



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
Telephone 414-263-8500
FAX 414-263-8606
TTY 711

May 29, 2008

In Reply, Refer to: FID# 341127270
BRRTS# 02-41-546661
BRR/ERP

Mr. Kelly Denk
161 First LLC
161 South First Street, Suite 400
Milwaukee, WI 53204

SUBJECT: Final Case Closure with Land Use Limitations or Conditions for the Vacant Parcels 1 & 2 Site, 161 – 169 S 1st Street, Milwaukee, WI

Dear Mr. Denk:

On May 28, 2008, the Wisconsin Department of Natural Resources (Department) reviewed the above referenced case for closure. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

This case is related to volatile organic compounds (VOCs), Polycyclic Aromatic Hydrocarbons (PAHs) and lead that were detected in soil during investigation activities at the site. Approximately 5235 tons of contaminated soil were excavated and disposed at a landfill. Additional soil contamination remains in place in two locations. Approximately 125 cubic yards remain in the railroad right of way between depths of 2 to 11 feet. Approximately 27 cubic yards remain in the South First Street right of way between depths of 2 to 6 feet.

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.

GIS Registry

The conditions of case closure set out below in this letter require that your site 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

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 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://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. 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.

Remaining Residual Soil Contamination

Residual soil contamination remains at the locations described above as indicated in the information submitted to the Department of Natural Resources. If soil in the 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.

Groundwater above Preventative Action Levels (PAL)

Recent groundwater monitoring data at this site indicates exceedances of the NR 140 preventive action limit (PAL) for the following substances: benzene and di (2-ethylhexyl) phthalate at the temporary monitoring well constructed at B3, but compliance with the NR 140 enforcement standards for these substances. The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application.
4. Any existing or projected increase in the concentration of the substance above the background concentration 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 or will be met because of the remedial actions taken at the site and the presence of an impervious barrier limiting future infiltration at the site. Therefore, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, an exemption to the PAL is granted for the following substances: benzene and di(2-ethylhexyl)phthalate at B3. This letter serves as your exemption.

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 Andy Boettcher at (414) 263-8541.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew F. Boettcher". The signature is fluid and cursive, with the first name being the most prominent.

Andrew F Boettcher
Hydrogeologist – RR/SER

Cc: Scott Hodgson, Terracon Consultants, Inc. 3011B E Capitol Drive, Appleton, WI 54911

Document Number

LIMITED WARRANTY DEED



DOC.# 09238494

Name and Return Address:
161 First, LLC
614 North Broadway
Milwaukee, WI 53202

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 05/19/2006 12:37PM

Tax Key No.: 428-0235-000-1 & 428-0236-000-7 (replaced by Key No. 428-0235-100)

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT: 13.00

This transaction is exempt from the Wisconsin Real Estate Transfer Fee and Transfer Return pursuant to Sec. 77.25 (2) of the Wisconsin Statutes.

Recording Area

THIS INDENTURE, Made this 21st Day of May, 2006, between the CITY OF MILWAUKEE, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Milwaukee, Wisconsin (hereinafter, "Grantor"), and 161 FIRST, LLC, a limited liability company organized under the laws of the State of Wisconsin (hereinafter, "Grantee").

WITNESSETH, That the Grantor, for and in consideration of the sum of **One Hundred Forty Five and No/100ths Dollars (\$145,000.00)** ad other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released, conveyed and confirmed, and by these presents does give, grant, bargain, sell, remise, release, does convey and confirm unto the Grantee, its successors and assigns forever, the following described real estate, situated in the City of Milwaukee and County of Milwaukee, State of Wisconsin (hereinafter, the "Property"):

Parcel 1:

The South 1/2 of Lot 5 in Block 5 in Walker's Point, in the Northeast 1/4 of Section 32, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, except a strip or parcel off the West end of the South 1/2 of said Lot, said strip being 27 feet in width on the South line and 23.17 feet in width on the North line.

Address: 161-63 South 1st Street

Parcel 2:

The East 70 feet of Lot 6, in Block 5 in Walker's Point, in the Northeast 1/4 of Section 32, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Address: 165-69 South 1st Street

The above-described parcels shall be joined together so as to create a single parcel to be used as a unit that cannot be divided without the approval of the Common Council of the City of Milwaukee so as to satisfy the building code requirements of the City of Milwaukee.

This is a Limited Warranty Deed. The Property conveyed pursuant to this Limited Warranty Deed is conveyed by the Grantor to the Grantee on an **AS-IS, WHERE-IS** basis with no representations or warranties whatsoever. Notwithstanding the foregoing, the Grantor warrants that the title is good, indefeasible in fee simple, and free and clear of encumbrances except, and subject to:

1. The terms and conditions of an Agreement for Sale entered into on May ~~11~~¹⁹, 2006, which was recorded with the Office of the Register of Deeds on May ~~19~~¹⁹, 2006 as Document Number ~~09238493~~⁰⁹²³⁸⁴⁹⁴ and which provides for reversion of title in the event of default by the Grantee;
2. Applicable statutes, orders, rules and regulations of the Federal Government and State of Wisconsin, and laws and ordinances of the City of Milwaukee, including zoning, building and land subdivision laws and regulations;
3. Matters that would be revealed by an ALTA survey and/or inspection of the Property;
4. The restriction above joining the Property for building permit purposes;

5. Any recorded or unrecorded rights or interests of any utility or other party of any vacated public right-of-way or right-of-way to be vacated at the Property, including, but not limited to any rights of any parties under Wis. Stat. 80.32(4);

6. Any matters or interest created by or through anyone other than the Grantor.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges as thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the Grantee, its successors and assigns forever, but subject to the terms and conditions hereinbefore set forth in this Limited Warranty Deed, and the Grantor will forever warrant and defend.

IN WITNESS WHEREOF, the Grantor, has caused these presents to be signed by Elaine M. Miller, its Special Deputy Commissioner of the Department of City Development, at Milwaukee, Wisconsin, this 19th Day of May, 2006.

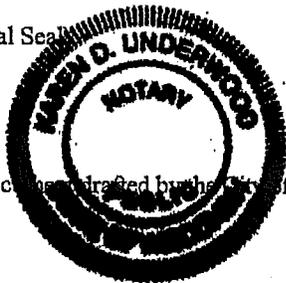
CITY OF MILWAUKEE

By *Elaine M. Miller*
Elaine M. Miller, Special Deputy Commissioner
Department of City Development

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

Personally came before me this 19th Day of May, 2006, Elaine M. Miller, Special Deputy Commissioner, to me known to be the person who executed the foregoing instrument and acknowledged that she executed the foregoing instrument pursuant to Resolution File No. 040331 adopted by its Common Council on July 27, 2004.

(Notarial Seal)



Karen D. Underwood
Notary Public
Milwaukee County, Wisconsin
My commission *expires July 26, 2009*

This document was drafted by the City of Milwaukee, Department of City of Development (Miller).

W. SEEBOTH ST.
75' PUBLIC R.O.W.

PLAT OF SURVEY WITH TOPOGRAPHIC DATA

KNOWN AS 161-169 SOUTH 1ST STREET, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN

PARCEL 1
PART OF THE SOUTH 25 FEET OF LOT 5 EXCEPTING THE RIGHT-OF-WAY IN BLOCK 5 OF WALKER'S POINT SUBDIVISION, BEING IN THE NORTHEAST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 22 EAST IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 2
THE EAST 70 FEET OF LOT 6 IN BLOCK 6 OF WALKER'S POINT SUBDIVISION, BEING IN THE NORTHEAST 1/4 OF SECTION 7, TOWN 7 NORTH, RANGE 22 EAST IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

AUGUST 21, 2004 VETTER DENK PROPERTIES, LLC SURVEY NO. 161885-RMK

STARTING BM. CITY STANDARD NO. 101, N. PLANKINTON @ MENOMONEE RIVER
E'LY OF SOO LINE R.R. BRIDGE OVER RIVER S'LY OF N. CONCRETE ABUTMENT,
SE'LY CORNER OF CONCRETE W.U.T.C. VAULT (U.S. ARMY CORPS OF ENGINEERS).
EL= 6.50

NOTES:

- LEGAL DESCRIPTION WAS OBTAINED FROM THE CITY OF MILWAUKEE ASSESSORS OFFICE WHICH MAY NOT BE CURRENT, ACCURATE OR COMPLETE.
- EASEMENTS, IF ANY, ARE NOT SHOWN.
- ELEVATIONS ARE BASED ON THE DATUM OF THE CITY OF MILWAUKEE.

I Certify that I have surveyed the above described property (Property), and the above map is correct to the best of my professional knowledge and belief and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements and roadways and visible encroachments, if any. This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title thereto, within one (1) year from date hereof.

STEPHAN G. SOUTHWELL
REGISTERED WISCONSIN LAND SURVEYOR 5-1939

National Survey & Engineering
A Division of R.A. Smith & Associates, Inc.

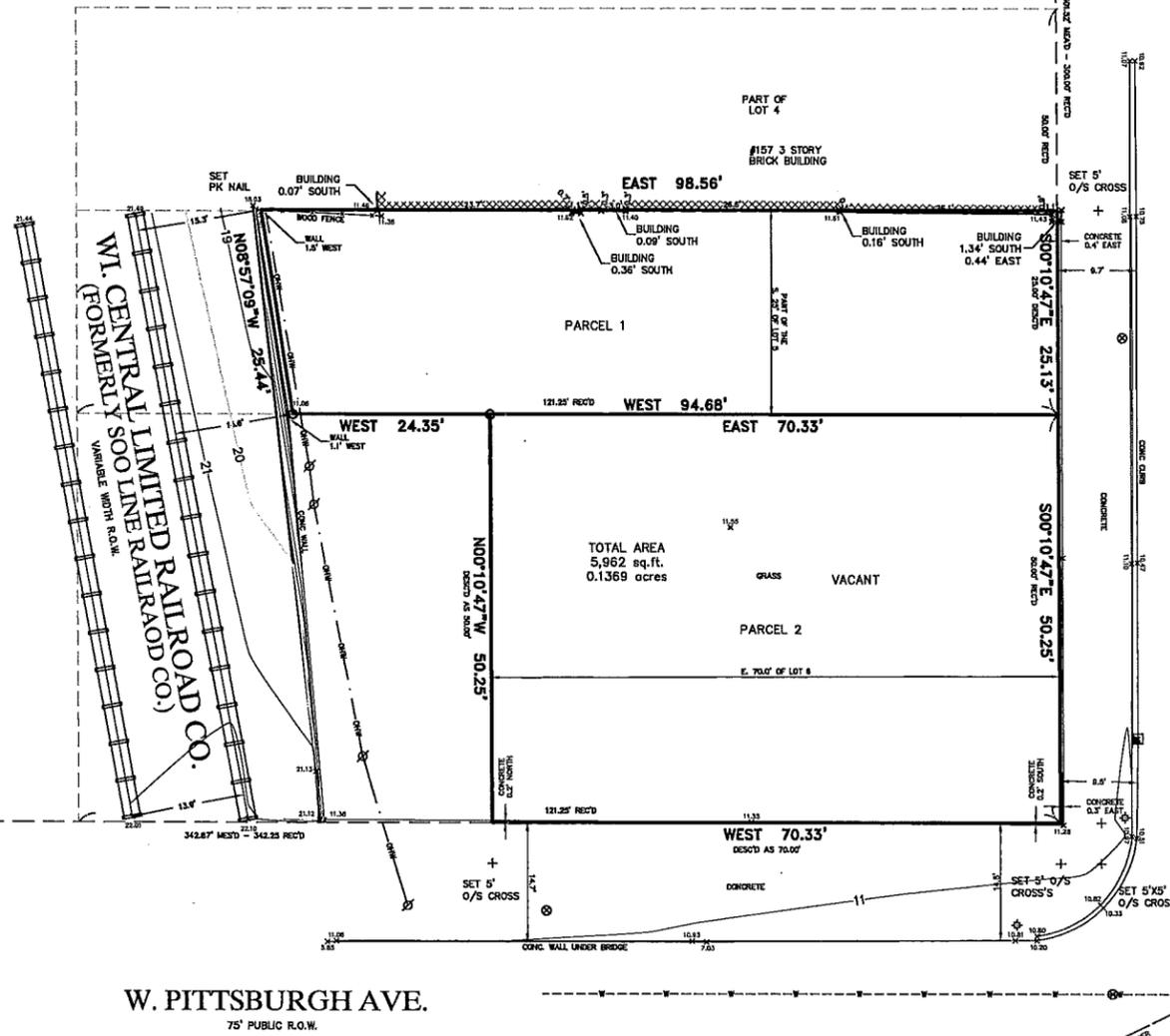
262-781-1000
Fax 262-797-7373
16745 W. Bluemound Road
Suite 200
Brookfield, WI 53005-5938
www.nsaec.com

PA161 First/1. Site Information/161885.dwg/PS101D10

SHEET 1 OF 1

LEGEND

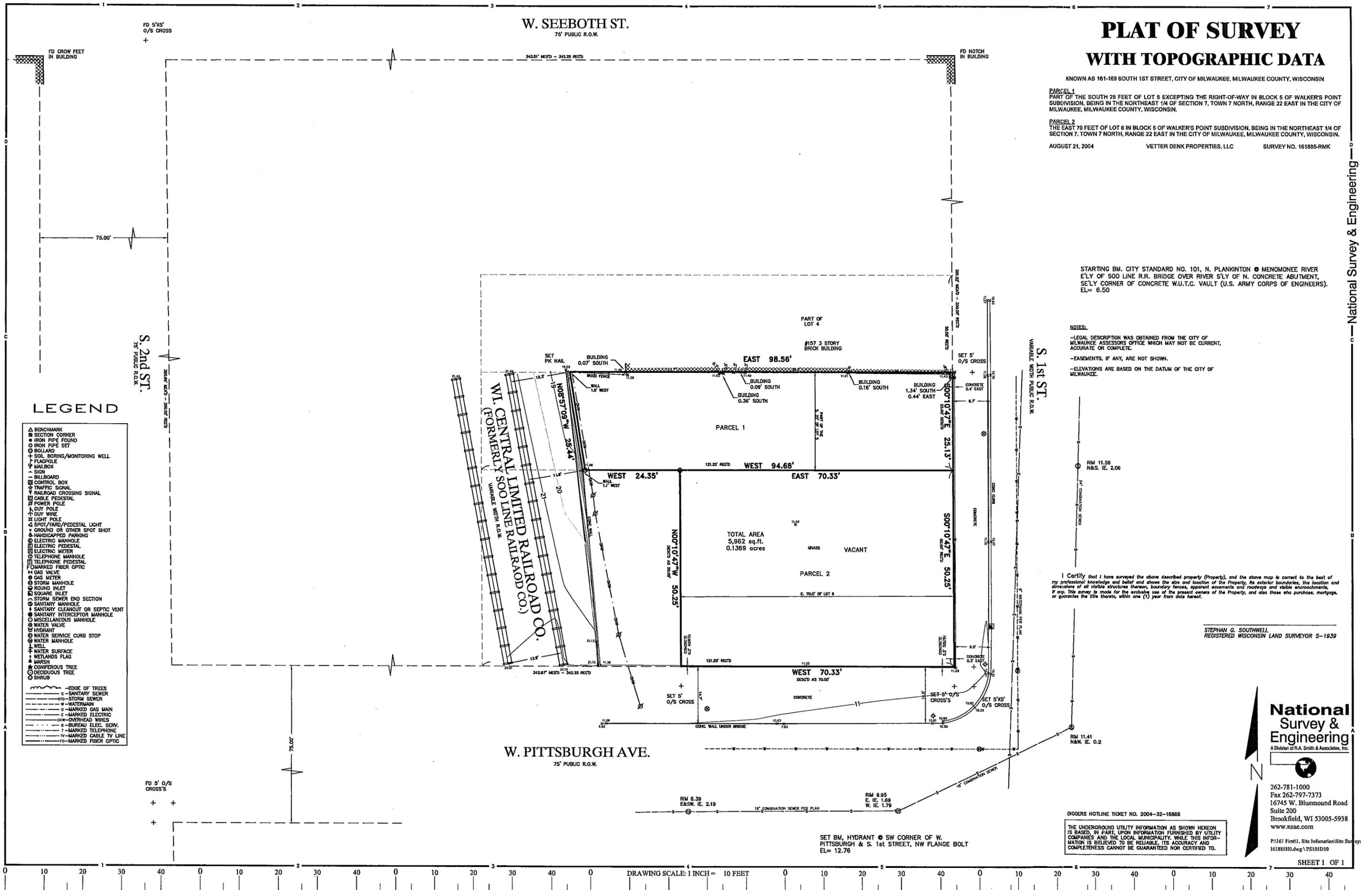
- ▲ BENCHMARK
- SECTION CORNER
- IRON PIPE FOUND
- IRON PIPE SET
- BOLLARD
- + SOIL BORING/MONITORING WELL
- + FLAGPOLE
- + MAILEBOX
- + SIGN
- + BILLBOARD
- + CONTROL BOX
- + TRAFFIC SIGNAL
- + RAILROAD CROSSING SIGNAL
- + CABLE PEDISTAL
- + POWER POLE
- + GUY POLE
- + GUY WIRE
- + LIGHT POLE
- + SPOT/YARD/PEDISTAL LIGHT
- + GROUND OR OTHER SPOT SHOT
- + HANDICAPPED PARKING
- ELECTRIC MANHOLE
- ELECTRIC PEDISTAL
- ELECTRIC METER
- TELEPHONE MANHOLE
- TELEPHONE PEDISTAL
- MARKED FIBER OPTIC
- + GAS VALVE
- GAS METER
- STORM MANHOLE
- ROUND INLET
- SQUARE INLET
- STORM SEWER END SECTION
- SANITARY MANHOLE
- SANITARY CLEANOUT OR SEPTIC VENT
- SANITARY INTERCEPTOR MANHOLE
- MISCELLANEOUS MANHOLE
- WATER VALVE
- HYDRANT
- WATER SERVICE CURB STOP
- WATER MANHOLE
- WELL
- + WATER SURFACE
- + WETLANDS FLAG
- ▲ MARSH
- ▲ CONIFEROUS TREE
- DECIDUOUS TREE
- SHRUB
- EDGE OF TREES
- s- SANITARY SEWER
- st- STORM SEWER
- w- WATERMAIN
- c- MARKED GAS MAIN
- e- MARKED ELECTRIC
- oh- OVERHEAD WIRES
- b- BUREAU ELEC. SERV.
- t- MARKED TELEPHONE
- tv- MARKED CABLE TV LINE
- fo- MARKED FIBER OPTIC



SET BM. HYDRANT @ SW CORNER OF W. PITTSBURGH & S. 1st STREET, NW FLANGE BOLT
EL= 12.76

DIGGERS HOTLINE TICKET NO. 2004-32-16886
THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

DRAWING SCALE: 1 INCH = 10 FEET



National Survey & Engineering

Assessment Detail and Listing Characteristics

Taxkey	Premise Address	Nbhd	Plat	Assessment County	Class
4280235100	161-169 S 1ST ST	6275	42807	Milwaukee	Local Mercantile

Ownership Information	Conveyance		Assessment Information		
	Deed Type	WD	Year	Current	Previous
	Date	2006-05-19	Land	- N/A -	192300
	Fee	0.00	Imprv	- N/A -	100000
	<i>Name Change: 2007-02-12</i>		Total	- N/A -	292300

Miscellaneous	Legal Description
Org Year <u>2007-</u> <u>103</u> Drop Year Zoning IM Aldermanic 12 Census ???- ??-	WALKER'S POINT IN NE 1/4 SEC 32-7-22 BLOCK 5 (S 25' LOT 5 & E 70' LOT 6 AND VAC W PITTSBURGH AVE ADJ) EXC RR ROW

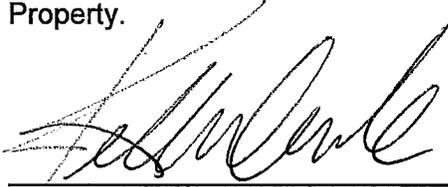
Lot Sqft	Lot Acres	Lot Frontage	Lot Depth	Excess Land	Total Sqft
9617	0.0000	0	0	0.0000	9617

Building	Stories	Description	Gross Area	Units	Exterior Wall
1	4.0	Office Building - Multi Story (Ofc & Ap	25632	5	Other

Building	Unit Nr	Use Description	Area	Floor	Similar Units	Mkt Rent SqFt
1	N/A	Retail General	4175	1	1	15.66
1	N/A	Office - Class B	4939	2	1	14.73
1	N/A	Office - Class B	4919	3	1	14.74
1	N/A	Office - Class B	4899	4	1	14.75
1	N/A	Office - Class B	3304	LL	1	15.69

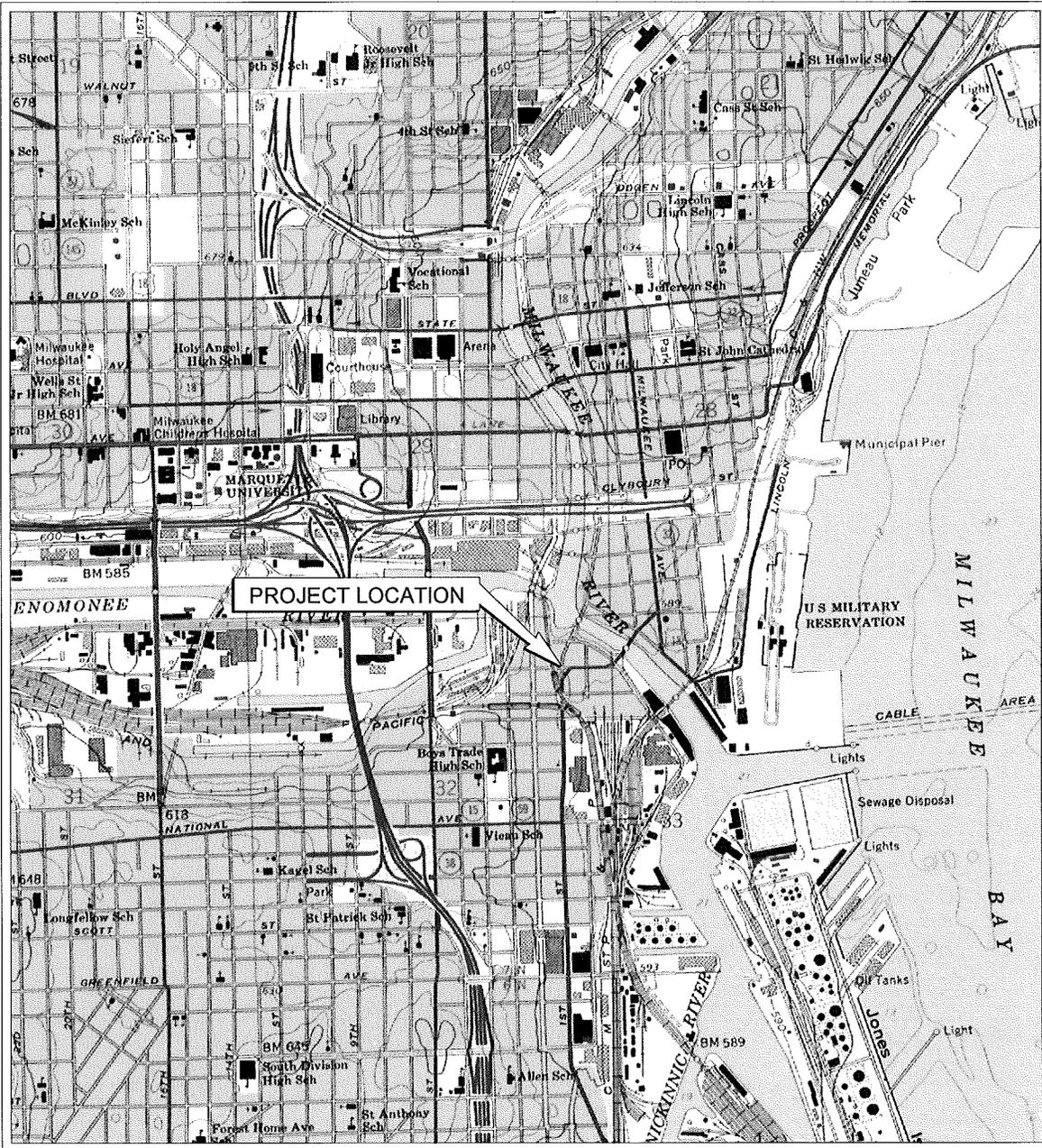
Statement of Accurate Legal Descriptions

To the best of my knowledge, the attached property legal descriptions are complete, accurate, and identify the parcels with soil impacted by polycyclic aromatic hydrocarbons and lead originating from the property located at 161-169 First Street, Milwaukee, Wisconsin, parcel tax key no. 428-0235-000-1 and 428-0236-000-7, referred to as the Property.

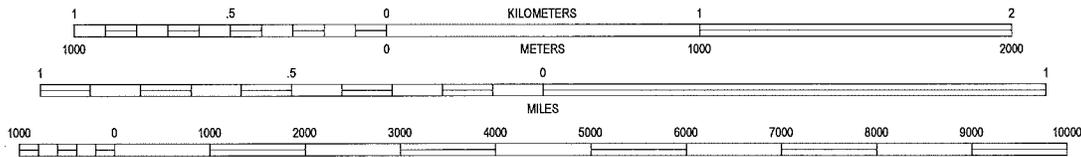


Kelly Denk
161 First LLC

12.14.07
Date



SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETTIC VERTICAL DATUM OF 1929

MILWAUKEE QUADRANGLE
WISCONSIN - MILWAUKEE COUNTY
1958, Revised 1971
7.5 MINUTE SERIES (TOPOGRAPHIC)



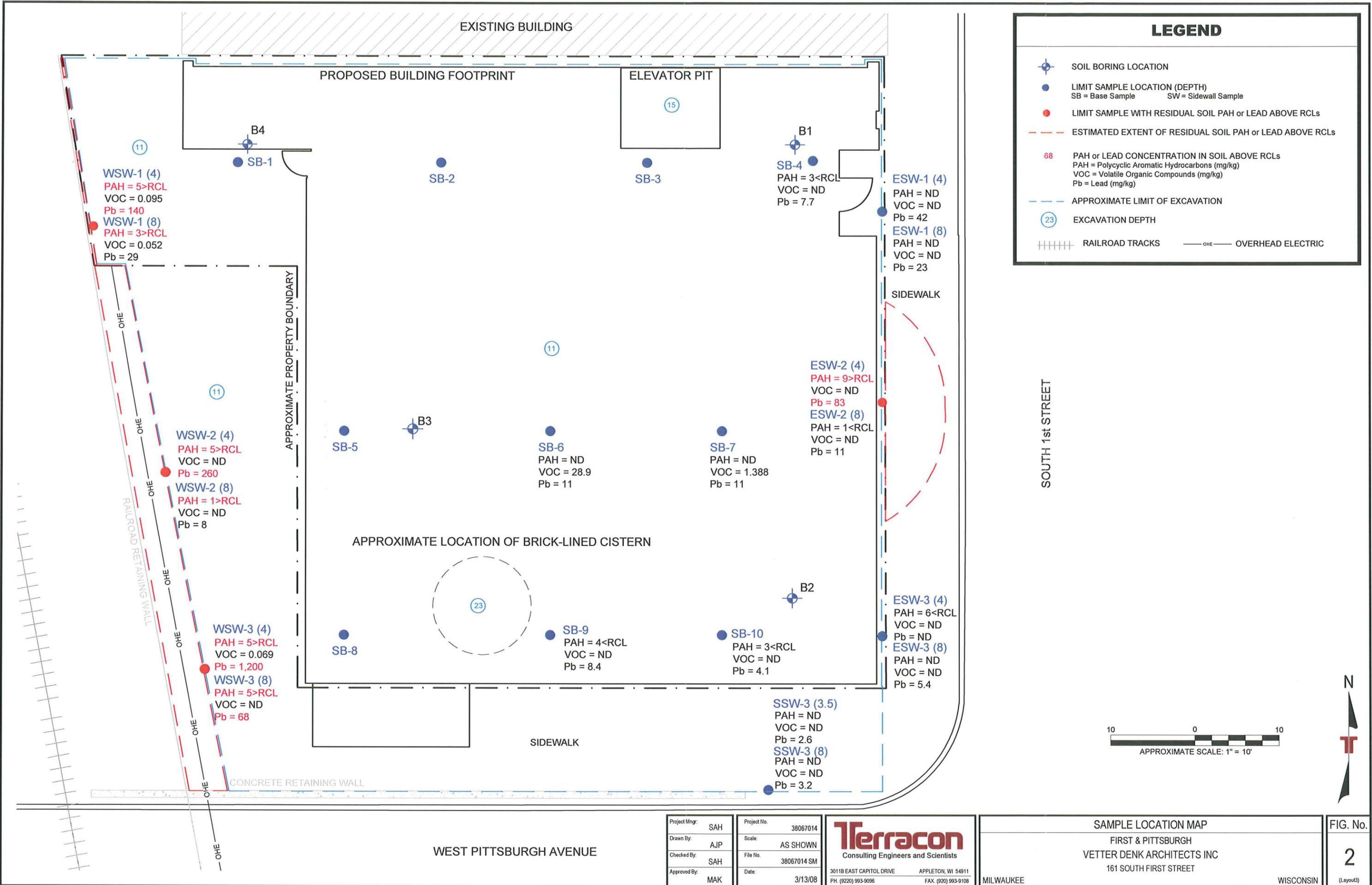
Project Mng:	SAH
Drawn By:	AJP
Checked By:	SAH
Approved By:	MAK
Project No.	38067014
Scale:	AS SHOWN
File No.	38067014 SL
Date:	3/13/08

Terracon
Consulting Engineers and Scientists

3011B EAST CAPITOL DRIVE APPLETON, WI 54911
PH. (920) 993-9108 FAX. (920) 993-9108

TOPOGRAPHIC MAP
FIRST & PITTSBURGH
VETTER DENK ARCHITECTS INC
161 SOUTH FIRST STREET
MILWAUKEE WISCONSIN

FIG. No.	1
	(Layout1)



WSW-1 (4)
PAH = 5>RCL
VOC = 0.095
Pb = 140
WSW-1 (8)
PAH = 3>RCL
VOC = 0.052
Pb = 29

WSW-2 (4)
PAH = 5>RCL
VOC = ND
Pb = 260
WSW-2 (8)
PAH = 1>RCL
VOC = ND
Pb = 8

WSW-3 (4)
PAH = 5>RCL
VOC = 0.069
Pb = 1,200
WSW-3 (8)
PAH = 5>RCL
VOC = ND
Pb = 68

SB-4
PAH = 3<RCL
VOC = ND
Pb = 7.7

ESW-1 (4)
PAH = ND
VOC = ND
Pb = 42
ESW-1 (8)
PAH = ND
VOC = ND
Pb = 23

ESW-2 (4)
PAH = 9>RCL
VOC = ND
Pb = 83
ESW-2 (8)
PAH = 1<RCL
VOC = ND
Pb = 11

ESW-3 (4)
PAH = 6<RCL
VOC = ND
Pb = ND
ESW-3 (8)
PAH = ND
VOC = ND
Pb = 5.4

SSW-3 (3.5)
PAH = ND
VOC = ND
Pb = 2.6
SSW-3 (8)
PAH = ND
VOC = ND
Pb = 3.2

SB-6
PAH = ND
VOC = 28.9
Pb = 11

SB-7
PAH = ND
VOC = 1.388
Pb = 11

SB-9
PAH = 4<RCL
VOC = ND
Pb = 8.4

SB-10
PAH = 3<RCL
VOC = ND
Pb = 4.1

B4

15

B1

SB-2

SB-3

11

SB-5

B3

23

SB-8

B2

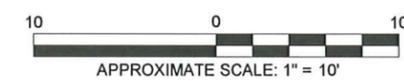


Table 1

1st and Pittsburgh Development
Milwaukee, Wisconsin
Terracon Project No. 58057001

Pre-Remedial Soil PID Summary

Boring No.	Sample No	Sample Interval (feet)	Date	PID Value	Remarks
B1	S1	1-2.5'	2/1/05	0.0	4" sample recovery
B1	S2	3.5-5'	2/1/05	0.0	2" sample recovery
B1	S3	6-7.5'	2/1/05	15.5	6" sample recovery. Insufficient sample for analyes
B1	AS	1-6'	2/1/05	12.3	Collected from auger flights. Analytical sample
B1	S4	8.5-10'	2/1/05	1.4	Native soil. Analytical sample.
B1	S5	13.5-15'	2/1/05	1.4	
B1	S6	18.5-20'	2/1/05	1.4	
B1	S7	23.5-25'	2/1/05	0.0	
B1	S8	28.5-30'	2/1/05	0.0	
B1	S9	33.5-35'	2/1/05	0.0	
B1	S10	38.5-40'	2/1/05	0.0	
B2	S1	1-2.5'	2/1/05	52	Petroleum Odor. Analytical sample.
B2	S2	3.5-5'	2/1/05	1.4	
B2	S3	6-7.5'	2/1/05	7.0	
B2	S4	8.5-10'	2/1/05	7.0	
B2	S5	13.5-15'	2/1/05	9.8	
B2	S6	18.5-20'	2/1/05	2.8	
B2	S7	23.5-25'	2/1/05	2.8	
B2	S8	28.5-30'	2/1/05	1.4	
B2	S9	33.5-35'	2/1/05	0.0	
B2	S10	38.5-40'	2/1/05	0.0	
B3	S1	1-2.5'	2/2/05	1.4	Analytical sample.
B3	S2	3.5-5'	2/2/05	0.0	
B3	S3	6-7.5'	2/2/05	0.0	
B3	S4	8.5-10'	2/2/05	305	Native soil. Analytical sample. Petroleum odor.
B3	S5	13.5-15'	2/2/05	0.0	
B3A	S3	18.5-20'	2/2/05	0.0	Offset boring
B4	S1	1-2.5'	2/1/05	0.0	
B4	S2	3.5-5'	2/1/05	0.0	
B4	S3	6-7.5'	2/1/05	2.8	Analytical sample.
B4	S4	8.5-10'	2/1/05	0.0	
B4	S5	13.5-15'	2/1/05	0.0	
B4	S6	18.5-20'	2/1/05	1.4	
B4	S7	23.5-25'	2/1/05	1.4	
B4	S8	28.5-30'	2/1/05	1.4	
B4	S9	33.5-35'	2/1/05	0.0	
B4	S10	38.5-40'	2/1/05	0.0	

The photoionization detector (PID) was equipped with a 10.6 electron Volt (eV) lamp and calibrated to an isobutylene standard. Values are expressed in instrument units with nominal values of parts per million (ppm).

Table 2

1st and Pittsburgh Development
Milwaukee, Wisconsin
Terracon Project No. 58057001

Pre Remedial Soil Analytical Summary

Location	Sample Interval (feet)	Date	Field ID	Metals - mg/Kg								WI DRO - mg/Kg	VOC - ug/Kg - Detected Parameters											
				Arsenic	Barium	Cadmium	Chromium	Lead	Mercury	Selenium	Silver	DRO	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	Benzene	Ethylbenzene	Isopropylbenzene	Naphthalene	n-Propylbenzene	p-Isopropyltoluene	sec-Butylbenzene	Toluene	Total Xylenes	
RCL Values				0.039	NE	8	14 **	50	NE	NE	NE	100	NE	NE	5.5	2900	NE	NE	NE	NE	NE	1500	4100	
TCLP x 20 (Metals only)				100	2000	20	100	100	4	20	100													
B1	1-6'	2/1/05	B1,AS,1-6'	4.3	73	0.37	14	87	0.19	<4.0	0.69	34	<25	<25	<25	<25	<25	89	<25	<25	<25	44	<75	
B1	8.5-10'	2/1/05	B1,S4,8.5-10'	3.3	31	0.41	12	7.1	0.011	<3.9	<0.025	<3.7	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<75	
B2	1-1.5'	2/1/05	B2,S1,1-1.5'	4.3	81	0.22	12	440	0.039	<3.6	0.047	230	920	210	<25	<25	66	100	86	170	77	<25	<135	
B3	1-2.5'	2/2/05	B3,S1,1-1.5'	4.6	47	0.23	18	9.6	0.021	<4.1	0.076	6.6	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<75	
B3	8.5-10'	2/2/05	B3,S4,8.5-10'	3.7	15	0.32	10	6.5	0.040	<4.0	0.028	16	<25	<25	<25	<25	<25	<25	<25	<25	<25	<25	<75	
B4	6-7.5'	2/1/05	B4,S3,6-7.5'	3.8	470	1.2	12	280	0.23	<4.0	0.1	<4.0	<25	<25	<25	<25	<25	110	<25	<25	<25	<25	<75	

- Indicates This Compound Not Analyzed.

< Indicates Less Than the Reporting Limit.

Bold Font Indicates that the concentration exceeds NR 720 Non-Industrial RCL values for metals, VOCs or DRO, or the RCL values for groundwater in WDNR Publication RR519-97, April 1997, (corrected)

NE Indicates that no RCL has been established

* Reported as bis(2-Ethylhexyl)phthalate

** Value is for hexavalent chromium. Value for trivalent chromium is 16,000 mg/Kg.

Values are expressed in units of mg/Kg or parts per million (ppm) for metals and DRO and ug/Kg or parts per billion (ppb) for VOCs and SVOCs unless otherwise indicated.

NA = Not Analyzed

Table 2

1st and Pittsburgh Development
Milwaukee, Wisconsin
Terracon Project No. 58057001

Pre Remedial Soil Analytical Summary

SVOC - ug/Kg - Detected Parameters																						
	Acenaphthine	Anthracene	Benzo(a)anthracene	Benzo(a)pyrene	Benzo(b)fluoranthene	Benzo(g,h,i)perylene	Benzo(k)fluoranthene	Di (2-Ethylhexyl)phthalate *	Carbazole	Chrysene	Dibenz(a,h)anthracene	Dibenzofuran	Diethylphthalate	Fluoranthene	Fluorene	Indeno(1,2,3-cd)pyrene	Naphthalene	Phenanthrene	Pyrene			
RCL Values	38,000	3,000,000	17,000	48,000	360,000	6,800,000	870,000	NE	NE	37,000	38,000	NE	NE	500,000	100,000	680,000	400	1800	8,700,000			
Location	Sample Interval (feet)	Date	Field ID																			
B1	1-6'	2/1/05	B1,AS,1-6'	910	3400	5300	4300	3600	2500	4300	<360	900	5300	740	680	<350	13000	1400	3600	<430	9,200	9100
B1	8.5-10'	2/1/05	B1,S4,8.5-10'	<91	<85	<92	<89	<100	54	<86	<89	<100	<88	<58	<87	<87	<100	<88	98	<110	<90	<77
B2	1-1.5'	2/1/05	B2,S1,1-1.5'	550	2100	4100	3100	2700	2000	2900	<410	<460	3800	580	<400	<400	10,000	890	3200	<490	6,200	6400
B3	1-2.5'	2/2/05	B3,S1,1-1.5'	<93	110	360	380	310	300	330	<91	<100	390	78	<89	<88	700	<90	430	<110	290	600
B3	8.5-10'	2/2/05	B3,S4,8.5-10'	110	250	500	380	320	240	380	<110	<100	480	71	<88	<87	1000	110	350	<110	820	950
B4	6-7.5'	2/1/05	B4,S3,6-7.5'	3700	9700	27,000	23,000	22,000	16,000	19,000	<2300	<2500	27,000	4000	2600	<2200	69,000	2700	23,000	<2700	38,000	51,000

- Indicates This Compound Not Analyzed.

< Indicates Less Than the Reporting Limit.

Bold Font Indicates that the concentration exceeds NR 720 Non-Industrial RCL values for metals, VOCs or DRO, or the RCL values for groundwater in WDNR Publication RR519-97, April 1997, (corrected)

NA = Not Analyzed

* Reported as bis(2-Ethylhexyl)phthalate

** Value is for hexavalent chromium. Value for trivalent chromium is 16,000 mg/Kg.

Values are expressed in units of mg/Kg or parts per million (ppm) for metals and DRO and ug/Kg or parts per billion (ppb) for VOCs and SVOCs unless otherwise indicated.

NA = Not Analyzed

Table 3
Excavation Soil Analytic Test Results - PAHs
161 - 169 South 1st Street, Milwaukee, WI
Terracon Project No. 38067014

			Polycyclic Aromatic Hydrocarbons (PAH) - mg/kg																	
Sample ID	Sample Date	Sample Depth (feet)	Acenaphthene	Acenaphthylene	Anthracene	Benzo(a)anthracene	Benzo(a)pyrene	Benzo(b)fluoranthene	Benzo(g,h,i)perylene	Benzo(k)fluoranthene	Chrysene	Dibenzo(a,h)anthracene	Fluoranthene	Fluorene	Indeno(1,2,3-cd)pyrene	1-Methylnaphthalene	2-Methylnaphthalene	Naphthalene	Phenanthrene	Pyrene
Protection of Groundwater Pathway RCL ²			38	0.7	3,000	17	48	360	6,800	870	37	38	500	100	680	23	20	0.4	<u>1.8</u>	8,700
Non-Industrial Direct Contact RCL ²			900	18	5,000	0.088	0.0088	0.088	1.8	0.88	8.8	0.0088	600	600	0.088	1,100	600	20	18	500
Industrial Direct Contact RCL ²			60,000	360	300,000	(3.9)	(0.39)	(3.9)	39	39	390	(0.39)	40,000	40,000	(3.9)	70,000	40,000	110	390	30,000
Sidewall Samples																				
WSW-1(4)	8/1/2006	4	0.228	0.057 ¹	0.625	1.32	(1.22)	1.49	0.782	0.559	1.22	0.177	2.98	0.22	0.856	0.069	0.076	0.119	<u>2.3</u>	2.53
WSW-1(8)	8/1/2006	8	<0.017	<0.019	0.035	0.09	0.072	0.098	0.051	0.037 ¹	0.077	<0.011	0.177	0.013 ¹	0.044	<0.011	<0.012	<0.017	0.128	0.156
WSW-2(4)	8/1/2006	4	0.165	0.0511	0.450	0.931	(0.824)	1.06	0.487	0.383	0.762	0.127	1.91	0.162	0.56	0.055	0.067	0.079	1.56	1.58
WSW-2(8)	8/1/2006	8	<0.017	<0.019	<0.011	0.04	0.028	0.037	0.016 ¹	0.015 ¹	0.031 ¹	<0.011	0.057	<0.0095	0.014 ¹	<0.011	<0.012	<0.017	0.020 ¹	0.051
WSW-3(4)	8/1/2006	4	0.117	0.027 ¹	0.328	0.576	(0.447)	0.588	0.27	0.249	0.476	0.068	1.18	0.127	0.296	0.041	0.045	0.041 ¹	0.99	0.982
WSW-3(8)	8/1/2006	8	0.069	0.026 ¹	0.213	0.523	(0.41)	0.55	0.243	0.201	0.418	0.062	1.05	0.064	0.27	0.019 ¹	0.02 ¹	0.021 ¹	0.648	0.874
SSW-3(3.5)	6/15/2006	3.5	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.0014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SSW-3(8)	8/1/2006	8	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.0014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
ESW-1(4)	8/1/2006	4	<0.017	<0.019	<0.011	0.013 ¹	<0.0081	0.0088 ¹	<0.0085	<0.0014	<0.02	<0.011	0.0087 ¹	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
ESW-1(8)	8/1/2006	8	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.0014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
ESW-2(4)	12/12/2006	4	0.927	0.479	4.81	(11.4)	(7.04)	(9.84)	4.19	4.21	10.4	(1.68)	28.5	1.65	(4.1)	0.168 ¹	0.12 ¹	0.096 ¹	21.9	20.1
ESW-2(8)	12/12/2006	8	<0.017	<0.019	<0.011	0.014 ¹	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
ESW-3(4)	6/15/2006	4	<0.017	<0.019	<0.011	0.030 ¹	0.023 ¹	0.032	0.016 ¹	<0.014	<0.02	<0.011	0.028	<0.0095	0.017 ¹	<0.011	<0.012	<0.017	0.0096 ¹	0.029 ¹
ESW-3(8)	8/1/2006	8	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
Base Samples																				
SB-1	8/25/2006	10 to 12	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SB-2	8/25/2006	10 to 12	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SB-3	8/25/2006	10 to 12	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SB-4	8/25/2006	10 to 12	<0.017	<0.019	<0.011	0.015 ¹	<0.0081	0.012 ¹	<0.0085	<0.014	<0.02	<0.011	0.017 ¹	<0.0095	<0.0095	<0.011	<0.012	<0.017	0.011 ¹	0.015 ¹
SB-5	8/25/2006	10 to 12	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SB-6	12/12/2006	10 to 12	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SB-7	12/12/2006	10 to 12	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SB-8	8/25/2006	10 to 12	<0.017	<0.019	<0.011	<0.012	<0.0081	<0.0075	<0.0085	<0.014	<0.02	<0.011	<0.0074	<0.0095	<0.0095	<0.011	<0.012	<0.017	<0.0089	<0.011
SB-9	8/25/2006	10 to 12	<0.017	<0.019	<0.011	0.019 ¹	0.009 ¹	0.015 ¹	<0.0085	<0.014	<0.02	<0.011	0.023 ¹	<0.0095	<0.0095	<0.011	<0.012	<0.017	0.015 ¹	0.02 ¹
SB-10	8/25/2006	10 to 12	<0.017	<0.019	<0.011	0.014 ¹	<0.0081	0.011 ¹	<0.0085	<0.014	<0.02	<0.011	0.014 ¹	<0.0095	<0.0095	<0.011	<0.012	<0.017	0.0093 ¹	0.012 ¹

Notes:

All values are presented in milligrams per kilogram (mg/kg)

¹ - Indicates that the reported concentration is between the limit of detection (LOD) and limit of quantitation (LOQ)

² - Per WDNR Soil Cleanup Levels for Polycyclic Aromatic Hydrocarbons (PAHs) Interim Guidance document, Publication RR-519-97

Underline Italicized values indicate the concentration exceeds the suggested protection of groundwater pathway residual contaminant level (RCL)

Bold values indicate the listed concentration exceeds the suggested generic non-industrial direct contact pathway RCL

(Bold) values indicate the listed concentration exceeds the suggested generic industrial direct contact pathway RCL

Table 4
Excavation Soil Analytic Test Results - VOCs
161 - 169 South 1st Street, Milwaukee, WI
Terracon Project No. 38067014

Sample ID	Sample Date	Sample Depth (feet)	Volatile Organic Compounds (VOC)			
			Naphthalene	1,4-Dichlorobenzene	Tetrachloroethene	1,1,1-Trichloroethane
NR 746, WAC, Soil Screening Levels ²			2.7	NE	NE	NE
Sidewall Samples						
WSW-1(4)	8/1/2006	4	0.095	<0.025	<0.025	<0.025
WSW-1(8)	8/1/2006	8	0.052 ¹	<0.025	<0.025	<0.025
WSW-2(4)	8/1/2006	4	<0.025	<0.025	<0.025	<0.025
WSW-2(8)	8/1/2006	8	<0.025	<0.025	<0.025	<0.025
WSW-3(4)	8/1/2006	4	0.069	<0.025	<0.025	<0.025
WSW-3(8)	8/1/2006	8	<0.025	<0.025	<0.025	<0.025
SSW-3(3.5)	6/15/2006	3.5	<0.025	<0.025	<0.025	<0.025
SSW-3(8)	8/1/2006	8	<0.025	<0.025	<0.025	<0.025
ESW-1(4)	8/1/2006	4	<0.025	<0.025	<0.025	<0.025
ESW-1(8)	8/1/2006	8	<0.025	<0.025	<0.025	<0.025
ESW-2(4)	12/12/2006	4	<0.025	<0.025	<0.025	<0.025
ESW-2(8)	12/12/2006	8	<0.025	<0.025	<0.025	<0.025
ESW-3(4)	6/15/2006	4	<0.025	<0.025	<0.025	<0.025
ESW-3(8)	8/1/2006	8	<0.025	<0.025	<0.025	<0.025
Base Samples						
SB-1	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025
SB-2	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025
SB-3	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025
SB-4	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025
SB-5	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025
SB-6	12/12/2006	10 to 12	<0.025	0.0289 ¹	<0.025	<0.025
SB-7	12/12/2006	10 to 12	<0.025	<0.025	1.27	0.118
SB-8	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025
SB-9	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025
SB-10	8/25/2006	10 to 12	<0.025	<0.025	<0.025	<0.025

Notes:

All values are presented in milligrams per kilogram (mg/kg)

¹ - Indicates that the reported concentration is between the limit of detection (LOD) and limit of quantitation (LOQ)

² - Indicates NR 746, Wisconsin Administrative Code (WAC), Soil Screening Levels

"NE" Indicates not established

Table 5
 Excavation Soil Analytic Test Results - Lead
 161 - 169 South 1st Street, Milwaukee, WI
 Terracon Project No. 38067014

Sample ID	Sample Date	Sample Depth (feet)	RCRA Metals
			Lead
NR 720, WAC, Non-Industrial RCL ¹			50
NR 720, WAC, Industrial RCL ²			500
Sidewall Samples			
WSW-1(4)	8/1/2006	4	140
WSW-1(8)	8/1/2006	8	29
WSW-2(4)	8/1/2006	4	260
WSW-2(8)	8/1/2006	8	8
WSW-3(4)	8/1/2006	4	1,200
WSW-3(8)	8/1/2006	8	.68
SSW-3(3.5)	6/15/2006	3.5	2.6
SSW-3(8)	8/1/2006	8	3.2
ESW-1(4)	8/1/2006	4	42
ESW-1(8)	8/1/2006	8	23
ESW-2(4)	12/12/2006	4	83
ESW-2(8)	12/12/2006	8	11
ESW-3(4)	6/15/2006	4	20
ESW-3(8)	8/1/2006	8	5.4
Base Samples			
SB-1	8/25/2006	10 to 12	7.7
SB-2	8/25/2006	10 to 12	7.7
SB-3	8/25/2006	10 to 12	6.6
SB-4	8/25/2006	10 to 12	7.7
SB-5	8/25/2006	10 to 12	7.1
SB-6	12/12/2006	10 to 12	11
SB-7	12/12/2006	10 to 12	11
SB-8	8/25/2006	10 to 12	7.8
SB-9	8/25/2006	10 to 12	8.4
SB-10	8/25/2006	10 to 12	4.1

Notes:

All values are presented in milligrams per kilogram (mg/kg)

¹ - Indicates NR 720, Wisconsin Administrative Code (WAC), Non-Industrial Direct Contact, Residual Contaminant Level (RCL)

² - Indicates NR 720, Wisconsin Administrative Code (WAC), Industrial Direct Contact, RCL

Italicized values indicate the listed concentration exceeds the Non-Industrial Direct Contact RCL

Bold values indicate the listed concentration exceeds the Industrial Direct Contact RCL

March 12, 2008



Commissioner of Public Works
City of Milwaukee
841 North Broadway, Room 501
Milwaukee, Wisconsin 53202

3011B East Capitol Drive
Appleton, Wisconsin 54911
Phone 920.993.9096
Fax 920.993.9108
www.terracon.com

Attn: Mr. Jeffrey J. Mantes

RE: Notification of Contamination in the Right-of-Way (revised)
161-169 First Street
Milwaukee, Wisconsin
WNDR BRRTS# 02-41-546661
Terracon Project No. 38067014

Dear Mr. Mantes:

This letter serves as notification of soil contamination within the right-of-way described herein as required in NR 726.05 (2)(b)4, Wisconsin Administrative Code.

County: Milwaukee

Right-of-Way: First Street (STH 32) adjacent to the Site Noted Below

Site Address: 161-169 First Street, Milwaukee, Wisconsin

Wisconsin Department of Natural Resources BRRTS Case No: 02-41-546661

Site Owner Name: 161 First LLC

Site Owner Address: c/o Vetter-Denk Properties, LLC, 161 S. 1st Street, Ste 400,
Milwaukee, Wisconsin 53204, Attention Mr. Kelly Denk, Telephone: (414) 292-3707

Consulting Firm: Terracon Consultants, Inc.

Consultant Contact: Scott A. Hodgson, P.G.

Consultant Address: 3011B East Capitol Drive, Appleton, Wisconsin 54911

Consultant Phone: (920) 993-9096

Consultant Fax: (920) 993-9108

Consultant Email: sahodgson@terracon.com

Soil Contamination: YES

Depth to Contaminated Soil: Approximately 2-3 feet below ground surface (bgs)

Vertical Extent of Contaminated Soil: Bottom Depth Approximately 5-6 feet bgs

Groundwater Contamination: No

Depth to Water Table: NA

Description of the type(s) of contamination present: Multiple individual polycyclic aromatic hydrocarbon (PAH) compounds above the non-industrial and industrial residual contaminant levels (RCLs), and lead above the applicable non-industrial direct contact RCL.

Brief summary of cleanup activities: Removed accessible contaminated soil.

Current plume map (soil): Attached

First & Pittsburgh Development
Terracon Project No 38037002
March 12, 2008

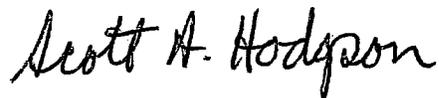
Terracon

Current plume map (groundwater): NA

If you have questions or require additional information regarding this letter, please contact me in writing at the address referenced below or by telephone at (920) 993-9096

Sincerely,

Terracon



Scott A. Hodgson, P.G.
Senior Project Geologist

SAH/MAK:sah/N:\Projects\2006\38067014\Site Closure Info\GIS\City of Milwaukee.revised.FirstStrow.notification.doc

Attachments: Sample Location Map

Copies to: Mr. Kelly Denk
File

Hodgson, Scott A.

From: TeBeest, Sharlene [sharlene.tebeest@dot.state.wi.us]
Sent: Wednesday, March 12, 2008 3:23 PM
To: Hodgson, Scott A.
Subject: RE: Notification of Contamination in ROW (revised)-Milwaukee

Thank you Scott, I've received your updated notice for the site below.

Shar

Sharlene Te Beest
Hazardous Materials Specialist
Wisconsin Department of Transportation, Bureau of Equity and Environmental Services
Phone: 608-266-1476; Fax: 608-266-7818; Cell: 608-692-4546
Address: WISDOT- BEES; PO Box 7965; Room 451 HFSTB; Madison, WI 53707-7965

-----Original Message-----

From: Hodgson, Scott A. [mailto:sahodgson@terracon.com]
Sent: Wednesday, March 12, 2008 1:48 PM
To: TeBeest, Sharlene
Subject: Notification of Contamination in ROW (revised)-Milwaukee

Sharlene,

This is an updated notification for the original notification that was emailed to you on February 7, 2008.

RE: Notification of Contamination in the Right-of-Way

161-169 First Street (State Highway 32)

Milwaukee, Wisconsin

WNDR BRRTS# 02-41-546661

Terracon Project No. 38067014

This email serves as notification of soil contamination within the right-of-way described herein as required in NR 726.05 (2)(b)4, Wisconsin Administrative Code.

County: Milwaukee

Right-of-Way: First Street (STH 32) adjacent to the Site Noted Below

Site Address: 161-169 First Street, Milwaukee, Wisconsin

Wisconsin Department of Natural Resources BRRTS Case No: 02-41-546661

Site Owner Name: 161 First LLC

Site Owner Address: c/o Vetter-Denk Properties, LLC, 161 S. 1st Street, Ste 400, Milwaukee, Wisconsin 53204, Attention Mr. Kelly Denk, Telephone: (414) 292-3707

Consulting Firm: Terracon Consultants, Inc.

Consultant Contact: Scott A. Hodgson, P.G.

Consultant Address: 3011B East Capitol Drive, Appleton, Wisconsin 54911

Consultant Phone: (920) 993-9096

Consultant Fax: (920) 993-9108

Consultant Email: sahodgson@terracon.com

Soil Contamination: YES

Depth to Contaminated Soil: Approximately 2-3 feet below ground surface (bgs)

Vertical Extent of Contaminated Soil: Bottom Depth Approximately 5-6 feet bgs

Groundwater Contamination: No

Depth to Water Table: NA

Description of the type(s) of contamination present: Multiple individual polycyclic aromatic hydrocarbon (PAH) compounds above the applicable non-industrial and industrial direct contact residual contaminant levels (RCLs) and lead above the applicable non-industrial direct contact RCLs.

Brief summary of cleanup activities: Removed accessible contaminated soil.

Current plume map (soil): Attached

Current plume map (groundwater): NA

If you have questions or require additional information regarding this letter, please contact me in writing at the address referenced below or by telephone at (920) 993-9096

Scott A. Hodgson

Senior Project Geologist I Appleton

Terracon

3011B East Capitol Drive I Appleton, WI 54911

P 920-993-9096 I F 920-993-9108

sahodgson@terracon.com I www.terracon.com

<<ExtentMap for ROW notifications.pdf>>

3/12/2008

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March 12, 2008



Soo Lines Railroad Company
501 Marquette Avenue
Minneapolis, MN 55402-1203

3011B East Capitol Drive
Appleton, Wisconsin 54911
Phone 920.993.9096
Fax 920.993.9108
www.terracon.com

Attn: Environmental Department

RE: Notification of Contamination in the Right-of-Way (Revised)
161-169 First Street
Milwaukee, Wisconsin
WNDR BRRTS# 02-41-546661
Terracon Project No. 38067014

Dear Environmental Department:

This letter serves as notification of soil and groundwater contamination within the right-of-way described herein as required in NR 726.05 (2)(b)4, Wisconsin Administrative Code.

County: Milwaukee

Right-of-Way: Railroad Easement Adjacent West to the Site Noted Below

Site Address: 161-169 First Street, Milwaukee, Wisconsin

Wisconsin Department of Natural Resources BRRTS Case No: 02-41-546661

Site Owner Name: 161 First LLC

Site Owner Address: c/o Vetter-Denk Properties, LLC, 161 S. 1st Street, Ste 400,
Milwaukee, Wisconsin 53204, Attention Mr. Kelly Denk, Telephone: (414) 292-3707

Consulting Firm: Terracon Consultants, Inc.

Consultant Contact: Scott A. Hodgson, P.G..

Consultant Address: 3011B East Capitol Drive, Appleton, Wisconsin 54911

Consultant Phone: (920) 993-9096

Consultant Fax: (920) 993-9108

Consultant Email: sahodgson@terracon.com

Soil Contamination: YES

Depth to Contaminated Soil: Approximately 2-3 feet below ground surface

Vertical Extent of Contaminated Soil: Bottom depth approximately 10-11 feet bgs

Groundwater Contamination: No

Depth to Water Table: NA

Description of the type(s) of contamination present: Multiple individual polycyclic aromatic hydrocarbon (PAH) compounds above the applicable non-industrial direct contact residual contaminant level (RCL); one PAH compound above the industrial direct contact RCL; and lead above the applicable non-industrial direct contact RCL.

Brief summary of cleanup activities: Removed accessible contaminated soil.

Current plume map (soil): Attached

Current plume map (groundwater): NA

First & Pittsburgh Development
Terracon Project No 38037002
March 12, 2008

Terracon

If you have questions or require additional information regarding this letter, please contact me in writing at the address referenced below or by telephone at (920) 993-9096

Sincerely,

Terracon

Scott A. Hodgson

Scott A. Hodgson, P.G.
Senior Project Geologist

SAH/MAK/sah/N:\Projects\2006\38067014\Site Closure Info\GIS\SooLines.revised.railroadrow.notification.doc

Attachments: Sample Location Map

Copies To: Mr. Kelly Denk
File