

## GIS REGISTRY INFORMATION

<b>SITE NAME:</b>	Pure Oil Gas Station		
<b>BRRTS #:</b>	03-41-005183	<b>FID #</b>	
		(if appropriate):	
<b>COMMERCE #</b> (if appropriate):	53212-1207-75		
<b>CLOSURE DATE:</b>	December 11, 2002		
<b>STREET ADDRESS:</b>	275 E Capitol Dr		
<b>CITY:</b>	Milwaukee		
<b>SOURCE PROPERTY GPS COORDINATES</b> (meters in WTM91 projection):	<b>X =</b> 690307	<b>Y =</b> 292816	
<b>CONTAMINATED MEDIA:</b>	Groundwater	Soil	Both
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>OFF-SOURCE GW CONTAMINATION &gt;ES:</b>	Yes	No	<input checked="" type="checkbox"/>
• <b>IF YES, STREET ADDRESS:</b>			
• <b>GPS COORDINATES</b> (meters in WTM91 projection):	<b>X =</b>	<b>Y =</b>	
<b>OFF-SOURCE SOIL CONTAMINATION</b> >Generic or Site-Specific RCL (SSRCL):	Yes	No	<input checked="" type="checkbox"/>
• <b>IF YES, STREET ADDRESS 1:</b>			
• <b>GPS COORDINATES</b> (meters in WTM91 projection):	<b>X =</b>	<b>Y =</b>	
<b>CONTAMINATION IN RIGHT OF WAY:</b>	Yes	No	<input checked="" type="checkbox"/>
<b><u>DOCUMENTS NEEDED</u></b>			
Closure Letter, and any conditional closure letter issued			<input checked="" type="checkbox"/>
Copy of most recent deed, including legal description, for all affected properties			<input type="checkbox"/>
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties			<input type="checkbox"/>
County Parcel ID number, if used for county, for all affected properties			<input type="checkbox"/>
<b>Location Map</b> 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.			<input checked="" type="checkbox"/>
<b>Detailed Site Map(s) for all affected properties</b> , 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.			<input checked="" type="checkbox"/>
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)			<input type="checkbox"/>
Tables of Latest Soil Analytical Results (no shading or cross-hatching)			<input checked="" type="checkbox"/>
<b>Isoconcentration map(s), if required for site investigation (SI)</b> (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.			<input type="checkbox"/>
<b>GW: Table of water level elevations, with sampling dates, and free product noted if present</b>			<input type="checkbox"/>
<b>GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)</b>			<input type="checkbox"/>
<b>SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour</b>			<input checked="" type="checkbox"/>
<b>Geologic cross-sections, if required for SI.</b> (8.5x14' if paper copy)			<input checked="" type="checkbox"/>
<b>RP certified statement that legal descriptions are complete and accurate</b>			<input type="checkbox"/>
<b>Copies of off-source notification letters (if applicable)</b>			<input type="checkbox"/>
<b>Letter informing ROW owner of residual contamination (if applicable)</b> (public, highway or railroad ROW)			<input type="checkbox"/>
<b>Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure</b>			<input checked="" type="checkbox"/>



December 11, 2002

Mr. Robert Miller  
Spic & Span, Inc.  
4301 N. Richards Street  
Milwaukee WI 53212-1097

RE: **Final Closure**

**Commerce # 53212-1207-75**      **WDNR BRRTS # 03-41-005183**  
Pure Oil Gas Station, 275 E. Capitol Drive, Milwaukee

Dear Mr. Miller:

The Wisconsin Department of Commerce (Commerce) has received all items required for closure of the site referenced above. This site is now listed as "closed" on the Commerce database.

It is in your best interest to keep all documentation related to the environmental activities at your site. If residual contamination is encountered in the future, appropriate measures must be implemented to assure that it is managed following all applicable regulations. If future site conditions indicate that any remaining contamination poses a threat, and subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5375.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Michael', is written over a light blue horizontal line.

Greg Michael  
Hydrogeologist  
Site Review Section

cc: Envirogen, Inc.  
Case File



ENVIRONMENTAL & REGULATORY SERVICES  
PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TDD: (608) 264-8777  
Fax #: (608) 267-1381  
[www.commerce.state.wi.us](http://www.commerce.state.wi.us)  
Tommy G. Thompson, Governor  
Brenda J. Blanchard, Secretary

September 29, 2000

Mr. James Plous  
Union Dye Works Realty  
4301 N Richards St.  
Milwaukee, WI 53212

Subject: **Conditional Case Closure**  
Pure Oil Gas Station  
275 Capitol Drive, Milwaukee, WI 53212

**COMMERCE # 53212-1207-75**  
WDNR BRRTS # 03-41-005183

Dear Mr. Plous:

On June 14, 1996, the Wisconsin Department of Natural Resources (WDNR) transferred the referenced case to the Wisconsin Department of Commerce for regulatory oversight. On July 19, 2000 the Department received the request for closure from your consultant. The reports your consultant has provided to the Department of Commerce are sub-standard.

**The following information is missing from the case file and must be submitted in order to satisfy the conditions of closure:**

- Monitoring well development forms for MW-6, MW-10 and PZ-1
- UST Closure Checklist/inventory forms for USTs removed during remedial excavation activities.
- Tank and tank sludge disposal documentation.
- Soil disposal tickets.
- Investigative waste disposal documentation.

It is standard business practice that these administrative details are in the appropriate report.

Using the standards established in NR 700, and the risk criteria of Comm 46, the department has determined that this site does not pose a significant threat to the environment and human health and no further investigation or remedial action is necessary.

**In addition to the above requested information:**

- The monitoring wells must be abandoned per chapter NR 141 requirements. Please submit copies of the well abandonment forms to this office.
- The completion and signing of the enclosed soil deed restriction.

September 29 2000, Page 2  
Conditional Case Closure – Pure Oil Gas Station  
275 Capitol Drive, Milwaukee  
COMMERCE # 53212-1207-75  
BRRTS # 03-41-005183

**IMPORTANT:** Before this case can be officially listed as “closed” on the Wisconsin Department of Commerce/Natural Resources computer database, you or your consultant must submit the requested information.

In October 1999, a preventive action limit exceedance (PAL) of 0.95 parts per billion benzene was present in monitoring well MW-10. The Department is issuing a PAL exemption, per NR 140.287(2), Wisconsin Administrative Code, for Benzene at the referenced site.

If, in the future, site conditions indicate that any contamination that remains poses a threat, the need for further investigation/remediation would be determined and required if necessary. If subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts in the protection of the environment. If you have any additional questions, please call me at 608-261-5401.

Sincerely,

Shawn A. Wenzel  
Hydrogeologist  
PECFA Site Review Section

Enclosure: Draft Deed Restriction

Cc: case file  
electronic case file  
Mr. Kevin M. Hedinger, Envirogen, Inc.

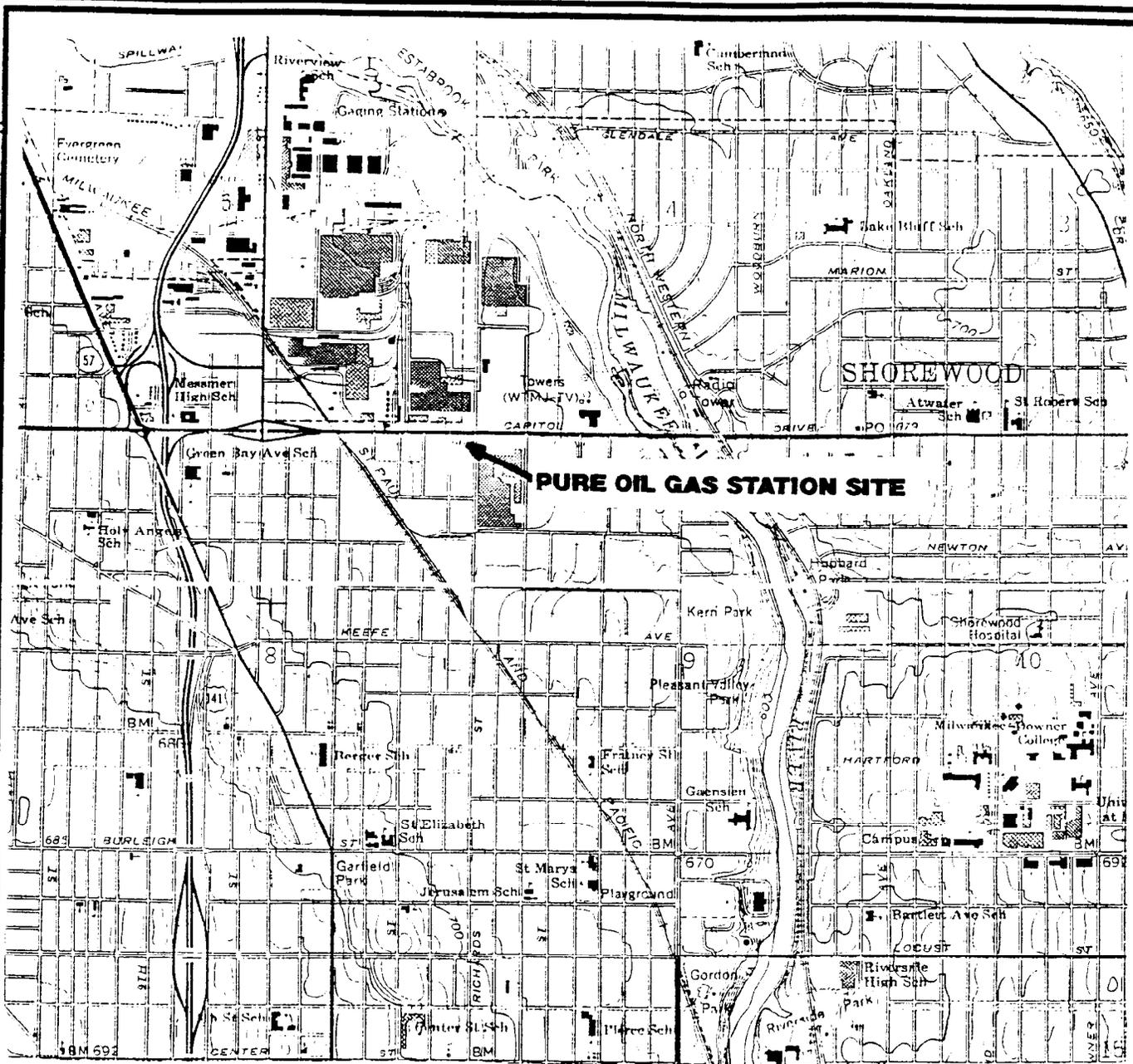
APPROVED BY: CLK 5/7/97

CHECKED BY: JLM 5/7/97

DRAWN BY: PAO 10/30/96

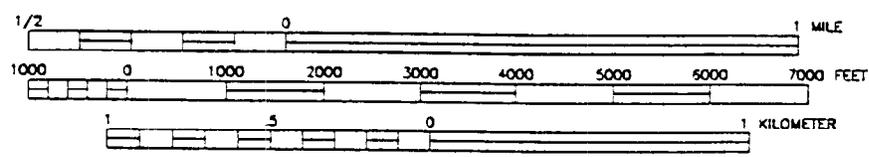
DRAWING NO. 95.084W21

DRAWING NO. 95.084W21



(USGS [1958] 1971)

SCALE 1:24000



CONTOUR INTERVAL 10 FEET



LOCATION

Site Location Map  
 Pure Oil  
 Gas Station Site  
 Milwaukee, Wisconsin

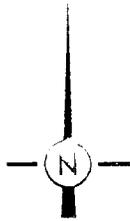


FIGURE NO.  
 2.1

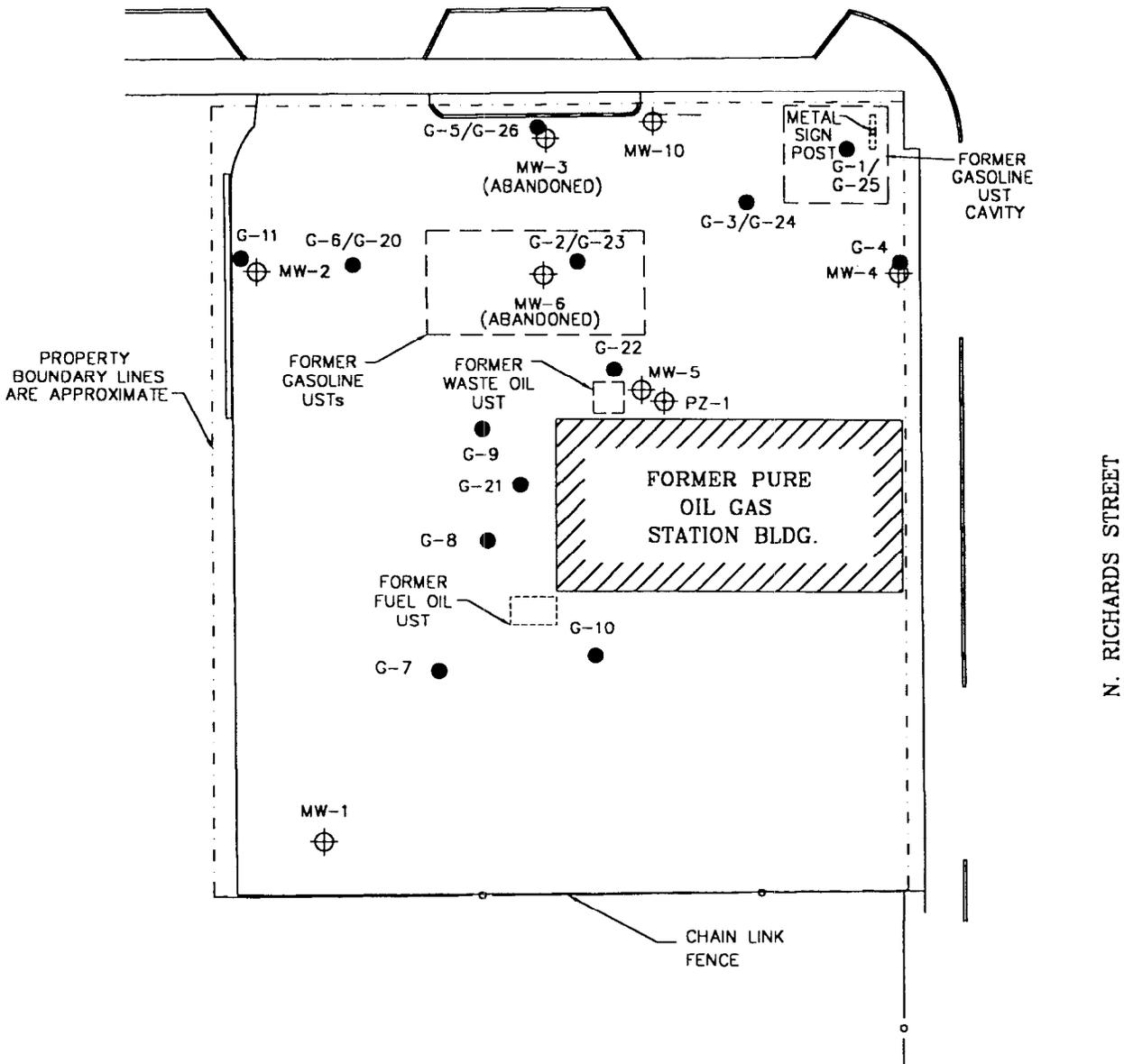
THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT

LEGEND

- ⊕ MONITORING WELL
- ⊕ PIEZOMETER
- GEOPROBE POINT

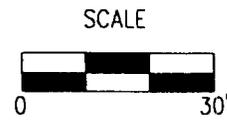


E. CAPITOL DRIVE



REVISIONS:	ENGINEER	DATE
APPROVED BY:	ENGINEER	DATE
CHECKED BY:	RRT	05/01/00
DRAWN BY:	95.084L21	
DRAWING NO.		

**ENVIROGEN**  
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT  
 2835 North Grandview Blvd.  
 Pewaukee, Wisconsin 53072-0090



SITE PLAN VIEW	FIGURE NO.
PURE OIL GAS STATION SITE MILWAUKEE, WISCONSIN	1

TABLE 1

Pre-Remedial Soil Sample Laboratory Analytical Results  
 Pure Oil Gas Station Site  
 Milwaukee, Wisconsin

Sampling Location	Date collected	Depth (feet)	GRO (ppm)	DRO (ppm)	DRO+5* (ppm)	Benzene	Ethyl-benzene	Toluene	Total Xylenes	MTBE	1,2,4-TMB	1,3,5-TMB	sec-Butyl-benzene	Isopropyl-benzene	Naphthalene	n-Propyl-benzene	Lead (ppm)
G-1	8/28/95	5-7	29	NA	NA	40	100	<25	188	100	47	280	NA	NA	NA	NA	NA
	8/28/95	7-9	730	NA	NA	450	8,000	<250	9,600	650	17,000	6,000	NA	NA	NA	NA	NA
G-2	11/7/96	9-11	160	20	20	<100	2,200	<100	1,950	<100	21,000	3,400	460	810	1,500	3,600	8.7
	11/7/96	11-13	<2.8	<3.7	<3.7	<25	<25	<25	<50	<25	<25	<25	<25	<25	<25	<25	8.4
G-3	11/7/96	9-11	<2.9	81	80	43	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	12
	11/7/96	11-13	83	<3.6	<3.6	650	680	<25	1,050	150	620	270	NA	NA	NA	NA	7.7
G-4	11/7/96	9-11	37	4.1	4.2	<25	<25	<25	<77	<25	79	<25	NA	NA	NA	NA	15
	11/7/96	11-13	<2.8	<3.7	<3.7	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	8.2
G-5	11/7/96	9-11	290	5.8	5.8	84	2,800	190	4,710	1,700	8,000	3,400	NA	NA	NA	NA	9.9
	11/7/96	11-13	37	<3.8	<3.8	160	340	90	238	430	43	370	NA	NA	NA	NA	9.0
G-6	11/7/96	9-11	1,400	77	76	<500	50,000	<500	129,000	3,200	84,000	25,000	NA	NA	NA	NA	8.6
G-7	11/7/96	9-11	NA	<4.2	<4.2	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	11/7/96	11-13	NA	<3.9	<3.9	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	NA
G-9	11/8/96	9-11	97	150	150	<50	<50	<50	<160	<50	1,300	710	NA	NA	NA	NA	NA
G-10	11/8/96	9-11	NA	<3.7	<3.7	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	NA
G-11	11/8/96	11-13	3.9	<4.1	<4.1	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	NA
MW-1	11/12/96	9-11	NA	<5.1	NA	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	79
	11/12/96	15-17	NA	<3.7	NA	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	18
MW-3	11/12/96	15-17	<2.8	4.3	4.1	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	2.9
MW-5	11/13/96	7-9	72	900	1,100	<25	<25	<25	350	<25	820	860	NA	NA	NA	NA	7.3
	11/13/96	15-17	4.7	15	16	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	8.6
G-24	3/10/97	11-13	NA	NA	NA	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	NA
	3/10/97	13-15	NA	NA	NA	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	NA
G-25	3/10/97	13-15	NA	NA	NA	<25	<25	<25	<50	<25	<25	<25	NA	NA	NA	NA	NA
NR 720 Generic Soil Standard†			100	100	NS	5.5	2,900	1,500	4,100	NS	NS	NS	NS	NS	NS	NS	50

Notes: All concentrations in ppb unless otherwise indicated

Shading indicates value equals or exceeds the NR 720 generic soil standard

†: The official WDOC reporting limit for volatile organic compound samples collected after March 1, 1996, is 25 ppb.

(\*): Analyzed for an additional five minutes

DRO: Diesel range organics

NS: No standard

MTBE: Methyl t-butyl ether

NA: Not analyzed

TMB: Trimethylbenzene

GRO: Gasoline range organics

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

TABLE 5

Remedial Soil Sample Laboratory Analytical Results  
Pure Oil Gas Station Site  
Milwaukee, WI

Sample	Location	Depth (in feet)	Parameters							
			Benzene	Ethylbenzene	Toluene	Xylenes	1,2,4-TMB	1,3,5-TMB	MTBE	GRO
S-1	North Wall	4	<31	<442	<227	193	317	<110	51	26
S-2	North Wall	4	<29	<29	37	<87	33	<29	<29	8.6
S-3	North East Wall	4	<27	<27	<27	<82	92	<27	<27	15
S-4	South East Wall	4	<33	98	144	328	486	62	72	43
S-5	East Wall	4	<2,900	3,450	<2,900	<8,600	18,400	4,140	4,140	<5.80
S-6	South Wall	4	<30	<30	<30	<91	<30	<30	<30	<6.1
S-7	South Wall	4	<29	<29	52	<87	34	34	<60	<5.8
S-8	South Corner of the West Wall	4	<29	<29	<31	<87	<29	<29	<29	6.3
S-9	North Corner of West Wall	4	<28	38	78	<75	<28	<28	<28	7.8
S-10	North Wall	4	<73	174	128	581	407	<128	83	19
F-1	Bottom – North East corner	9	<28	<28	<28	93	157	53	<28	7.3
F-2	Bottom – South East Corner	9	<28	670	114	864	48	33	<28	14
F-3	Bottom – South West Corner	9	271	282	158	1,360	2,150	1,470	<28	40
F-4	Bottom – North East	9	<400	6,600	306	8,950	6,360	1,530	<290	165
F-5	Bottom – North Side	9	<28	44	<28	<167	99	64	<28	10
Truck 1	Contaminated Soil (Removed)	-	<2,210	15,100	<7,670	17,400	34,800	8,830	<29	1,740
Truck 2	Contaminated Soil (Removed)	-	<4,880	16,600	<7,980	16,600	34,400	11,100	<28	1,770
Truck 3	Contaminated Soil (Removed)	-	<3,580	15,700	<6,940	10,500	30,200	4,590	<28	1,340
Truck 4	Contaminated Soil (Removed)	-	<4,820	14,600	<8,850	12,300	30,200	9,410	<28	1,460
NR 720 Residual Contaminant Levels			5.5	NA	1,500	NA	NS	NS	NS	100
Site Specific Soil Standards			NS	11,600	NS	11,700	NS	NS	NS	NS

Notes: All results in ppb unless otherwise noted.

shading indicates exceedance of the NR 720 residual contaminant level or site specific soil standards

GRO: Gasoline range organics

TMB: Trimethylbenzene

NA: Not Applicable

NS: No standard

MTBE: Methyl-t-butyl ether

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

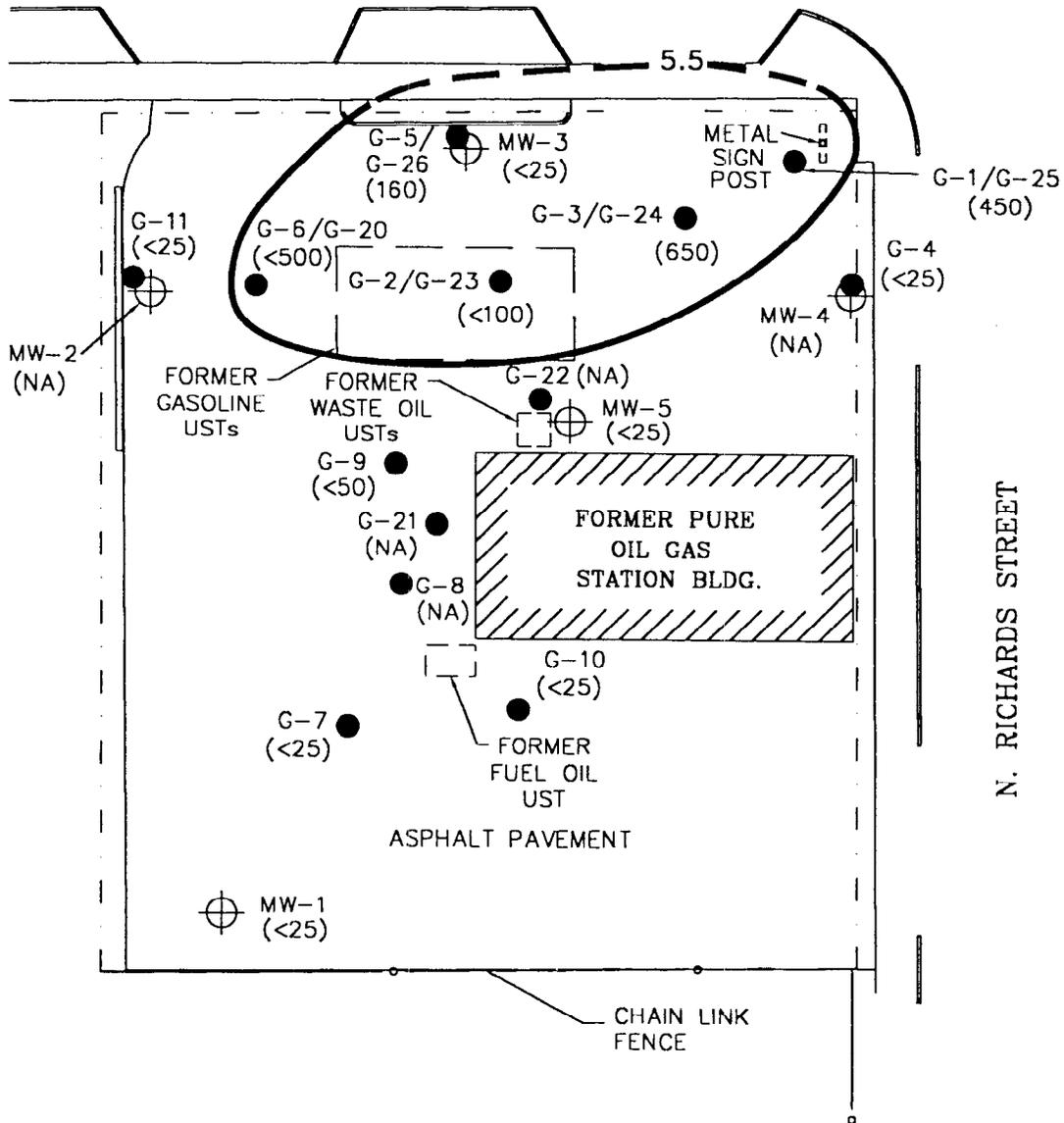
NOTE: NR 720 SOIL CLEANUP STANDARD  
FOR BENZENE IS 5.5 ppb

LEGEND

-  MONITORING WELL
-  GEOPROBE POINT
-  ( ) CONCENTRATION IN ppb
-  (NA) NOT ANALYZED
-  5.5 ISOCONCENTRATION CONTOUR



E. CAPITOL DRIVE



ENGINEER	DATE
ENGINEER	DATE
APPROVED BY:	
CHECKED BY:	
05/01/00	
RRT	
DRAWN BY:	
95.084L23	
DRAWING NO.	



**ENVIROGEN**

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

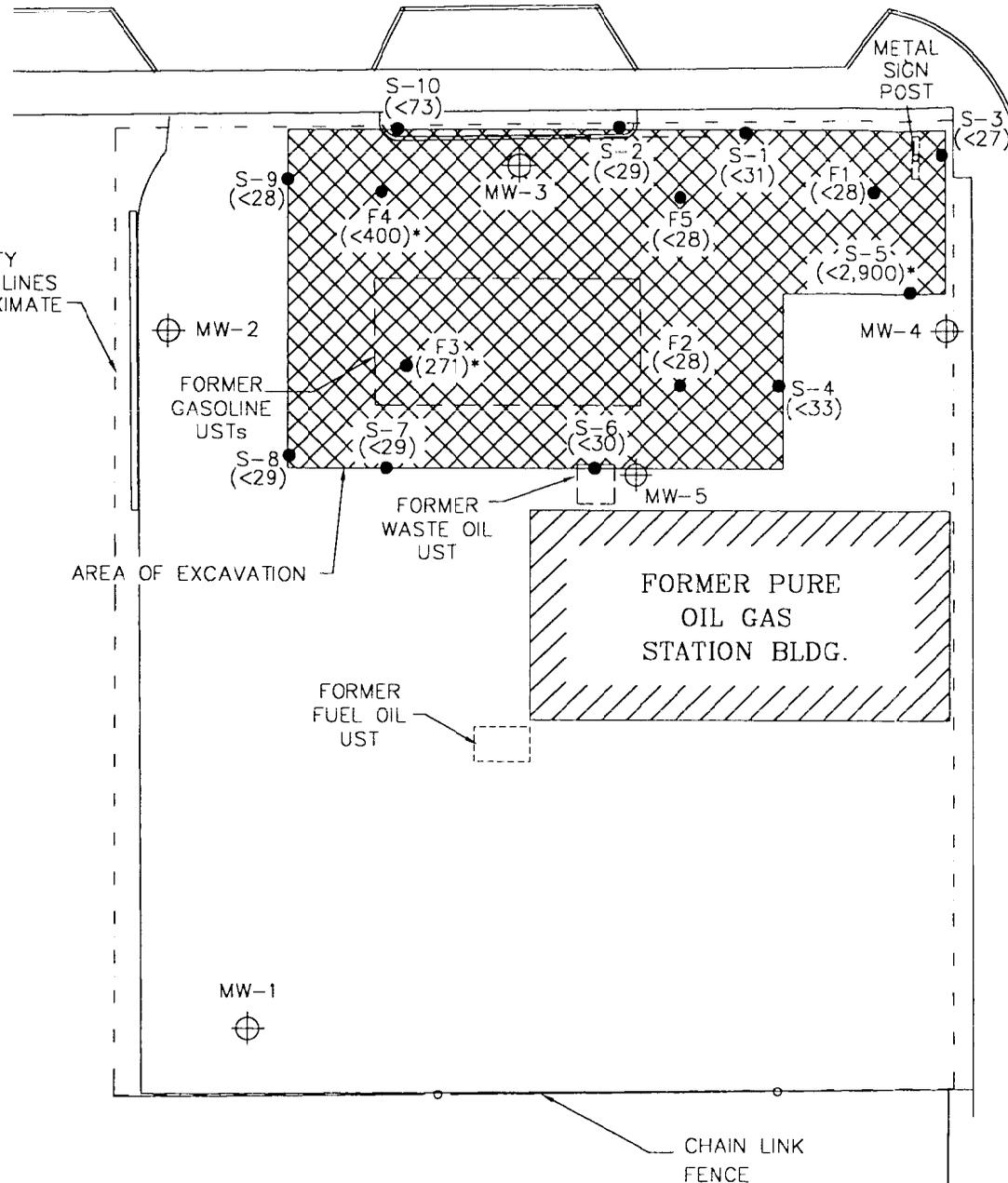
2835 North Grandview Blvd.  
Pewaukee, Wisconsin 53072-0090



SOIL BENZENE DISTRIBUTION	FIGURE NO. <b>3</b>
PURE OIL GAS STATION SITE MILWAUKEE, WISCONSIN	

E. CAPITOL DRIVE

PROPERTY BOUNDARY LINES ARE APPROXIMATE



LEGEND

- ⊕ MONITORING WELL
- SOIL SAMPLE LOCATION
- ( ) BENZENE CONCENTRATION IN ppm
- \* CONCENTRATION OVER NR720 LEVEL

NOTE:

THE NR720 RESIDUAL CONTAMINANT LEVELS = 5.5 ppm FOR BENZENE.



N. RICHARDS STREET

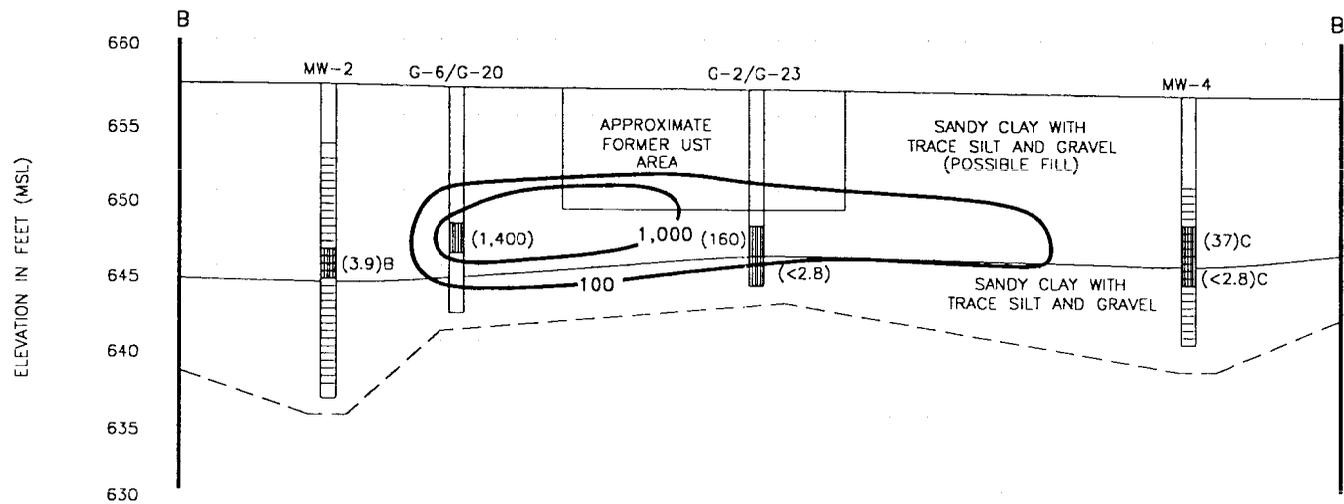
CHAIN LINK FENCE



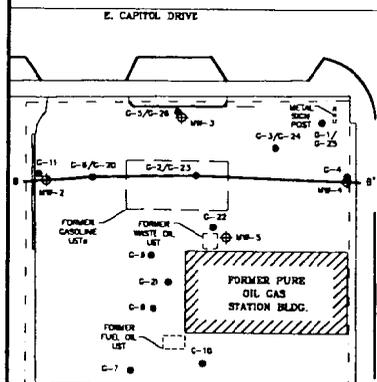
**ENVIROGEN**  
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT  
 2835 North Grandview Blvd.  
 Pewaukee, Wisconsin 53072-0090

AREA OF EXCAVATION AND SOIL SAMPLE LOCATIONS	FIGURE NO. 11
PURE OIL GAS STATION SITE MILWAUKEE, WISCONSIN	

ENGINEER	DATE	REVISIONS:
ENGINEER	DATE	APPROVED BY:
ENGINEER	DATE	CHECKED BY:
ENGINEER	DATE	05/01/00
ENGINEER	DATE	RRT
ENGINEER	DATE	DRAWN BY:
ENGINEER	DATE	95.084L31
ENGINEER	DATE	DRAWING NO.



PLAN VIEW



- LEGEND**
- SOIL SAMPLE INTERVAL
  - SCREENED INTERVAL
  - ( ) CONCENTRATION IN ppm
  - B SAMPLE RESULTS FROM G-11
  - C SAMPLE RESULTS FROM G-4
  - 100 ISOCONCENTRATION CONTOUR

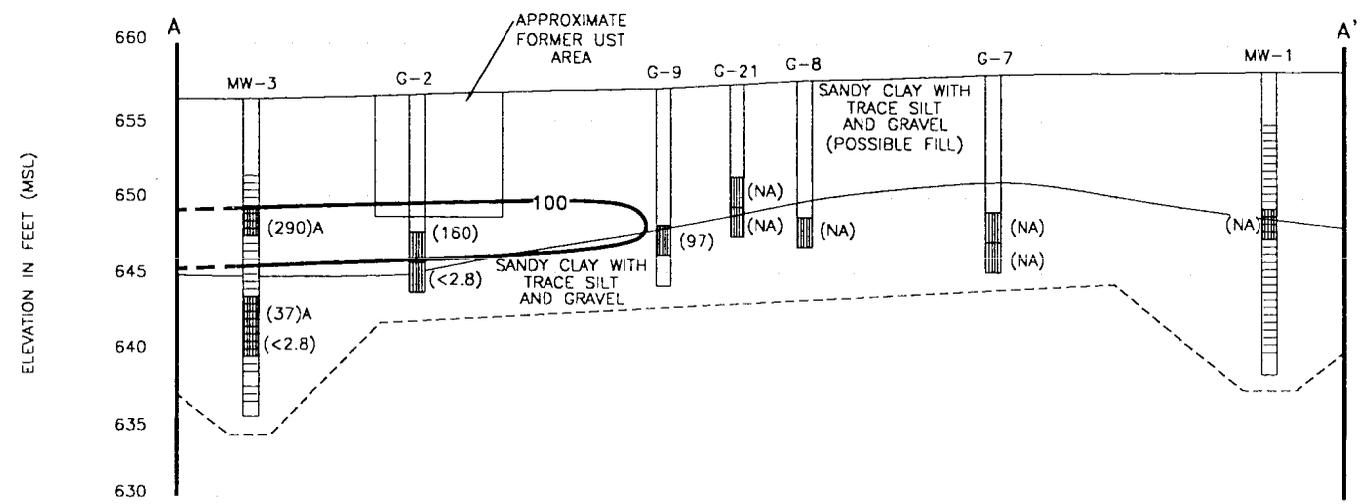
NOTE: NR 720 SOIL CLEANUP STANDARD FOR GRO IS 100 ppm

SCALE  
 HORIZONTAL: 1" = 20'  
 VERTICAL: 1" = 10'

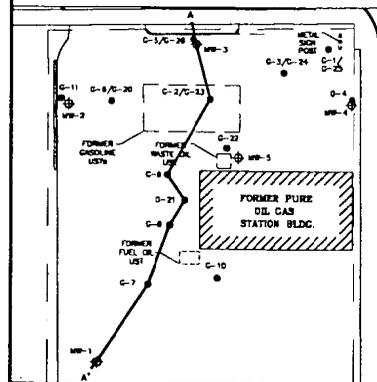
SOIL GRO DISTRIBUTION CROSS-SECTION B-B'  
 PURE OIL GAS STATION SITE  
 MILWAUKEE, WISCONSIN

DRAWING NO.	95.084L25	DRAWN BY:	RRT	05/01/00	CHECKED BY:	APPROVED BY:	REVISIONS:	ENGINEER	DATE
FIGURE NO.	5								

ENGINEER	DATE
ENGINEER	DATE
REVISIONS:	
APPROVED BY:	
CHECKED BY:	
05/01/00	
RRT	
DRAWN BY:	
95.064124	
DRAWING NO.	FIGURE NO.



PLAN VIEW



- LEGEND
- SOIL SAMPLE INTERVAL
  - SCREENED INTERVAL
  - ( ) CONCENTRATION IN ppm
  - (NA) NOT ANALYZED
  - A SAMPLE RESULTS FROM G-5
  - 100 ISOCONCENTRATION CONTOUR

NOTE: NR 720 SOIL CLEANUP STANDARD FOR GRO IS 100 ppm

SCALE  
 HORIZONTAL: 1" = 20'  
 VERTICAL: 1" = 10'



SOIL GRO DISTRIBUTION CROSS-SECTION A-A'	FIGURE NO.
PURE OIL GAS STATION SITE MILWAUKEE, WISCONSIN	4

7983682

REGISTER'S OFFICE ) SS  
Milwaukee County, WI

RECORDED AT 8:50 AM

11-01-2000

WALTER R. BARCZAK  
REGISTER OF DEEDS

AMOUNT 12.00

Recording Area

Name and Return Address

ROBERT A. MILLER  
4301 N. RICHARDS STREET  
MILWAUKEE, WI 53212

Parcel Identification Number (PIN)

000369845

Document Number

NOTICE OF CONTAMINATION TO  
PROPERTY

Legal Description of the Property: In re:

That part of the North East one-quarter (1/4) of Section Eight (8), in Township Seven (7) North, Range twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, which is described as follows: Commencing at a point on the West line of said North Richards Street, 54 feet South of the South line of West Capitol Drive; thence West parallel to the South line of West Capitol Drive, 120 feet to a point; thence South parallel to the West line of North Richards Street, 84 feet to a point; thence East parallel to the South line of West Capitol Drive, 120 feet to a point on the West line of North Richards Street, said point being 138 feet South of the South line of West Capitol Drive; thence North along the West line of North Richards Street, 84 feet to the point of commencement.

That part of the North East One-quarter (1/4) of Section Eight (8), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at a point 87 feet South and 35 feet West of the North East corner of the North East 1/4 of Section 8, in Township 7 North, Range 22 East; running thence West and parallel with the North line of said 1/4 Section, 120 feet to a point; thence South and parallel with the East line of said 1/4 Section, 54 feet to a point; thence East and parallel with the North line of said 1/4 Section, 120 feet to a point; thence North and parallel with the East line of said 1/4 Section, 54 feet to a point of commencement.

STATE OF WISCONSIN )  
) ss  
COUNTY OF MILWAUKEE )

- Section 1. Union Dye Works Realty is the owner of the above-described property.
- Section 2. One or more petroleum discharges have occurred at this property. Petroleum contaminated soil above NR 720 residual contaminant levels of the Wisconsin Administrative Code exist(s) on this property.
- Section 3. 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 petroleum contaminated soil remains on this site. According to the report filed by Envirogen, Inc. dated June 29, 2000, the residual soils are located along the north and west edges of the property located to the north of the former gas station building at a depth of approximately five to 11 feet below land surface. Residual petroleum contaminated soil is also located near the center of the site at approximately the same depth. Natural attenuation is the approved remedial alternative for this site. If contaminated soil is excavated in the future, it will have to be sampled and analyzed and the treatment or disposal of the soil is accordance with the applicable laws as a solid or hazardous waste may be necessary (File references: PECFA Claim number 53212-1207-75 and BRRS number 03-41-005183, Envirogen, Inc. Reports dated November 1996 through June 2000.)

Anyone who proposes 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, to determine what specific prohibitions or 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.

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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 restriction placed upon this property shall not be extinguished without the Department's written determination.

IN WITNESS WHEREOF, the owner of the property has executed this document, this 20TH day of OCTOBER, 2000.

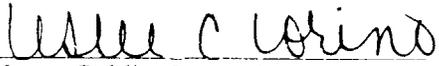
By signing this document, Robert A. Miller acknowledges that he/she is duly authorized to sign this document on behalf of Union Dye Works Realty

Signature: 

Printed Name: Robert A. Miller

Title: General Partner

Subscribed and sworn to before me this 20th day of October, 2000.

  
Notary Public, State of Wisconsin  
My commission expires 9/23/2001

This document was drafted by the Wisconsin Department of Commerce.

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