State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

WISCONSIN
DEPT. OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TTY 414-263-8713

May 16, 2002

Mr. Khalid Ahmed
A&A Petroleum
11840 W. Silver Spring Dr.
Milwaukee, WI 53225

Subject: Final Closure Letter for Former CDS Investments (One-Stop Mini Mart) Located at 4250 West Greenfield Ave., Milwaukee, WI

FID: 241593220
BRRTS: 03-41-000754

Dear Mr. Ahmed:

The Department is conducting a file review and noticed that this property was conditionally closed on December 8, 1998 with a PAL exemption and required documents that needed to be submitted to the Department before final closure would be granted. A final closure letter should have been issued after receiving the well abandon reports, filed deed and groundwater use restrictions received from Sigma Environmental in their submittals dated April 12, 1999 and January 21, 2000.

This letter is the final closure letter for this site. Therefore, based on the investigation and remedial documentation provided to the Department, it appears that the above-named site is in compliance with the requirements of Chs. NR 700 to 726, Wis. Admin. Code, as applicable. Therefore, the Department considers the case closed and tracked as such, having determined that no further action is necessary at the site at this time. However, the case may be reopened pursuant to S. NR 726.09, Wis. Admin. Code, 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.

I hope the delay in receiving this final closure letter has not caused any problems with your property. 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 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 (414-263-8680) at the above address.

Sincerely,

John J. Hnat
Hydrogeologist
Remediation and Redevelopment

C: Dale Armbruster, Sigma
WDNR SER Files

Document Number

REEL 4677 IMAGE 1708

GROUNDWATER USE RESTRICTION

7827367

REGISTER'S OFFICE } SS
Milwaukee County, WI

RECORDED AT 3:39 PM

10-26-1999

REEL 4677 IMAGE 1708 To 1711 Incl.

WALTER R. BARCZAK
REGISTER OF DEEDS

AMOUNT 16.00

Recording Area

Name and Return Address
A+A Petroleum
11890 W. Silver Spring Dr
Milw. WI. 53225

In Re: (Legal description of the property as it appears on the most recent deed) Attachment A

STATE OF WISCONSIN

COUNTY OF Milwaukee (County where document is signed)

WHEREAS, Khalid Ahmed is the owner of the above-described property.

Tax Key #436-1022
Parcel Identification Number (PIN)

WHEREAS, one or more petroleum discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards exists on this property at the following location(s): Monitoring well MW-1 (Benzene 3,100 parts per billion [ppb], Ethylbenzene 1,500 ppb), monitoring well MW-2 (Benzene 280 ppb, Ethylbenzene 2,500 ppb, Xylenes 6,200 ppb), monitoring well MW-5 Benzene 3,600 ppb, Ethylbenzene 2,400 ppb, Xylenes 3,300 ppb). Petroleum contaminated soil from a previously existing petroleum underground storage tank system that was removed in 1990 likely exist above NR 720 Residual Contaminant Levels in the southwestern portion of the property.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, 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 limitation and restrictions:

Anyone who proposed to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency,

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DRAFTED BY DIANA LEIS

to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. 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 groundwater use restriction is no longer binding.

Signature: _____

Print Name: KHALID / FOZIA AHMAD

Subscribed and sworn to before me
this 31st day of August, 1999.

_____
Notary Public, State of Wisconsin
My commission expires 5/2/02

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REAL ESTATE COMMITMENT
CHICAGO TITLE INSURANCE COMPANY
SCHEDULE A

REEL 4677 IMAG 1714

Prepared for:
THOMAS J. KROLL, ATTORNEY
330 E. KILBOURN AVENUE SUITE 1275
MILWAUKEE, WISCONSIN 53202

Copies to: See Schedule B-II

Commitment No: 1084662 / CCM

Effective Date December 6, 1998 at 7:00 A.M.

1. Policy or Policies to be issued:
ALTA OWNER'S POLICY (10-17-92)
Proposed Insured:
KHALID AHMAD AND FOZIA AHMAD, husband and wife

Amount $600,000.00

ALTA LOAN POLICY (10-17-92)
Proposed Insured:
NONE

Amount

2. Title to the fee simple estate or interest in the land described or referred to in this Commitment is at the effective date hereof of record in:
CDS INVESTMENTS, INC., a Wisconsin Corporation

3. The land referred to in the Commitment is described as follows:
A part of Lot 2, in Block 5, in Assessor's Plat No. 290, in the Southwest 1/4 of Section 36, Town 7 North, Range 21 East, in the Village of West Milwaukee, County of Milwaukee, State of Wisconsin, described as follows:
Commencing at the Northeast corner of South 43rd Street and West Greenfield Avenue; thence North 13° 30' West along the East line of South 43rd Street, 121.02 feet to an angle point; thence North 0° 18' East along the East line of South 43rd Street, 3.38 feet to a point; thence East and parallel to the South line of Lot 2, 121.20 feet to a point which is 9.5 feet West of the center line, which is 9.5 feet from and parallel to the center line of said side track; thence South 124.08 feet to a point in the North line of West Greenfield Avenue; thence West along the North line of West Greenfield Avenue, 117.84 feet to the place of beginning, excepting therefrom all that part of Lot 2, Block 5, Assessor's Plat No. 290, in the Southeast 1/4 of Section 36, Town 7 North, Range 21 East, in the Village of West Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows:
Commencing at the Southwest corner of said Section 36; thence East on and along the

- CONTINUED -

DIRECT INQUIRIES TO: JOHN A. PFANNERSTILL, JR. 795-3876

POOR COPY PRESENTED FOR RECORDING

Commitment No: 1084662

South line of said Section, 186.86 feet to a point; thence North 33.00 feet to a point; thence West on a line 33.00 feet North of and parallel to the South line of said Section, 10.50 feet to the place of beginning; thence West on a line 33.00 feet North of and parallel to the South line of said Section 117.84 feet to a point in the East line of South line of South 43rd Street; thence North 13° 30' West, 1.03 feet to a point; thence East on a line 34.00 feet North of and parallel to the South line of said Section, 118 feet, more or less, to a point in the West line of the side tracks, said point being 9.50 feet West of the centerline of the West track of the side tracks; thence running Southerly on a line 9.50 feet Westerly of and parallel to the West track of said side track, 1.00 feet more or less, to the place of beginning. ALSO EXCEPTING THEREFROM that portion of the above described premises conveyed to the State of Wisconsin, Department of Transportation by a Warranty Deed dated June 18, 1987 and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin on July 6, 1987 on Reel 3115, Image 1097 as Document No. 6079879.

Tax Key No. 435-1012

ADDRESS: 4250 W. Greenfield Avenue

POOR COPY PRESENTED FOR RECORDING

REEL 4677 IMAG 1712

7827368

Document Number

DEED RESTRICTION

REGISTER'S OFFICE) SS
Milwaukee County, WI)
RECORDED AT 3:39 PM
10-26-1999
REEL 4677 IMAGE 1712 TO 1715 Incl.
WALTER R. BARCZAK
REGISTER OF DEEDS
AMOUNT 16.00

In Re: [Legal description of the property as it appears on the most recent deed] Attachment A

STATE OF WISCONSIN

COUNTY OF Milwaukee [County where document is signed]

Khalid Ahmed, being first duly sworn, on oath deposes and says:

1. That he/she is the owner of the property described above.

2. That approval has been given by the Wisconsin Department of Natural Resources for the close-out of an environmental contamination case involving the property described above on the condition that a notification of the existence of residual contamination on the property is recorded at the Office of the Register of Deeds in the county where the property described above is located.

Recording Area

Name and Return Address
A+A Petroleum
11840 W. Silver Spring Dr.
Milw. WI. 53225

Tax Key #436-1022
Parcel Identification Number (PIN)

3. That this affidavit is being recorded for the purpose of notifying prospective purchasers and other interested parties that soil contaminated with petroleum compounds likely above NR 720 Residual Contaminant Levels from a previous underground petroleum storage tank system that was removed in 1990 remain in the southwestern portion of the property. If this soil is excavated in the future it may be considered a solid waste and will need to be disposed in accordance with applicable laws and regulations.

Signature: [signature]

Print Name: KHALID AHMAD

Subscribed and sworn to before me this 31st day of August, 1999.

[signature]
Notary Public, State of Wisconsin
My commission EXPIRES 3/2/02

i:\cas\820\dnotice

DRAFTED BY DANA LEIS

Commitment No: 1084662

South line of said Section, 186.36 feet to a point; thence North 22.00 feet to a point; thence West on a line 13.00 feet North of and parallel to the South line of said Section, 10.50 feet to the place of beginning; thence West on a line 33.60 feet North of and parallel to the South line of said Section 117.84 feet to a point in the East line of South line of South 43rd Street; thence North 13° 30' West, 1.03 feet to a point; thence East on a line 34.00 feet North of and parallel to the South line of said Section, 118 feet, more or less, to a point in the West line of the side tracks, said point being 9.50 feet West of the centerline of the West track of the side tracks; thence running Southerly on a line 9.50 feet Westerly of and parallel to the West track of said side track, 1.00 feet more or less, to the place of beginning.
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Tax Key No. 436-1022

ADDRESS: 4250 W. Greenfield Avenue

POOR COPY PRESENTED FOR RECORDING

CHICAGO TITLE INSURANCE COMPANY
SCHEDULE A

REEL 4677 IMAG 1714

Prepared for:
THOMAS J. KROLL, ATTORNEY
330 E. KILBOURN AVENUE SUITE 1275
MILWAUKEE, WISCONSIN 53202

Copies to: See Schedule B-II

Commitment No: 1084662 / COM

Effective Date December 8, 1998 at 7:00 A.M.

1. Policy or Policies to be issued.
ALTA OWNER'S POLICY (10-17-92)
Proposed Insured:
KHALID AHMAD AND FOZIA AHMAD, husband and wife

Amount $600,000.00

ALTA LOAN POLICY (10-17-92)
Proposed Insured:
NONE

Amount

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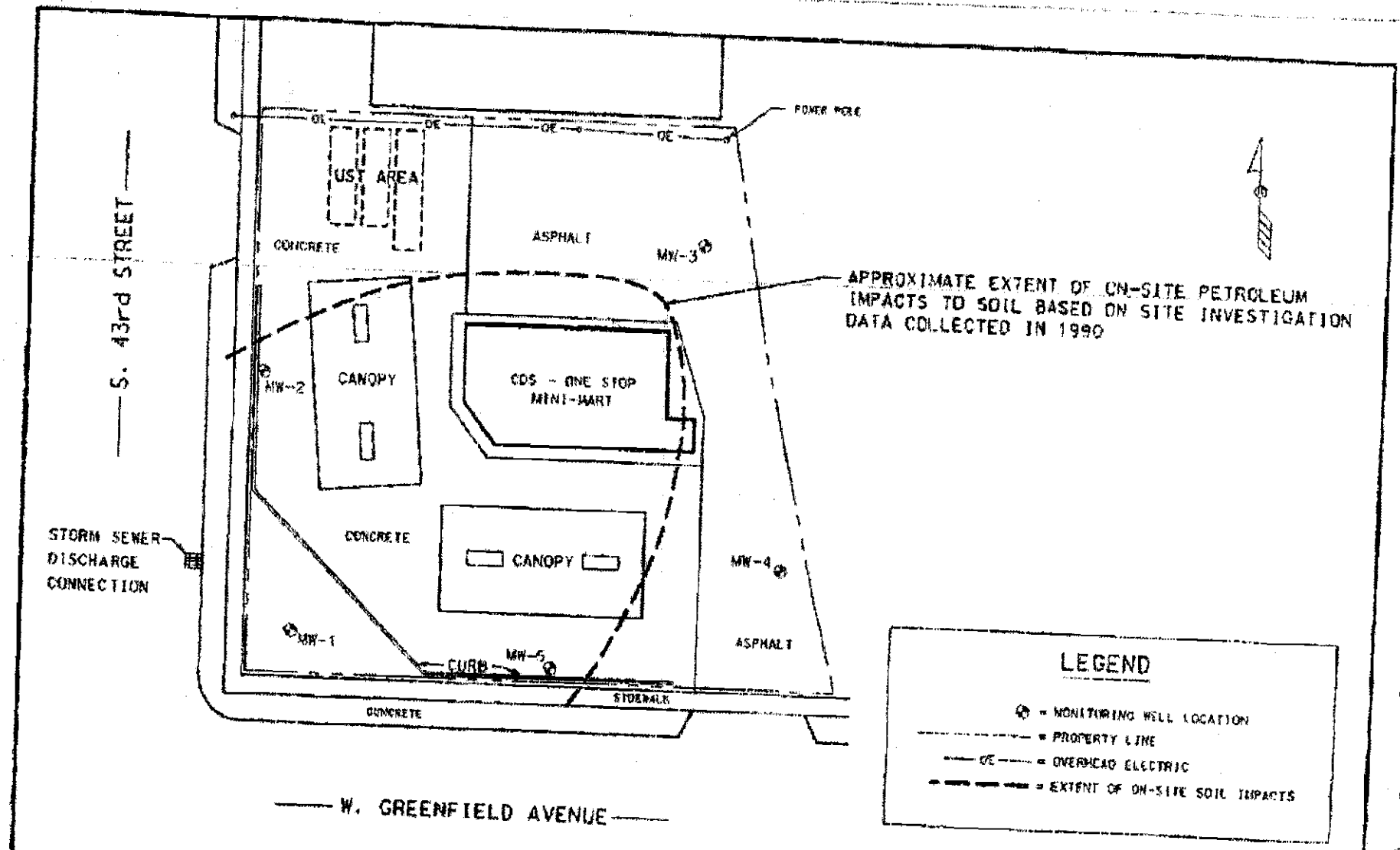
• CONTINUED

DIRECT INQUIRIES TO: JOHN A. PFANNERSTILL, JR. 708-3875

POOR COPY PRESENTED FOR RECORDING

REEL 4677 IMAGE 1713



NOTE:
DIMENSIONS DEPICTED ON MAP ARE FOR REFERENCE ONLY - SITE HAS NOT BEEN SURVEYED.

CDS INVESTMENTS, INC. 4250 W. GREENFIELD AVE. W. MILWAUKEE, WI			SIGMA ENVIRONMENTAL SERVICES INC.
DATE: 5-18-99	DR. BY: BEB	DR.# 0820-010	SCALE: 1" = 30'
ON-SITE SOIL IMPACT MAP			FIGURE 1