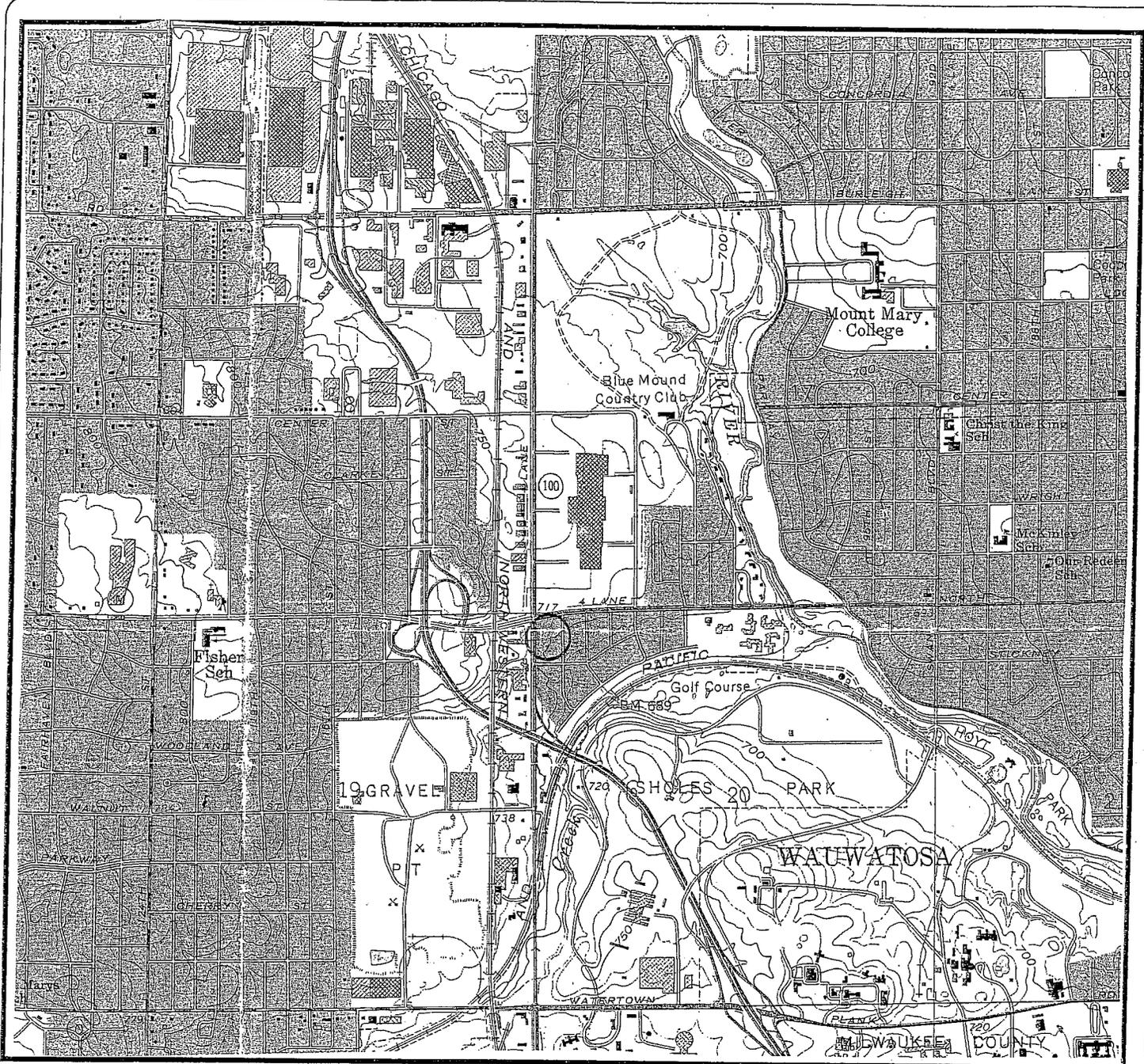
Personally came before me this 10th day of OCTOBER 1992, Roger D. Stern, one of the General Partners of West Avenue Associates LP, a New Jersey Limited Partnership, to me known to be the person who executed the foregoing and attached instrument and acknowledged that he has executed the foregoing and attached instrument as such general partner as the deed of said partnership by its authority.

SEAL

Joyce Hellman  
Notary Public, State of \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

JOYCE HELLMAN  
Notary Public, State of New York  
No. 91-4873188  
Qualified in New York County  
Commission Expires July 27, 1994





ADAPTED FROM USGS 7.5 Wauwatosa QUADRANGLE  
 (PHOTOREVISED 1971)  
 (PHOTOINSPECTED 1976)



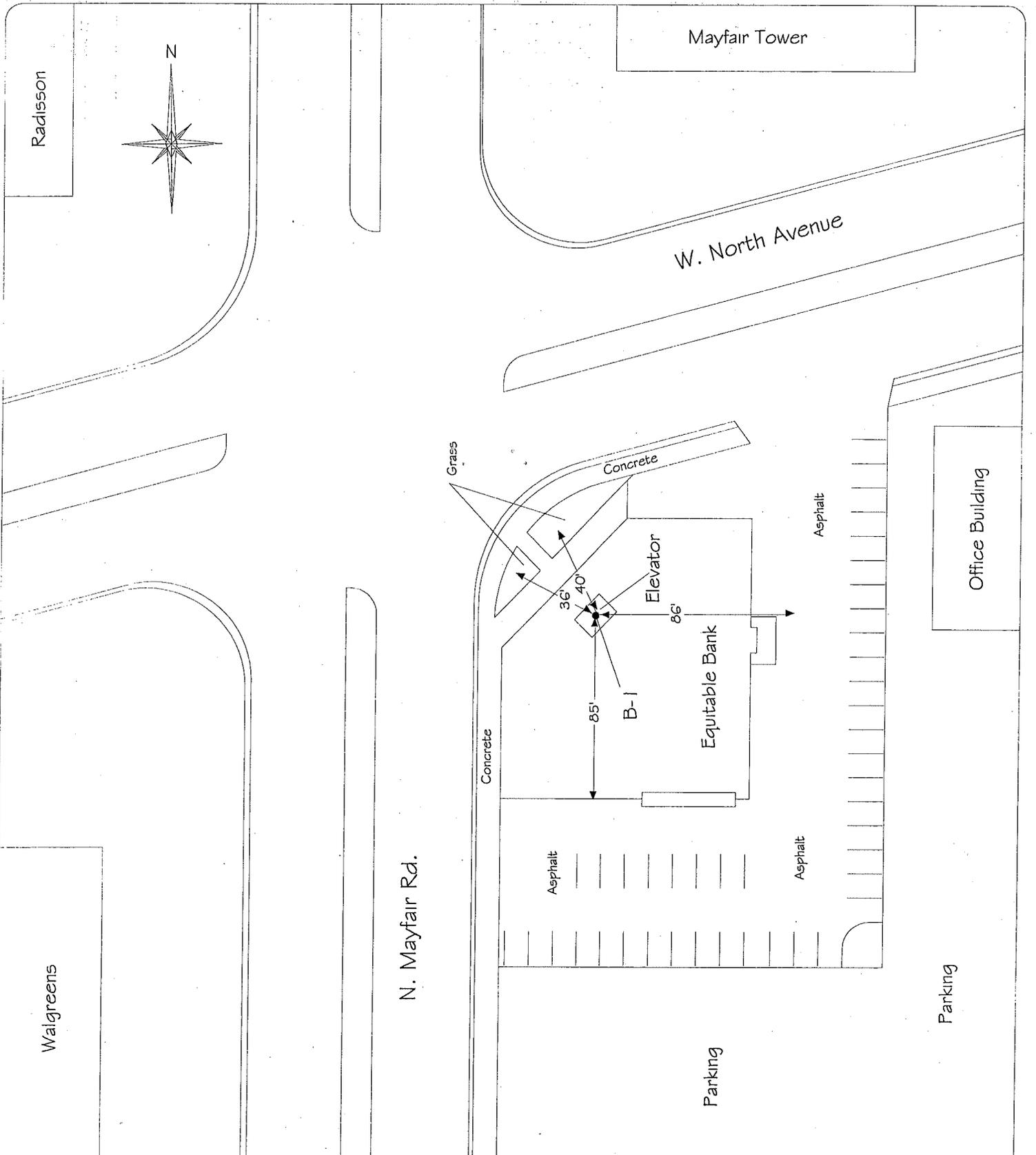
Legal Description:  
 City of Wauwatosa, WI  
 NW 1/4 NW 1/4  
 Section 20 T7 N  
 Range 20 East  
 Milwaukee County, WI

Site Map: Equitable Bank

Figure 1

Moraine Environmental, Inc.  
 Environmental Management Services

1234 12th Avenue Grafton, WI 53024-1924  
 262-377-9060 / Fax 262-377-9770



Scale: 1 Inch = 60 Feet

Drawn By: Andrew Malsom

Date: 2/4/03

Project Ref. No: 2374

\*Note: Not a legal survey, adapted from field notes

Equitable Bank Building  
Site Plan

Figure 2

Moraine Environmental, Inc.  
Environmental Management Services

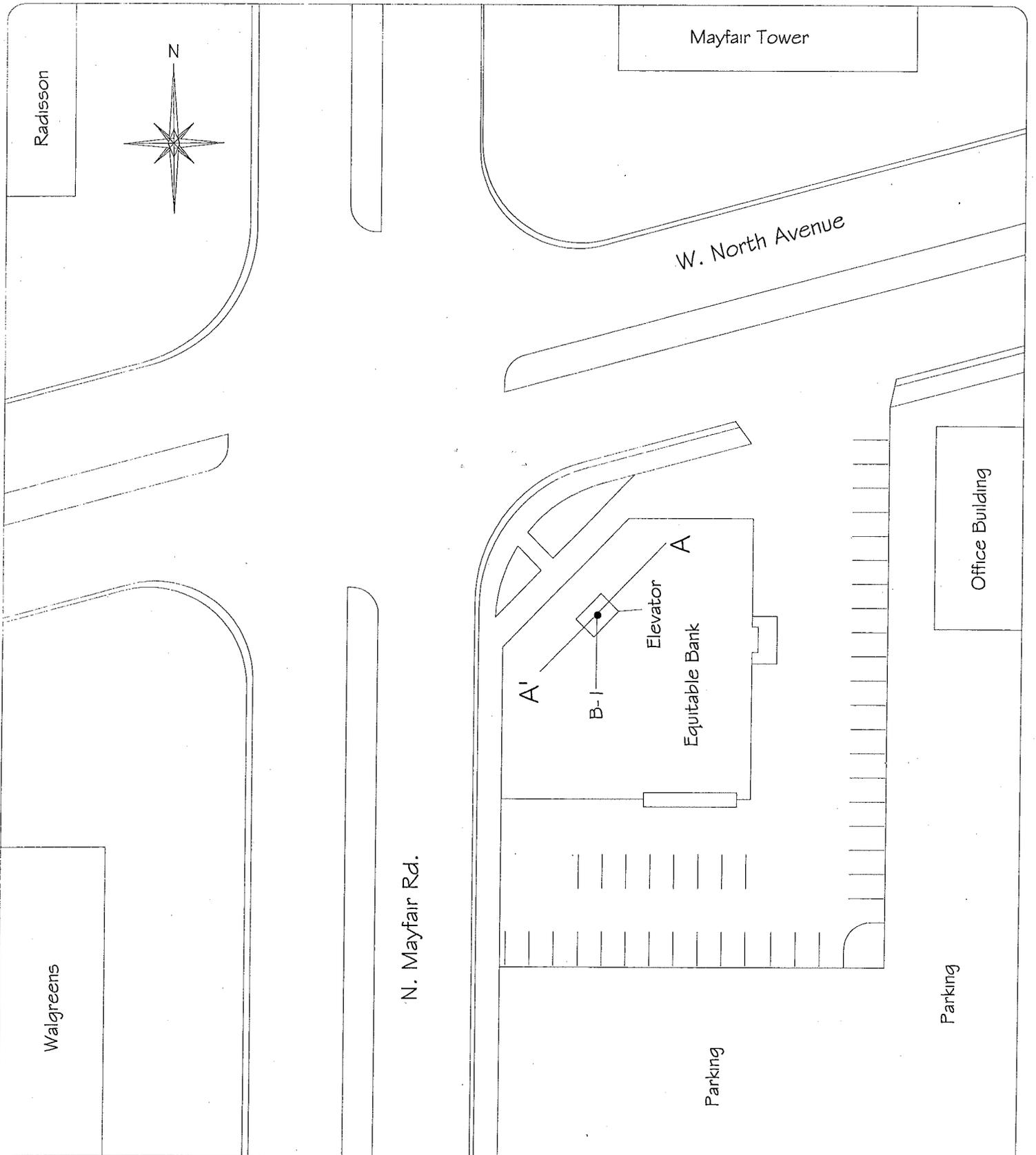


1234 12th Avenue Grafton, WI 53024-1924  
262-377-9060 / Fax 262-377-9770

**TABLE 1**  
**SOIL QUALITY RESULTS - GEOPROBE SOIL BORING**  
**The Equitable Bank Inc.**  
**2290 N. Mayfair Rd, Wauwatosa, WI - PROJECT #2374**

Location	Date Collected	Depth (feet bgs)	DRO (mg/kg)	VOC ug/kg
B-1	2/4/03	14-15'	<b>820</b>	ND
B-1	2/4/03	15-17'	<b>860</b>	ND
B-1	2/4/03	17-19'	7.3	ND
B-1	2/4/03	19-21'	26	ND
NR 720 Soil Standards	X		250*	
COMM 46 / NR 746 Table 1 Soil Standards			NSE	

Notes: All values expressed in ug/kg (micrograms per kilogram) unless otherwise noted  
mg/kg = milligrams per kilogram  
\* = DRO standards for non - permeable soils ( $K > 10E-6$  cm/s)  
**Bold** results indicate compound concentrations exceed NR 720 standards  
Q = value detected between the limit of qualification (LOQ) and the limit of detection (LOD)  
k = detection limit may be elevated due to the presence of an unrequested analyte  
ND = Not Detected  
NSE - No Standard Established



Scale: 1 Inch = 60 Feet

Drawn By: Andrew Malsom

Date: 2/4/03

Project Ref. No: 2374

\*Note: Not a legal survey, adapted from field notes

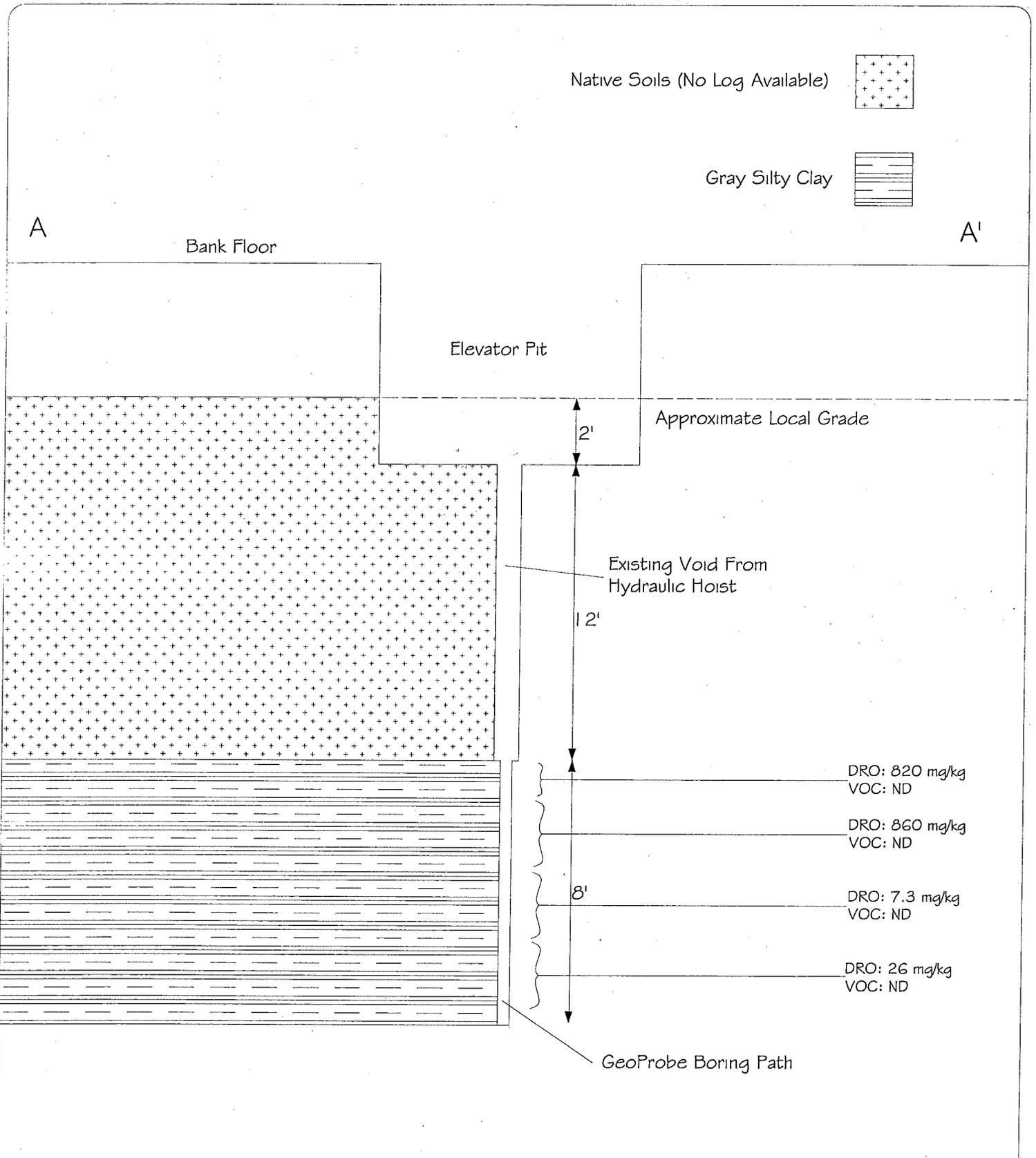
Equitable Bank Building  
Cross-Section Reference Map

Figure 3

Moraine Environmental, Inc.  
Environmental Management Services



1234 12th Avenue Grafton, WI 53024-1924  
262-377-9060 / Fax 262-377-9770



Graphic Scale  
0' 4'

Scale: 1 Inch = 4 Feet

Drawn By: Andrew Malsom

Date: 7/11/02

Project Ref. No: 1429

\*Note: Not a legal survey, adapted from field notes

Elevator Pit / Bore Path Cross-Section

Figure 4

Moraine Environmental, Inc.  
Environmental Management Services

1234 12th Avenue Grafton, WI 53024-1924  
262-377-9060 / Fax 262-377-9770