33 PDF
RK
SCANNED

GIS REGISTRY INFORMATION

SITE NAME: Proposed Holt Plaza

BRRTS #: 02-41-547822 FID # (if appropriate): 341130350

COMMERCE # (if appropriate):

CLOSURE DATE:

STREET ADDRESS: ~~150 West Holt Avenue~~ 150 west Holt Ave

CITY: Milwaukee, WI

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 690393.98 Y= 281026.47

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	X
Certified survey map or relevant portion of the recorded plat map (*if referenced in the legal description*) for all affected properties	X
County Parcel ID number, *if used for county*, for all affected properties 7539637	X
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.	X
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.	X
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)	NA
Tables of Latest Soil Analytical Results (no shading or cross-hatching)	X
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.	NA
GW: Table of water level elevations, with sampling dates, and free product noted if present	NA
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)	NA
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour	X
Geologic cross-sections, *if required for SI.* (8.5x14' if paper copy)	NA
RP certified statement that legal descriptions are complete and accurate	✓
Copies of off-source notification letters (if applicable)	NA
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)	NA

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. 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
Telephone 414-263-8500
FAX 414-263-8483
TTY 711

December 7, 2006

In Reply Refer To: FID#341130350
County of Milwaukee
BRRTS# 02-41-547822

MSSD, Inc.
c/o Mr. Ronald San Felippo
413 N Second Street, Suite 100
Milwaukee, WI 53203

SUBJECT: Final Case Closure with Land Use Limitations or Conditions, Proposed TCF Bank Facility / Holt Plaza, 150 W Holt Avenue, Milwaukee, WI

Dear Mr. San Felippo:

On December 6, 2006, the Wisconsin Department of Natural Resources (WDNR) reviewed the above referenced case for closure. The WDNR reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases.

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 note that the WDNR has previously issued a letter to you entitled "Conditional (Expedited) Grant of Exemption for the Development of Building Additions Where Solid Waste has been Disposed" on September 18, 2006. That letter required that specific conditions be met during redevelopment of the property.

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 are met.

Residual soil contamination remains on the property, (at soil sample locations identified as SP-1 and SP-2, at a depth of six to eight feet), as indicated in the information submitted to the Department of Natural Resources. 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 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.

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.

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,

James A Schmidt

James A Schmidt
Southeast Region Remediation & Redevelopment Team Supervisor

cc: Mark McColloch, New Fields, 2110 Luann Lane, Suite 101, Madison, WI 53713
SER Case File

REEL 4318 IMAG 1004

Vast'g

7539637

Document Number

SPECIAL WARRANTY DEED

Document Title

REGISTER'S OFFICE
Milwaukee County, WI
RECORDED AT 12 45 PM
MAY 29 1998 1004 TO 1006
REEL 4318 IMAGE INCL.
REGISTER OF DEEDS

Recording Area

Name and Return Address:

Miles Goodwin, Esq.
O'Neil, Cannon & Hollman, S.C.
111 East Wisconsin Avenue
Suite 1400
Milwaukee, Wisconsin 53202

537-9991-110-4
Parcel Identification Number (PIN)

RECORD 7539637 # 14.00

THIS SPECIAL WARRANTY DEED, made as of the 18th day of May, 1998, by KENNETH B. KARL, "Grantor", whose post office address is 3315 North 124th Street, Suite E, Brookfield, Wisconsin 53005, to MIFFLIN CARE CENTERS, INC., an Ohio corporation, whose post office address is 1020 West Mitchell Street, Suite 500, Milwaukee, Wisconsin 53204, hereinafter called the Grantee (wherever used herein the term "Grantor" and "Grantee" include all the parties to the instrument and their respective successors and assigns):

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Milwaukee County, Wisconsin, viz:

See legal description attached hereto and made a part hereof as **Exhibit "A"** (the "Premises").

TRANSFER
$26,250.00
FEE

RTX 26250.00

Subject to:

1. Zoning and other governmental rules, regulations and ordinances.

2. Restrictions, covenants, conditions, easements and other matters of record, if any, without intent to reimpose or reinstate same hereby.

3. General and special taxes or assessments that are not yet due and payable.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

The Property is not homestead property.

This instrument was drafted by Alan J. Kazan, Esq., attorney-at-law.

1400

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple and has good right and lawful authority to sell and convey said land; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under said Grantor.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Print Name: Alan Kazan

Print Name: Yuray Milian

(Seal)
Kenneth B. Karl

ACKNOWLEDGMENT

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

The foregoing was acknowledged before me this 18th day of May, 1998 by Kenneth B. Karl, personally known to me.

Notary Public, State of Florida

OFFICIAL NOTARY SEAL
YURAY MILIAN
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC558141
MY COMMISSION EXP. MAY 28,2000

REEL 4318 IMAG 1006

EXHIBIT "A"

Legal Description

That part of the Northeast ¼ of Section 17, Town 6 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, which is bounded and described as follows:

Commencing at the Southeast corner of said ¼ Section; thence North along the East line of said ¼ Section 554.88 feet to a point; thence South 89° 38' 00" West and parallel to the South line of said ¼ Section, 55.00 feet to the point of beginning of the land to be described; thence continuing South 89° 38' 00" West along the present North line of West Holt Avenue 1235.55 feet to the East line of South Third Street; thence North 00° 03' 13" West along the East line of South Third Street 663.96 feet to a point, said point being 700.00 feet North 00° 03' 13" West and 30.28 feet North 82° 07' 19" East of the intersection of the center line of South Third Street with a former center line of West Holt Avenue; thence North 82° 07' 19" East 964.13 feet to a point on the Southwesterly line of the Chicago and North Western Transportation Company right-of-way, said point also being 1344.88 feet North of the South line and 336.14 feet West of the East line of said ¼ Section; thence Southeasterly along said right-of-way line 348.59 feet to a point; being the arc of a curve whose center lies to the Northeast whose radius is 2939.83 feet and whose chord bears South 53° 47' 58" East 348.39 feet to a point on the West line of South Chase Avenue; thence South along the West line of South Chase Avenue 582.43 feet to the point of beginning.

Tax Key No. 537-9991-110-4

Address: 3272-3326 South 3rd Street

RECORDED
CERTIFIED SURVEY MAP

DCD #2354

CERTIFIED SURVEY MAP NO. 7506

Part of lands in the Southeast 1/4 of the Northeast 1/4 of Section 17, in Town 6 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, Wisconsin.

INTERIOR ANGLES	
A	90°22'14"
B	89°41'13"
C	97°49'28"
D	135°55'19"
E	126°11'46"

TAX KEY NO. 537-9991-110-4
ZONING: CS(COMMERCIAL SERVICE)

OWNER: MSSD, INC.
413 N. 2ND ST STE 100
MILWAUKEE WI 53203

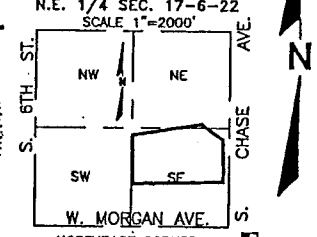
- INDICATES SET 1.375" O.D. IRON PIPE, AT LEAST 18" IN LENGTH, 1.68 LBS PER LINEAL FOOT.
- INDICATES FOUND 1" IRON PIPE
- ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
- ALL BEARINGS ARE REFERENCED TO THE EAST LINE OF THE NE 1/4, SECTION 17 WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE, NAD 1927, WHICH BEARS N00°55'41"W. (JUNE 2003 DATUM)

WISCONSIN ERIC R. STURM S 2309 NORTH PRAIRIE WI LAND SURVEYOR 1-13-04

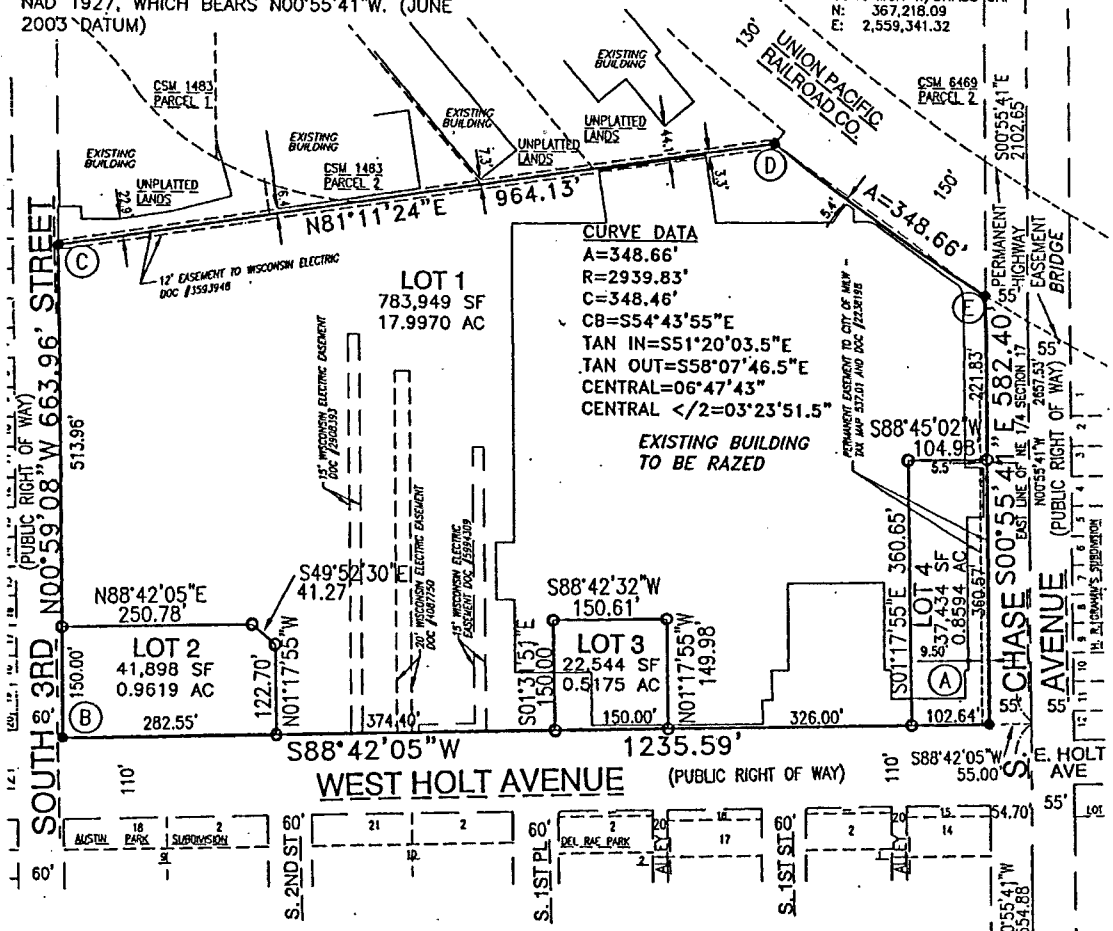
Revised 2-9-04

VICINITY MAP

N.E. 1/4 SEC. 17-6-22
SCALE 1"=2000'



NORTHEAST CORNER
NORTHEAST 1/4
SEC 17-6-22
CONC MON W/BRASS CAP
N: 367,218.09
E: 2,559,341.32



National Survey & Engineering

Telephone 262-781-1000
Facsimile 262-797-7373

16745 W. Bluemound Road
Suite 200
Brookfield, WI 53005-5938
www.nsae.com

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 200 ft.

SOUTHEAST CORNER
NORTHEAST 1/4
SEC 17-6-22
CONC MON W/BRASS CAP
N: 364,560.91
E: 2,559,384.36

Sheet 1 of 3 Sheets

INFRASTRUCTURE SERVICES DIVISION
Lindholm 2/17/04
LAND RECORDS MANAGER
Martin Aquino 2/17/04
PROJECT ENGR.
Jeffrey Polenske 2/17/04
APPROVED

DEPARTMENT OF CITY DEVELOPMENT
CITY OF MILWAUKEE
JAN 20 2004
STAFF APPROVED

CERTIFIED SURVEY MAP
DATE REC'D DEC 1 2004
MAP NO. 7506
DOCUMENT NO. 08907990
CITY OF MILWAUKEE
CITY HALL COMPLEX
CITY HALL COMPLEX
MILWAUKEE, WIS. 53202
PHONE 223 5716

DCD#2354

CERTIFIED SURVEY MAP NO. 7506

Part of lands in the Southeast 1/4 of the Northeast 1/4 of Section 17, in Town 6 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}
:SS
WAUKESHA COUNTY }

I, ERIC R. STURM, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a part of lands in the Southeast 1/4 of the Northeast 1/4 of Section 17, in Town 6 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, Wisconsin, which is bounded and described as follows:

COMMENCING at the Southeast corner of said 1/4 Section; thence North 00°55'41" West along the East line of said 1/4 Section 554.88 feet to a point; thence South 88°42'05" West 55.00 feet a point on the North line of West Holt Avenue, the West line of South Chase Avenue, and the point of beginning of the lands to be described; thence South 88°42'05" West along said North line 1235.59 feet to a point on the East line of South Third Street; thence North 00°59'08" West along said East line 663.96 feet to a point: thence North 81°11'24" East 964.13 feet to a point on the Southwesterly line of the Union Pacific Railroad Company right-of-way; thence Southeasterly 348.66 feet along said Southwesterly line and the arc of a curve whose center lies to the Northeast whose radius is 2939.83 feet and whose chord bears South 54°43'55" East 348.46 feet to a point on the West line of South Chase Avenue; thence South 00°55'41" East along said West line 582.40 feet the point of beginning.
Said lands contain 885,825 square feet or 20.3358 acres.

THAT I have made the survey, land division and map by the direction of MSSD, INC., owner.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 119 of the Milwaukee Code in surveying, dividing and mapping the same.

January 13, 2004
Revised February 9, 2004
DATE

WISCONSIN ERIC R. STURM S-2309 NORTH PRAIRIE, WI LAND SURVEYOR

(SEAL)
ERIC R. STURM,
REGISTERED LAND SURVEYOR S-2309

CERTIFICATE OF CITY TREASURER

STATE OF WISCONSIN}
:SS
MILWAUKEE COUNTY }

I, WAYNE F. WHITTOW, being the duly elected, qualified and acting City Treasurer of the City of Milwaukee, certify that in accordance with the records in the office of the City Treasurer of the City of Milwaukee there are no unpaid taxes or unpaid special assessments on the land included in this Certified Survey Map.

12-12-04
DATE

WAYNE F. WHITTOW, CITY TREASURER

DCD#2354

CERTIFIED SURVEY MAP NO. 7506

Part of lands in the Southeast 1/4 of the Northeast 1/4 of Section 17, in Town 6 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

MSSD, INC., a corporation duly organized and existing under and by virtue of the laws of the State of Ohio, as owner, certifies that said corporation caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of Chapter 119 of the Milwaukee Code of Ordinances.

IN consideration of the approval of the map by the Common Council of the City of Milwaukee and in accordance with Chapter 119 of the Milwaukee Code, the undersigned agrees:

A. That all utility lines to provide electric power and telephone service and cable television or communications systems lines or cables to all lots in the Certified Survey Map shall be installed underground in easements provided therefore, where feasible.

THIS agreement shall be binding on the undersigned and assigns.

IN Witness Whereof MSSD, INC. has caused these presents to be signed by RON SAN FELIPPO, President at _____, this 15 day of JAN, 2004.

In the presence of:

MSSD, INC.

RON SAN FELIPPO, PRESIDENT

STATE OF Wisconsin)
:SS
Milwaukee COUNTY)

PERSONALLY came before me this 15th day of January, 2004, RON SAN FELIPPO, President of MSSD, INC. to me known as the person who executed the foregoing instrument, and to me known to be the President of corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of the company, by its authority.

(SEAL)
Notary Public, State of
My commission expires Jul. 17, 2004

COMMON COUNCIL CERTIFICATE OF APPROVAL

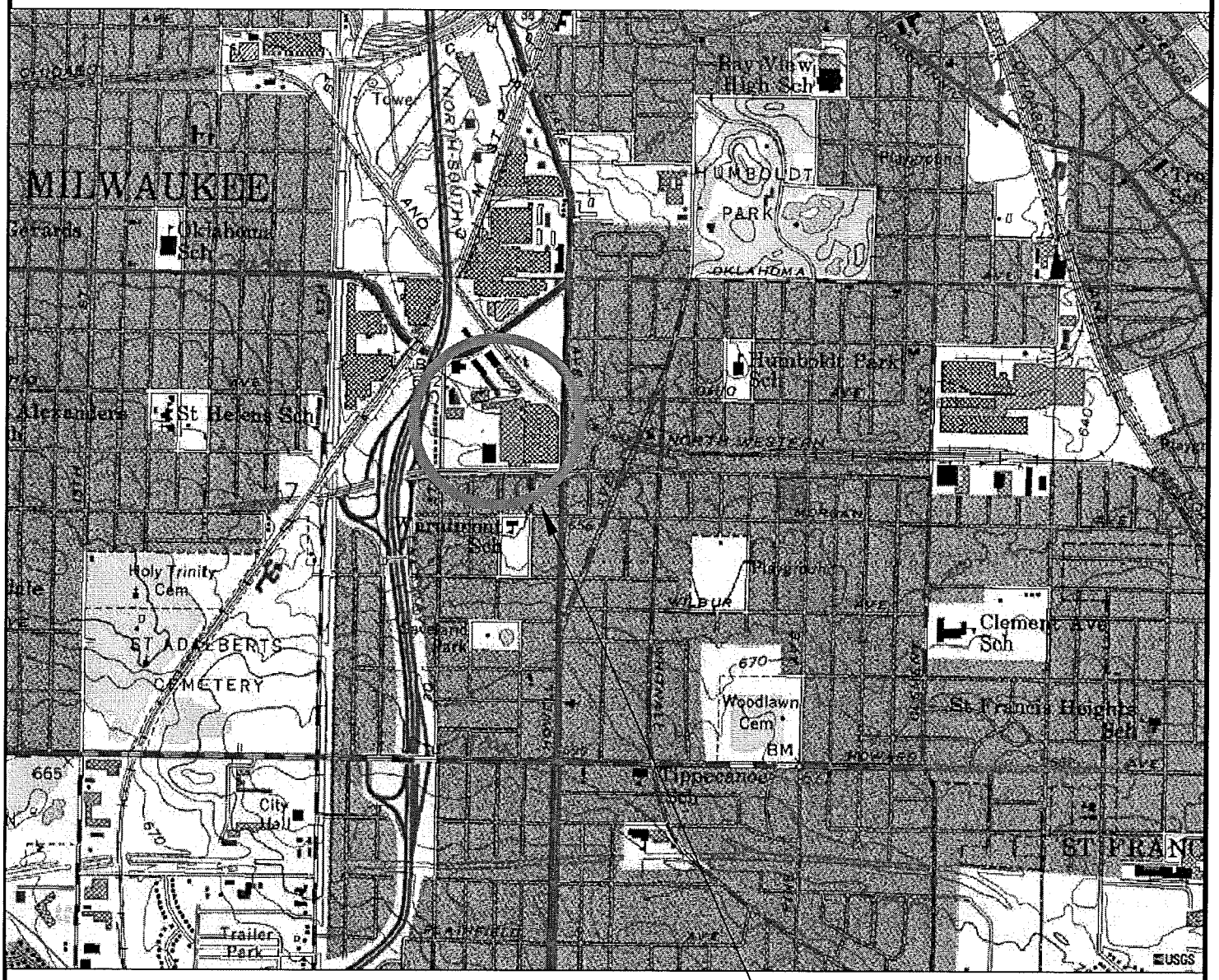
I certify that this Certified Survey Map was approved under Resolution File No. 040902 adopted by the Common Council of the City of Milwaukee on November 3, 2004.

RONALD D. LEONHARDT, CITY CLERK

, MAYOR

WISCONSIN
ERIC R. STURM
S-2309
NORTH PRAIRIE
WI
1-13-04
LAND SURVEYOR
REVISED 1-14-04

THIS INSTRUMENT WAS DRAFTED BY ERIC R. STURM, REGISTERED LAND SURVEYOR S-2309



SUBJECT PROPERTY

BASE MAP SOURCE: USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE, GREENDALE, WISCONSIN, DATED 1976.

QUADRANGLE LOCATION

NORTH
SCALE: 1"=2400'

HOLT PLAZA
MILWAUKEE, WISCONSIN

FIGURE 1
SITE LOCATION

DRN. BY DDZ	PROJ. NO. 0941-001-800
DATE 25.SEPT.2006	NEWFIELDS

C:\PROJECTS\HOLT PLAZA\FIG1

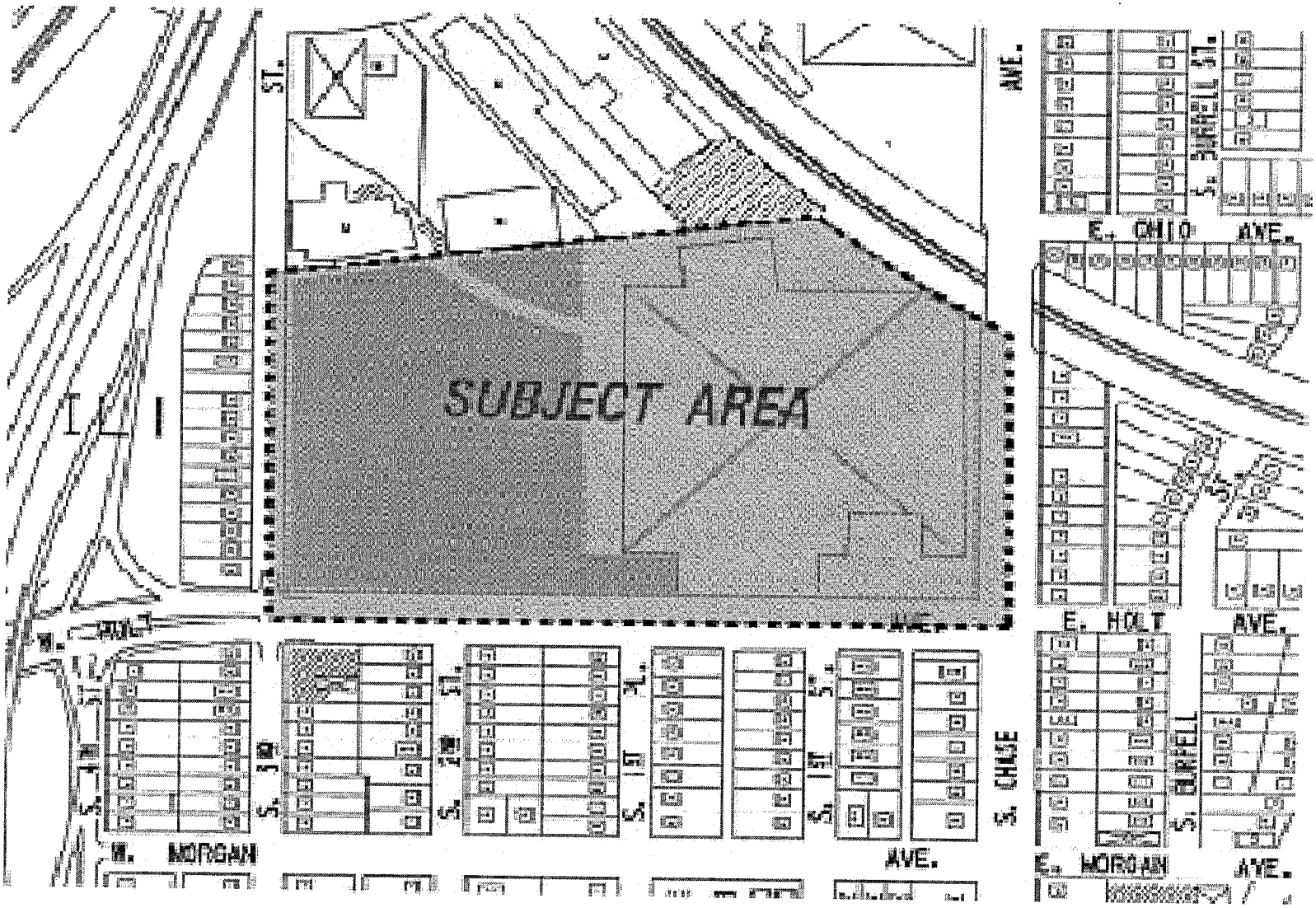


Figure 2 – Location Map for the Holt Plaza Development.

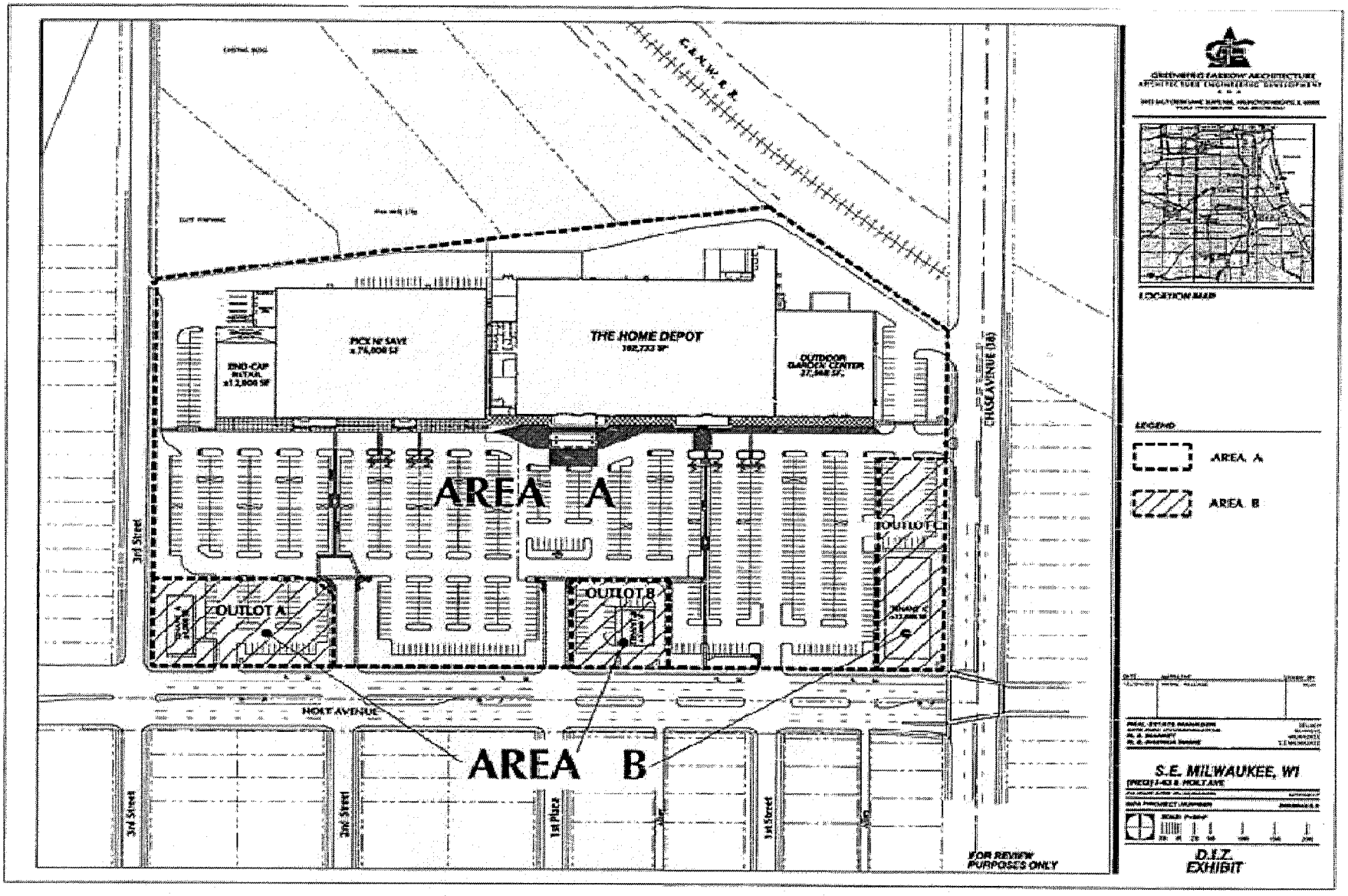


Figure 3 – Holt Plaza Development Showing Areas A and B. Proposed TCF Bank facility location is Outlot C.

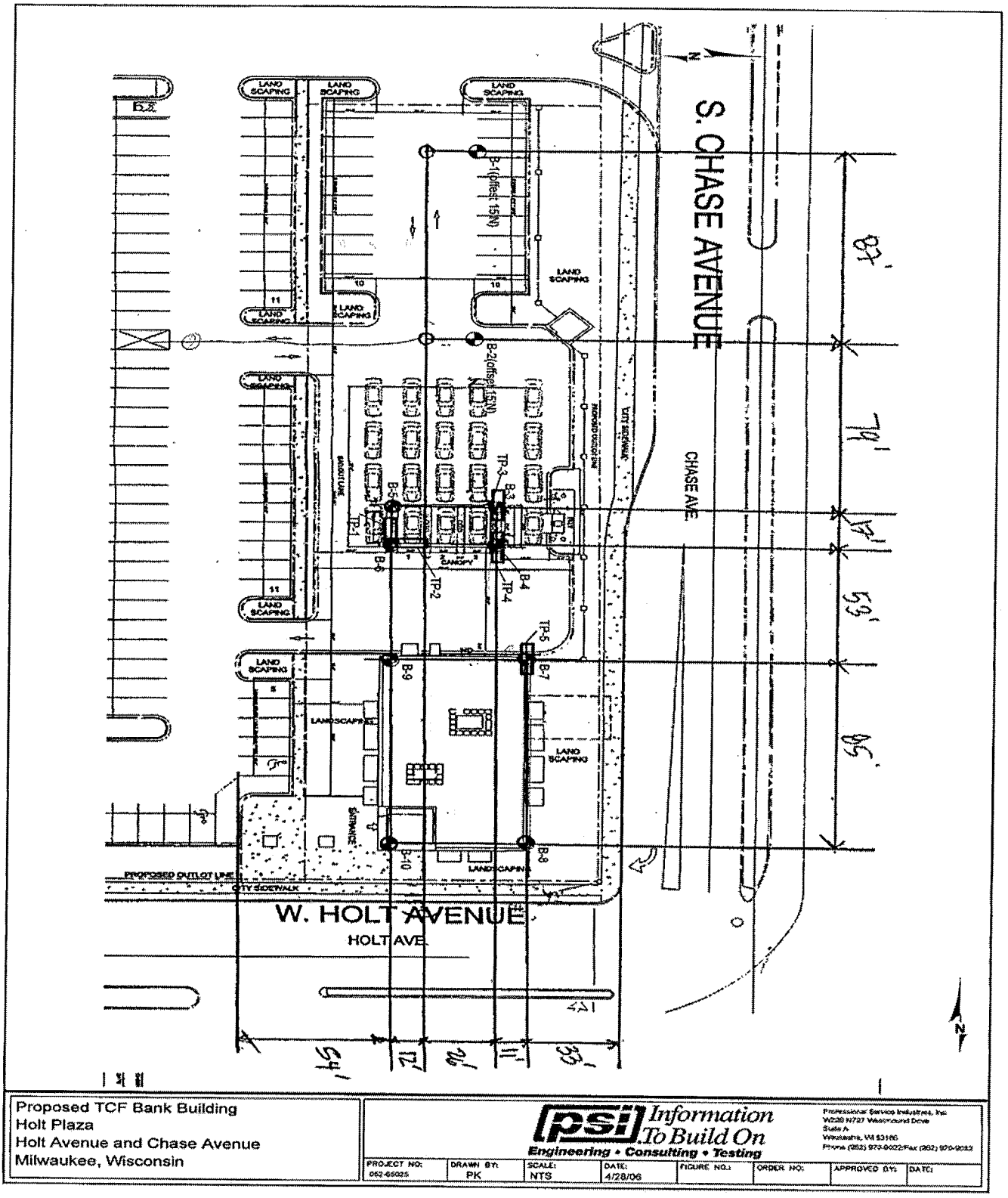


Figure 4 – Proposed TCF Bank facility showing geotechnical boring and exploration test pit locations.

Table 1 - Soil Sample Results

Compound	Units	SP-1 6/26/2006	SP-2 6/26/2006	NR 720 RCL (1)		Suggested Generic RCLs for PAH Compounds (2)		
				Non-Industrial	Industrial	Groundwater Pathway	Direct Contact Pathway Non-Industrial	Direct Contact Pathway Industrial
Volatile Organic Compounds								
Naphthalene	µg/kg	190	<54	--	--	400	20,000	110,000
Polyaromatic Hydrocarbons								
Anthracene	µg/kg	<5.5	32	--	--	3,000,000	5,000,000	300,000,000
Benzo(a)anthracene	µg/kg	**130**	**130**	--	--	17,000	88	3,900
Benzo(a)pyrene	µg/kg	**170**	**150**	--	--	48,000	8.8	390
Benzo(b)fluoranthene	µg/kg	**180**	150	--	--	360,000	88	3,900
Benzo(ghi)perylene	µg/kg	190	140	--	--	6,800,000	1,800	39,000
Benzo(k)fluoranthene	µg/kg	<5.8	92	--	--	870,000	880	39,000
Chrysene	µg/kg	110	120	--	--	37,000	8,800	390,000
Dibenzo(a,h)anthracene	µg/kg	**33**	**30**	--	--	38,000	8.8	390
Fluoranthene	µg/kg	150	230	--	--	500,000	600,000	40,000,000
Fluorene	µg/kg	16	16	--	--	100,000	600,000	40,000,000
Indeno(1,2,3-cd)pyrene	µg/kg	**170**	**120**	--	--	680,000	88	3,900
1-Methylnaphthalene	µg/kg	<33	33	--	--	23,000	1,100,000	70,000,00
2-Methylnaphthalene	µg/kg	100	130	--	--	20,000	600,000	40,000,000
Naphthalene	µg/kg	65	36	--	--	400	20,000	110,000
Phenanthrene	µg/kg	41	160	--	--	1,800	18,000	390,000
Pyrene	µg/kg	31	180	--	--	8,700,000	500,000	30,000,000
RCRA Metals								
Arsenic	mg/kg	**3.9**	**6.6**	0.039	1.6	--	--	--
Barium	mg/kg	40	35	--	--	--	--	--
Cadmium	mg/kg	0.82	0.60	8	510	--	--	--
Chromium*	mg/kg	30	39	16,000	200	--	--	--
Lead	mg/kg	**130**	**58**	50	500	--	--	--
Mercury	mg/kg	0.064	0.060	--	--	--	--	--
Selenium	mg/kg	<4.4	<4.4	--	--	--	--	--
Silver	mg/kg	0.13	<0.12	--	--	--	--	--

(1)- Residual Contaminant Level (RCL) Based On Human Health Risk From Direct Contact Related To Land Use per Wisconsin Administrative Code NR 720.11.
(2) – Suggested generic RCL for PAH Compounds per Wisconsin Department of Natural Resources Interim Guidance (Publication RR-519-97, April 1997).
* The non-industrial RCL for trivalent chromium in 16,000 mg/kg, and the industrial RCL for hexavalent chromium is 200 mg/kg.
Concentrations exceeding non-industrial RCLs are in bold. Concentrations exceeding industrial RCLs are shaded.

I, the undersigned, believe that the legal descriptions of all properties within or partially within the contaminated site boundaries has been attached to this closure request.

Name: Ronald San Filippo President Company: MSSD INC

Signature: _____ Date: 9-26-06