

GIS REGISTRY INFORMATION

SITE NAME:	Perlstein Property								
BRRTS #:	03-41-297751								
COMMERCE # (if appropriate):	53208-4218-18								
CLOSURE DATE:	August 11, 2003								
STREET ADDRESS:	418 N 27th St								
CITY:	Milwaukee								
SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):		X =	687259		Y =	286782			
CONTAMINATED MEDIA:	Groundwater			Soil	X	Both			
OFF-SOURCE GW CONTAMINATION >ES:	Yes			No			X		
• IF YES, STREET ADDRESS:									
• GPS COORDINATES (meters in WTM91 projection):									
	X =			Y =					
OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):	Yes			No	X				
• IF YES, STREET ADDRESS 1:									
• GPS COORDINATES (meters in WTM91 projection):									
	X =			Y =					
CONTAMINATION IN RIGHT OF WAY:	Yes			No	X				
<u>DOCUMENTS NEEDED</u>									
Closure Letter, and any conditional closure letter issued									X
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 – included in deed									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)									
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.									
GW: Table of water level elevations, with sampling dates, and free product noted if present									
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)									
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour									X
Geologic cross-sections, if required for SI. (8.5x14' if paper copy)									X
RP certified statement that legal descriptions are complete and accurate									X
Copies of off-source notification letters (if applicable)									
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)									
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure									X



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
101 West Pleasant Street, Suite 100A
Milwaukee, Wisconsin 53212-3963
TDD #: (608) 264-8777
Fax #: (414) 220-5374
<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>
Jim Doyle, Governor
Cory L. Nettles, Secretary

August 11, 2003

Mr. Jerry Perlstein
A & P Realty
12501 St. Anne Court
Mequon, WI 53092

RE: **Final Closure**

Commerce # 53208-4218-18 **WDNR BRRTS # 03-41-297751**
Perlstein Property, 418 North 27th Street, Milwaukee

One former gasoline and one former diesel underground storage tanks

Dear Mr. Perlstein:

The Wisconsin Department of Commerce (Commerce) has received all items required as conditions for closure of the site referenced above. This case is now listed as "closed" on the Commerce database and will be included on the Wisconsin Department of Natural Resources (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil contamination. It is in your best interest to keep all documentation related to the environmental activities that were conducted.

If residual contamination is encountered in the future, it must be managed in accordance with all applicable regulations. If it is determined that any remaining contamination poses a threat, the case may be reopened and further investigation or remediation may be required. If applicable, the PECFA claim for this site would also be reopened and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts to bring this case to closure. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5376.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda M. Michalets', written over a faint, illegible stamp.

Linda M. Michalets
Hydrogeologist
Site Review Section

cc: Ms. Kristin Kurzka, Sigma Environmental Services Inc
Case File



July 31, 2003

Mr. Jerry Perlstein
12501 St. Anne Court
Mequon, WI 53092

RE: **Conditional Case Closure**

Commerce # 53208-4218-18 **WDNR BRRTS # 03-41-297751**
Perlstein Property, 418 North 27th Street, Milwaukee

One former gasoline and one former diesel underground storage tanks

Dear Mr. Perlstein:

The Wisconsin Department of Commerce (Commerce) has reviewed the revised request for case closure prepared by your consultant, Sigma Environmental Services, Inc. (Sigma), for the site referenced above. It is understood that residual soil contamination remains on-site. Commerce has determined that this site does not pose a significant threat to the environment and human health. No further investigation or remedial action is necessary.

The following conditions must be satisfied to obtain final closure:

- The three monitoring wells must be properly abandoned and the appropriate documentation forwarded to me at the letterhead address.
- A copy of the deed restriction must be filed with the County to address potential direct contact threat from polynuclear aromatic hydrocarbons that remain in shallow soil. Please submit a copy of the restriction that was filed with the County for our records.

Sigma included a draft deed instrument in the closure request. Before filing, please make the following modifications to the deed instrument (Commerce cannot comment on the appropriateness of the figures, as they were not included with the text):

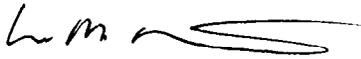
- This deed instrument is more restrictive than Commerce requires. The "restriction" is meant to address shallow soil contamination that may pose a direct contact threat, specifically from the polynuclear aromatic hydrocarbons (PAHs) that were present less than four feet below ground surface. While Commerce recognizes that other petroleum constituents were present at greater depths, that contamination is addressed by listing the site on the WDNR's Geographic Information System (GIS) Registry of Closed Remediation Sites. It is not necessary to "restrict" the site for the deeper contamination. I have enclosed Sigma's draft deed instrument with suggested changes that should be made to fulfill Commerce's intent. Specifically:
 - It must be stated explicitly in the document that the purpose of the restriction is to prevent the risk of direct contact with shallow contaminated soil. I have inserted one place (on page three of Sigma's document) where this could be stated.

- It must be stated explicitly in the document that the purpose of the restriction is to prevent the risk of direct contact with shallow contaminated soil. I have inserted one place (on page three of Sigma's document) where this could be stated.
- The references to the Wisconsin Department of Natural Resources in Sigma's draft deed instrument must be corrected to the Wisconsin Department of Commerce, which is the agency with jurisdiction over this site if issues arise from the former gasoline and diesel tanks.
- For cap maintenance, Commerce will not require that a professional engineer perform inspections. That sentence may be omitted, as indicated on the enclosed draft document.

This letter serves as your written notice of "no further action". Timely filing of your final PECFA claim (if applicable) is encouraged. If your claim is not received within 120 days of the date of this letter, interest costs incurred after 60 days of the date of this letter will not be eligible for PECFA reimbursement. Costs associated with recording deed notices or other restrictions are not eligible for PECFA reimbursement, and the recording of these notices should not delay the claim submittal process.

Thank you for your efforts to bring this case to closure. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5376.

Sincerely,



Linda M. Michalets
Hydrogeologist
Site Review Section

Enclosure: Sigma's Deed Restriction draft, with Commerce modifications.

cc: Ms. Kristin Kurzka, Sigma Environmental Services, Inc.
Case File

This Deed, made between HARRY PERLSTEIN and CELIA PERLSTEIN
Grantor
and A. & P. REALTY

REGISTER'S OFFICE }
Milwaukee County, WI } ss
RECORDED AT 27-20-88

AUG 14 1980
REEL 1315 IMAGE 428 to
REGISTER 430
State Bar of DEEDS mil.

5417050

RETURN TO
Box 12 - SCP

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

Tax Key No. 81.....
400-0087
400-0088
400-0090
400-0086-100
401-1028

(SEE RIDER ATTACHED)

TRANSFER 300.00
DOC # 00
RECORDED 5417050 #
RTX 4.00
300.00

This not homestead property.
(is) (is not)

Together with all and singular the hereditaments and appurtenances thereunto belonging:

And HARRY PERLSTEIN and CELIA PERLSTEIN warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances ~~except~~ except municipal and zoning ordinances, recorded easements for public utilities located adjacent to side and rear lot lines, recorded building and use restrictions and covenants, general taxes levied in the year of closing and encroachments, overlaps, overhangs, unrecorded easements, violated restrictive covenants, deficiency in quantity of ground or any matters not of record which and will warrant and defend the same. would be disclosed by an accurate survey and inspection of the premises.

Dated this 12th day of August, 1980.

(SEAL) [Signature] (SEAL)
• Harry Perlstein
(SEAL) [Signature] (SEAL)
• Celia Perlstein

AUTHENTICATION

Signatures authenticated this 12th day of August, 1980.

[Signature]
Sherwin C. Paltin
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Attorney Sherwin C. Paltin

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

ACKNOWLEDGMENT

STATE OF WISCONSIN

County. } ss.
Personally came before me, this day of
the above named

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

Notary Public County, Wis.
My Commission is permanent. (If not, state expiration date: 19.....)

*Name of persons signing in any capacity should be typed or printed below their signatures.

400

EXHIBIT

Parcel 1:

That part of Lots 1 and 2, Block 6, in Assessment Subdivision No. 40, being a Subdivision of a part of the South West 1/4 of Section 30, Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows, to-wit: Commencing at a point in the West line of said 1/4 Section, said point being the intersection of the center line of North 27th Street and the North line extended of West St. Paul Avenue; thence East along the North line of West St. Paul Avenue, 149.32 feet to the point of beginning of the land to be described; thence North on a line parallel to the West line of said 1/4 Section, 96.65 feet to a point; thence East on a line parallel to the North line of said 1/4 Section, 97.00 feet to a point; thence South on a line parallel to the West line of said 1/4 Section, 96.65 feet to a point in the North line of West St. Paul Avenue; thence West along the North line of West St. Paul Avenue, 97.00 feet to the point of beginning, as recorded in Volume 26 of Plats, at page 16 as Document No. 3343 (Tax Key No. 400-0087)

Parcel 2:

That part of Lots 1 and 2, in Block 6, in Assessment Subdivision No. 40, being a Subdivision of a part of the South West 1/4 of Section 30, Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows, to-wit: Commencing at a point in the West line of said 1/4 Section, said point being the intersection of the center line of North 27th Street and the extended North line of West St. Paul Avenue; thence East along the North line of West St. Paul Avenue, 99.00 feet to the point of beginning of the land to be described; thence North on a line parallel to the West line of said 1/4 Section, 70.00 feet more or less to a point; thence Northwesterly 41.80 feet to a point which is 66.80 feet East of the West line of said 1/4 Section; thence East on a line parallel to the North line of said 1/4 Section, 82.52 feet to a point; thence South on a line parallel to the West line of said 1/4 Section, 96.65 feet to a point in the North line of West St. Paul Avenue; thence West along the North line of West St. Paul Avenue, 50.32 feet to the point of beginning, as recorded in Volume 26 of Plats, at page 1 as Document No. 334359. (Tax Key No. 400-0088)

Parcel 3:

The West 66 feet of Lot 2, Block 6, in Assessment Subdivision No. 40, being a Subdivision of Blocks 1, 2, 3, 4 and 6 of Cross & Ludington's Addition (now vacated) in the South West 1/4 of Section 30, Township 7 North, Range 22 East in the City of Milwaukee, County of Milwaukee and State of Wisconsin.

(Tax Key No. 400-0090)

(continued)

EXHIBIT (continued)

Parcel 4:

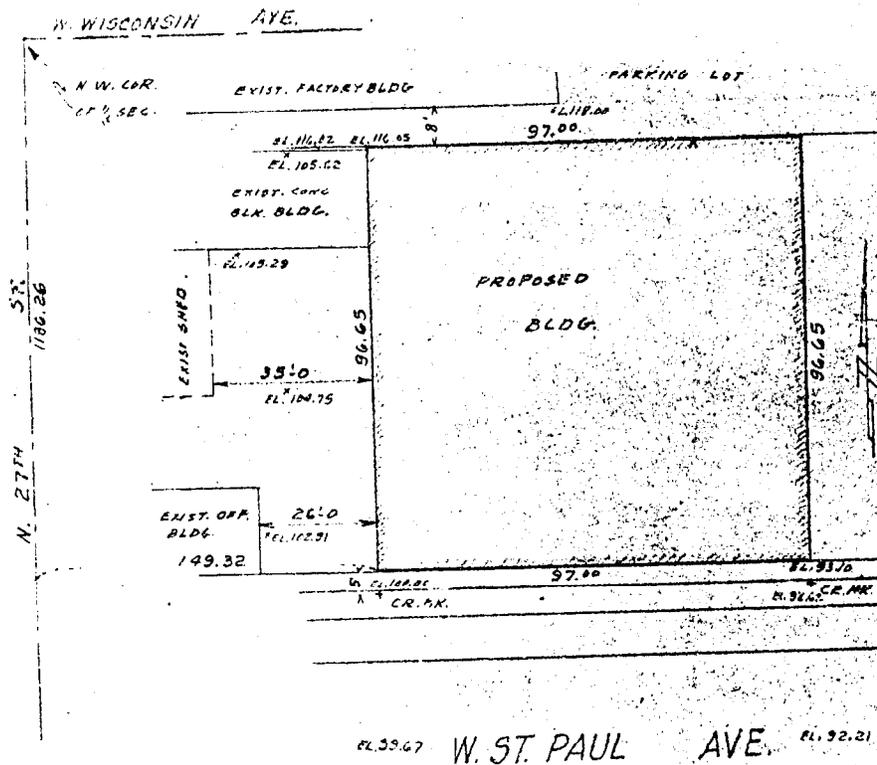
The South 108.32 feet of the North 323.32 feet of Lot 1, Block 6, in Assessment Subdivision No. 40, being a Subdivision of Blocks 1, 2, 3, 4, and 6 of Cross and Ludington's Addition, now vacated, in the South West 1/4 of Section 30, Township 7 North, Range 22 East, excepting therefrom the following: Commencing at a point in the East line of said Lot 1, said point being 12 feet North of the South East corner of the South 108.32 feet of the North 323.32 feet of Lot 1; thence South along the East line of said Lot 1, 12 feet to the South East corner of the South 108.32 feet of the North 323.32 feet of Lot 1; thence West along the South line of said South 108.32 feet of the North 323.32 feet of Lot 1, 65 feet to a point; thence Northeasterly to the place of beginning, all in the City of Milwaukee, County of Milwaukee and State of Wisconsin. (Tax Key No. 400-0086-100)

Parcel 5:

Lot 30, Block 7, in Palmer and Company's Addition to the City of Milwaukee, in the South East 1/4 of Section 25, Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee and State of Wisconsin. (Tax Key No. 401-1028)

PLAT OF SURVEY

A part of Lots No. 1 and 2 in Block No. 6 in Assessment Subdivision No. 40; being a subdivision of a part of the South-west 1/4 of Section 30, Town 7 North, Range 22 East in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows to wit:- Commencing at a point in the West line of said 1/4 Section, said point being 1186.26 feet South of the North-west corner of said 1/4 Section, also said point being the intersection of the center line of N. 27th St. and the North line extended of W. St. Paul Ave.; thence East along the North line of W. St. Paul Ave., 149.32 feet to the point of beginning of the land to be described; thence North on a line parallel to the west line of said 1/4 Section, 96.65 feet to a point; thence East on a line parallel to the North line of said 1/4 Section, 97.00 feet to a point; thence South on a line parallel to the west line of said 1/4 Section, 96.65 feet to a point in the North line of W. St. Paul Ave.; thence West along the North line of W. St. Paul Ave., 97.00 feet to the point of beginning.



STATE OF WISCONSIN)
) SS.
 COUNTY OF MILWAUKEE)

I, Russell G. Behling, do hereby certify that I have made the above survey according to official records; that the survey of the lot and the information relative to exterior boundaries and to all buildings located on said lot, all as shown on above survey is true and correct as indicated and marked on the above map.

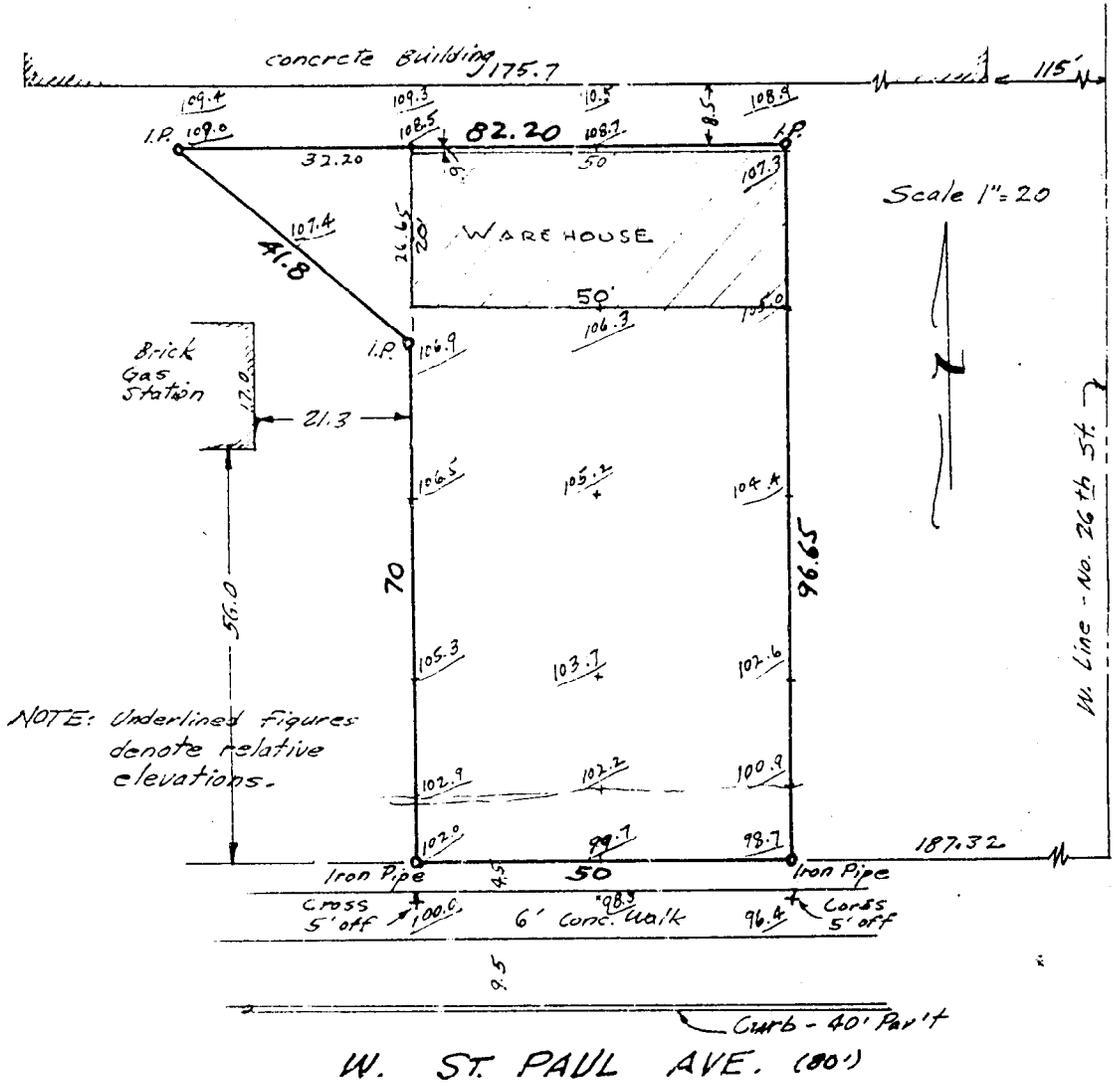
Milwaukee, Wisconsin - January 30, 1954

Russell G. Behling
 Surveyor

City of Milwaukee, Building Inspection and Safety Department
 (#73-0101). Photographed by *W. H. K.* Operator *Gene E. Wright*

PLAT OF SURVEY

A part of Lot 1, Block 6, Assessment Subd. #40, S. W. 1/4 of Sec. 30, T. 7N., R. 22E., City of Milwaukee, bounded and described as follows: beginning at a point in the west line of said 1/4 sec., which is 1188.26 ft. South of the north west corner of the said 1/4 sec., being the intersection of the center line of North 27th Street and the extended north line of West St. Paul Avenue; running thence East along the north line of W. St. Paul Ave. 90 ft. to the point of beginning of land to be described; running thence North and parallel to west line of said 1/4 sec. 70 ft. (more or less) to a point; thence Northwesterly 41.8 ft. to a point which is 66.8 ft. East of the west line of said 1/4 section and 96.65 ft. North of north line of W. St. Paul Ave., 82.20 ft. to a point; thence South and parallel to west line of said 1/4 sec., 96.65 ft. to a point and thence West along the north line of W. St. Paul Ave., 50 ft. to the place of beginning.



W. ST. PAUL AVE. (100')

ADDRESS
7616 HARWOOD AVE
WAUWATOSA, WIS.

Surveyed and Drawn by
WALTER J. CONNELL
Civil Engineer and Surveyor

PHONE
BLUEMOUND 8-1380

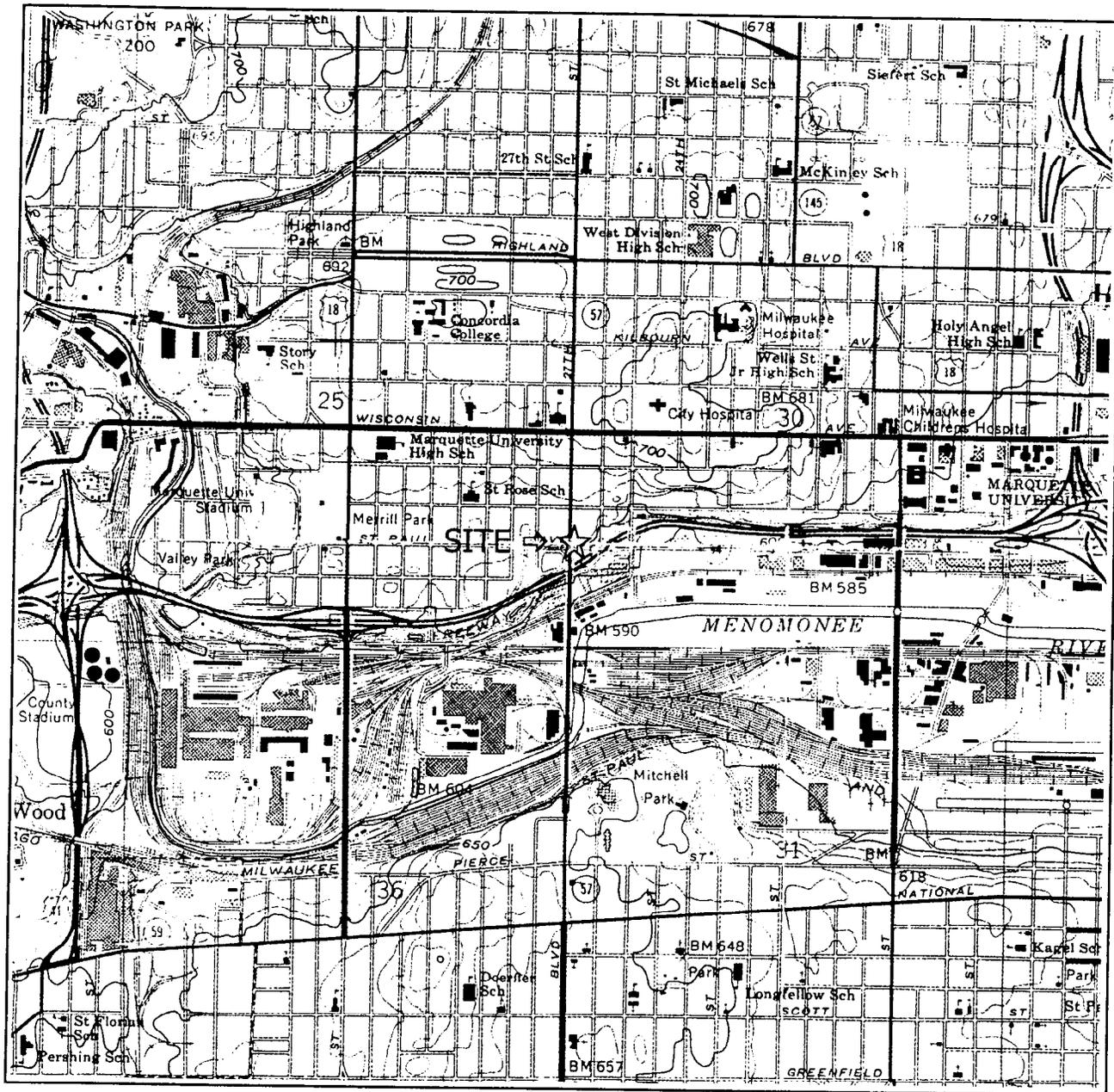
SURVEYED FOR
Paul Dieck

I, Walter J. Connell, hereby certify that I surveyed the above described property on Sept. 18, 1950 according to the official records and that the above plat is a true representation of the boundary lines thereof, and the principal lines of the building thereon.

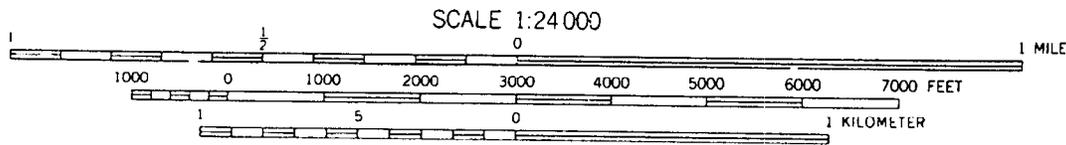
Walter J. Connell
REGISTERED PROFESSIONAL ENGINEER NO. 655
STATE OF WISCONSIN

Job No. 4276

City of Milwaukee, Building Inspection and Safety Engineering, Premises Records, (#73-0101). Photographed 7-28-78. Operator *Lois E. Wright*



NW ¼ of the SW ¼ of Sec. 30, T7N, R22E. Adapted from U.S.G.S. 7.5 minute series, Milwaukee, Wisconsin, quadrangle (dated 1958, photorevised 1971).



SCALE 1:24 000
 CONTOUR INTERVAL 10 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

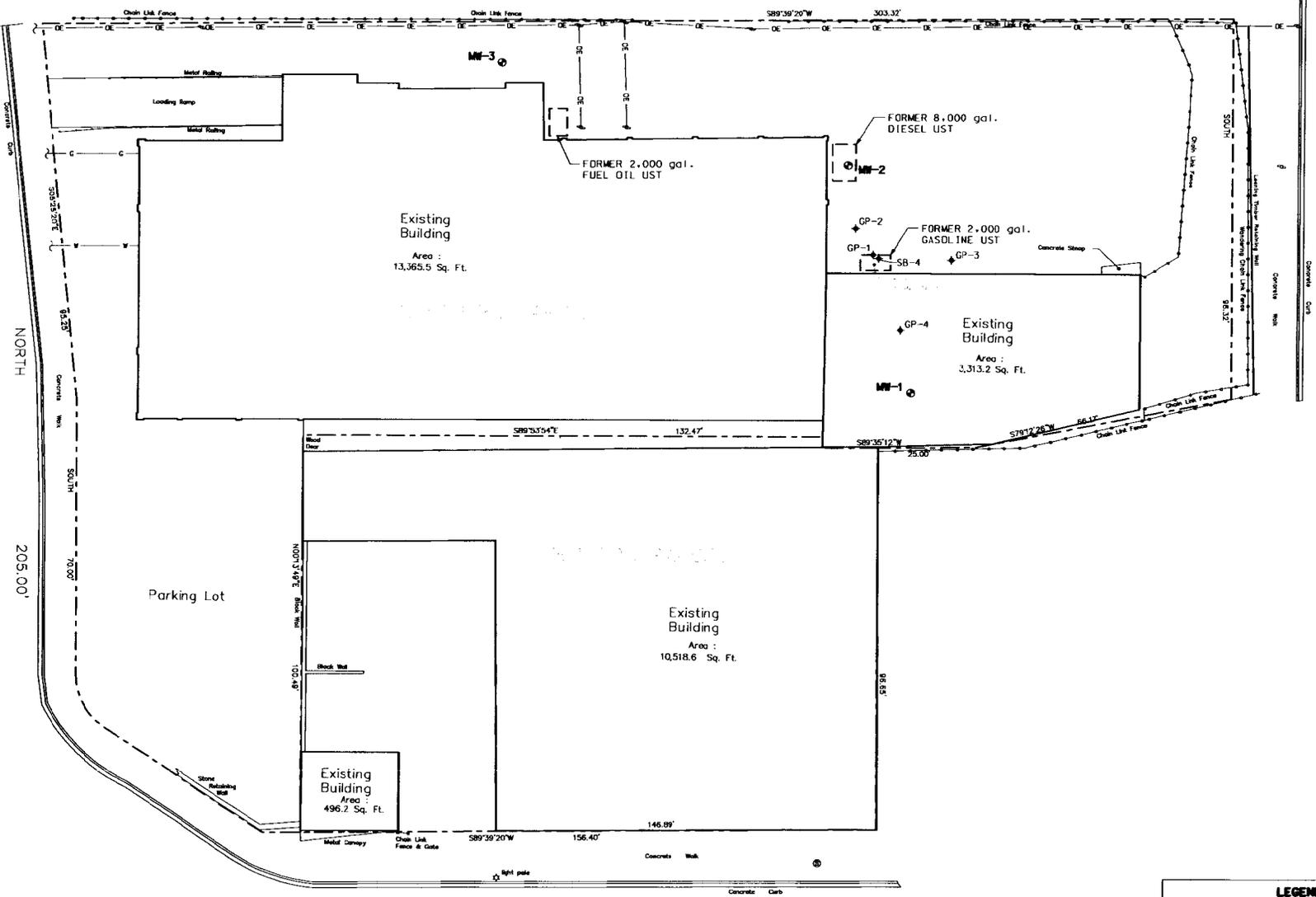


Figure 1. Site Location Map
 Perlstein Property
 418 N. 27th St., Milwaukee, Wisconsin

SIGMA
 ENVIRONMENTAL SERVICES INC.

N. 27th. St.

N. 26th. St.
66' WIDE



W. St. Paul Ave.
80' WIDE

LEGEND

- ⊙ = MONITORING WELL LOCATION
- ⋄ = GEOPROBE LOCATION
- ⋆ = INITIAL GEOPROBE LOCATION
- ⊕ = SEWER MANHOLE
- ⊙ = UTILITY POLE
- = PROPERTY LINE
- DE = OVERHEAD ELECTRIC LINE
- G = UNDERGROUND GAS LINE
- W = UNDERGROUND WATER LINE
- [] = UNDERGROUND STORAGE TANK LOCATION

NOTES:
1. MAP BASED FROM SURVEY PERFORMED ON 10-23-02, BY SURVEYING ASSOCIATES, INC.

SIGMA
ENVIRONMENTAL SERVICES, INC.
220 EAST RYAN ROAD
OAK CREEK, WISCONSIN 53154
PHONE : (414) 768 - 7144
1-800-732-4671

GRAPHIC SCALE

0' 10' 20' 30' 40'

NO	DATE	REVISIONS	BY	APVD

NAME:	DATE:
DRAWN BY: BEB	5-23-03
DESIGNED BY:	
CHECKED BY:	
APPROVED BY:	

PERLSTEIN PROPERTY
418 NORTH 27th STREET, MILWAUKEE, WI
SITE PLAN MAP

DRAWING NUMBER
7232-001
FIGURE 1

**TABLE 1
SOIL QUALITY DATA
Perlstein Property
418 North 27th Street
Milwaukee, Wisconsin**

Depth	UNITS feet bgs	MW-1			MW-2			MW-3			NR 720 RCL	NR 746 Table 1	NR 746 Table 2
		2-4	14-16	53-55	0-2	5-7	55-57	2-4	20-22	58-60			
Date	Date	09/09/02	09/09/02	09/09/02	09/09/02	09/09/02	09/09/02	09/10/02	09/10/02	09/10/02			
Lead	mg/kg	NA	NA	NA	6.97	6.91	NA	NA	NA	NA	50	NS	NS
PVOCs													
Benzene	µg/kg	<25.0	126	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	5.5	8500	1,100
1,2-Dichloroethane	µg/kg	<25.0	<25.0	NA	<25.0	<25.0	NA	<25.0	<25.0	<25.0	4.9	600	540
Toluene	µg/kg	<25.0	31.5	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	1,500	38,000	NS
Ethylbenzene	µg/kg	<25.0	56.9	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	2,900	4,600	NS
Xylenes	µg/kg	<25.0	102	<25.0	<25.0	199	<25.0	<25.0	<25.0	<25.0	4,100	42,000	NS
Methyl-tert-butyl ether	µg/kg	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	NS	NS	NS
1,2,4-Trimethylbenzene	µg/kg	<25.0	<25.0	<25.0	<25.0	359	<25.0	<25.0	<25.0	<25.0	NS	83,000	NS
1,3,5-Trimethylbenzene	µg/kg	<25.0	<25.0	<25.0	<25.0	522	<25.0	<25.0	<25.0	<25.0	NS	11,000	NS
											Suggested Generic RCLs for PAH Compounds		
PAH's											Groundwater Pathway Standard	Direct Contact Pathway Non- Industrial	Direct Contact Pathway Industrial
Acenaphthene	µg/kg	<118	<122	NA	185	<114	NA	<128	<120	<120	38,000	900,000	60,000,000
Acenaphthylene	µg/kg	<236	<245	NA	<236	<228	NA	<256	<240	<240	700	18,000	360,000
Anthracene	µg/kg	<118	<122	NA	<118	<114	NA	<128	<120	<120	3,000,000	5,000,000	300,000,000
Benzo (a) Anthracene	µg/kg	<59.1	<61.2	NA	126	<56.9	NA	<64.0	<59.9	<60.0	17,000	88	3,900
Benzo (a) Pyrene	µg/kg	15.6	<6.12	NA	213	<5.69	NA	13.2	<5.99	<6.0	48,000	8.8	390.0
Benzo (b) Fluoranthene	µg/kg	<59.1	<61.2	NA	151	<56.9	NA	<64.0	<59.9	<60.0	360,000	88	3,900
Benzo (ghi) Perylene	µg/kg	<118	<122	NA	144	<114	NA	<128	<120	<120	6,800,000	1,800	39,000
Benzo (k) Fluoranthene	µg/kg	<118	<122	NA	<118	<114	NA	<128	<120	<120	870,000	88	39,000
Chrysene	µg/kg	<118	<122	NA	142	<114	NA	<128	<120	<120	37,000	8,800	390,000
Dibenzo (a,h) Anthracene	µg/kg	<5.91	<6.12	NA	31	<5.69	NA	<6.40	<5.99	<6.0	38,000	8.8	390.0
Fluoranthene	µg/kg	<118	<122	NA	289	<114	NA	<128	<120	<120	500,000	600,000	40,000,000
Fluorene	µg/kg	<118	<122	NA	<118	<114	NA	<128	<120	<120	100,000	600,000	40,000,000
Indeno (1,2,3-cd) Pyrene	µg/kg	<59.1	<61.2	NA	89	<56.9	NA	<64.0	<59.9	<60.0	680,000	88	3,900
1-Methyl Naphthalene	µg/kg	<118	<122	NA	<118	<114	NA	<128	<120	<120	23,000	1,100,000	70,000,000
2-Methyl Naphthalene	µg/kg	<118	<122	NA	<118	<114	NA	<128	<120	<120	20,000	600,000	40,000,000
Naphthalene	µg/kg	<118	<122	NA	<118	<114	NA	<128	<120	<120	400	20,000	110,000
Phenanthrene	µg/kg	<118	<122	NA	166	<114	NA	<128	<120	<120	1,800	18,000	390,000
Pyrene	µg/kg	<118	<122	NA	167	<114	NA	<128	<120	<120	8,700,000	500,000	30,000,000

Key:

- DRO = Diesel Range Organics
- GRO = Gasoline Range Organics
- bgs = below ground surface
- mg/kg = milligram per kilogram
- µg/kg = microgram per kilogram
- NA = Not Analyzed
- NS = No established Standard
- Bold** = Exceeds Soil Standard or Interim Standards for PAHs.
- Bold** = Exceeds NR 720 Residual Contaminant Levels
- NR 720 RCL = Residual Contaminant Levels Based on Protection of Groundwater
- NR 746 Table 1 = Indicators of Residual Petroleum Product in Soil Spores
- NR 746 Table 2 = Protection of Human Health from Direct Contact with Contaminated Soil

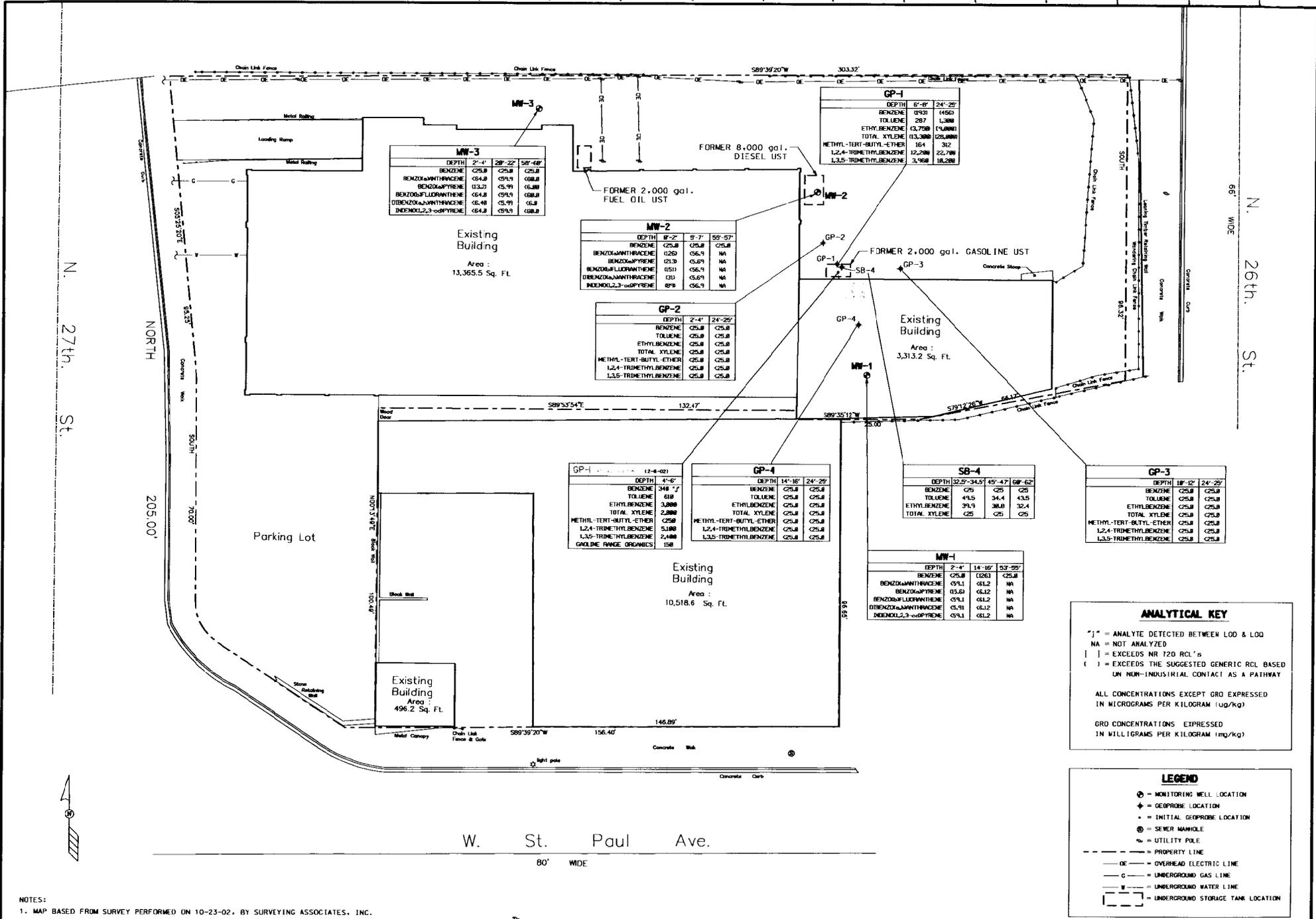
**TABLE 1
SOIL QUALITY DATA
Perlstein Property
418 North 27th Street
Milwaukee, Wisconsin**

	UNITS	GP-1		SB-4			GP-2		GP-3		GP-4		Methanol Blank	NR 720 RCL	NR 746 Table 1	NR 746 Table 2	
Depth	feet bgs	4-6	6-8	24-25	32.5 - 34.5	45 - 47	60 - 62	2-4	24-25	10-12	24-25	14-16	24-25				
Date	Date	2/8/2002	5/14/2003	5/14/2003	7/18/03	7/18/03	7/18/03	5/14/2003	5/14/2003	5/14/2003	5/14/2003	5/14/2003	5/14/2003	7/18/03			
PVOCs																	
GRO	µg/kg	150	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	100	NS	NS
Benzene	µg/kg	340 "J"	193	456	<25	<25	<25	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25	5.5	8,500	1,100
Toluene	µg/kg	610	287	1,300	49.5*	34.4*	43.5*	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	36.5	1,500	38,000	NS
Ethylbenzene	µg/kg	3,000	3,750	9,000	39.9*	30.8*	32.4*	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	30.0	2,900	4,600	NS
Xylenes	µg/kg	2,000	13,300	28,000	<25	<25	<25	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25	4,100	42,000	NS
Methyl-tert-butyl ether	µg/kg	<250	164	312	<25	<25	<25	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25	NS	NS	NS
1,2,4-Trimethylbenzene	µg/kg	5,100	12,200	22,700	25.6	<25	<25	<25.0	<25.0	<25.0	27.6	25.0	<25.0	<25	NS	83,000	NS
1,3,5-Trimethylbenzene	µg/kg	2,400	3,960	10,200	<25	<25	<25	<25.0	<25.0	<25.0	<25.0	<25.0	<25.0	<25	NS	11,000	NS

Key:

- NA = Not Analyzed
- "J" = Analyte detected between LOD and LOQ
- * = Analyte detected within the methanol blank - results suspect
- bgs = below ground surface
- µg/kg = microgram per kilogram
- NS = No established Standard
- Bold** = Exceeds NR 720 Table 1 and Table 2 Values
- Bold** = Exceeds NR 720 Residual Contaminant Levels

NR 720 RCL = Residual Contaminant Levels Based on Protection of Groundwater
 NR 746 Table 1 = Indicators of Residual Petroleum Product in Soil Spores
 NR 746 Table 2 = Protection of Human Health from Direct Contact with Contaminated Soil



NOTES:
 1. MAP BASED FROM SURVEY PERFORMED ON 10-23-02, BY SURVEYING ASSOCIATES, INC.

SIGMA
 ENVIRONMENTAL SERVICES, INC.
 220 EAST RYAN ROAD
 OAK CREEK, WISCONSIN 53154
 PHONE : (414) 768 - 7144
 1-800-732-4671

GRAPHIC SCALE

0' 10' 20' 30' 40'

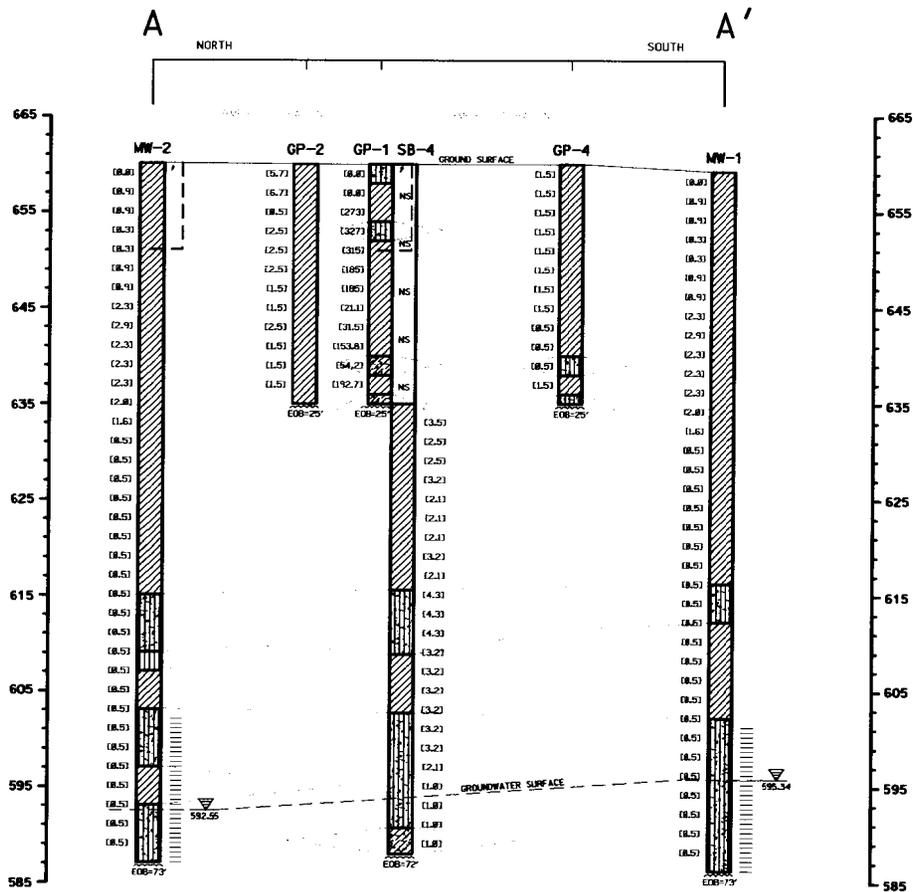
NO	DATE	REVISIONS	BY	APVD

NAME:	DATE:
DRAWN BY: BEB	7-25-03
DESIGNED BY:	
CHECKED BY:	
APPROVED BY:	

PERLSTEIN PROPERTY
 418 NORTH 27th STREET, MILWAUKEE, WI
SOIL QUALITY MAP

DRAWING NUMBER
 7232-002

FIGURE 3



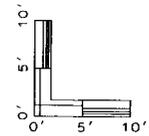
ELEVATION RELATIVE TO MEAN SEA LEVEL (IN FEET)

LEGEND

- = WELL SCREEN INTERVAL
- = STATIC WATER LEVEL (MEASURED 7-7-03)
- = PHOTO-IONIZATION DETECTOR VALUE
- = INFERRED CONTACT
- NS = NOT SAMPLED

USCS SYMBOLS

- CL - INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SAND CLAYS, SILTY CLAYS, LEAM CLAYS.
- SM - SILTY - SANDS, SAND - SILT MIXTURES.
- ML - INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY.
- SC - CLAYEY SANDS, SAND - CLAY MIXTURES

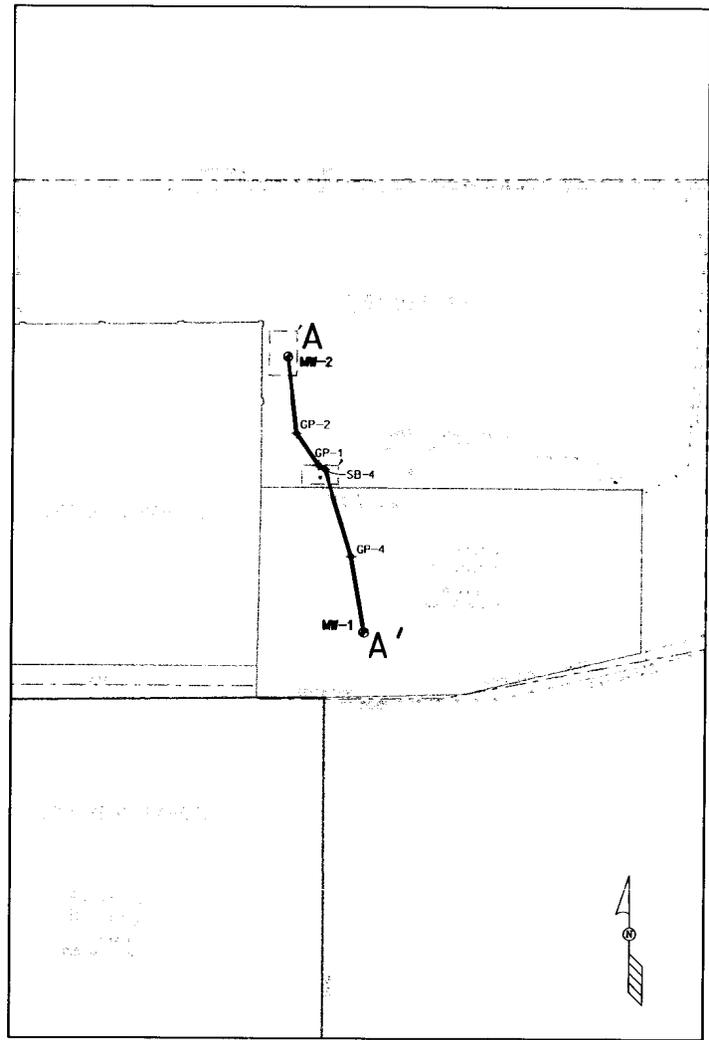


GRAPHIC SCALE

ELEVATION RELATIVE TO MEAN SEA LEVEL (IN FEET)

LEGEND

- = MONITORING WELL LOCATION
- = GEOPROBE LOCATION
- = INITIAL GEOPROBE LOCATION
- = SEWER MANHOLE
- = UTILITY POLE
- = PROPERTY LINE
- = OVERHEAD ELECTRIC LINE
- = UNDERGROUND GAS LINE
- = UNDERGROUND WATER LINE
- = UNDERGROUND STORAGE TANK LOCATION



GEOLOGIC CROSS SECTION LOCATION

1" = 20'

SIGMA
 ENVIRONMENTAL SERVICES INC.
 220 EAST RYAN ROAD
 OAK CREEK, WISCONSIN 53154
 PHONE : (414) 768 - 7144
 1-800-732-4671

NOTES:
 HORIZONTAL SCALE AND VERTICAL SCALE 1" = 10'

NO	DATE	REVISIONS	BY	APVD

NAME:	DATE:
DRAWN BY: BEB	6-16-03
DESIGNED BY:	
CHECKED BY:	
APPROVED BY:	

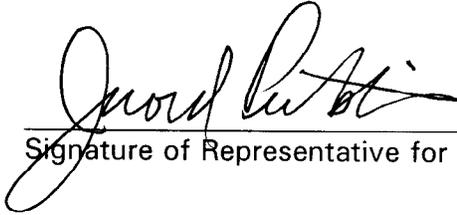
PERLSTEIN PROPERTY
 418 NORTH 27th STREET, MILWAUKEE, WI
 GEOLOGIC CROSS SECTION MAP

DRAWING NUMBER
 7232-004

FIGURE 2

STATEMENT BY RESPONSIBLE PARTY

Jerold Perlstein, the responsible party for the property located at 418 North 27th Street, Milwaukee, Wisconsin, states that the legal description provided to the Wisconsin Department of Commerce (and attached to this statement) for case file reference 53208-4218-18 is complete and accurate to the best of our knowledge.



Signature of Representative for Responsible Party

7/24/03

Date

Document Number

DEED RESTRICTION

DOC. #
8592379

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED AT 8:54 AM

08-11-2003

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT 17.00

Declaration of Restrictions

In Re:

Parcel 2:

That part of Lots 1 and 2, in Block 6, in Assessment Subdivision No. 40 being a Subdivision of a part of the South West ¼ of Section 30, Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows, to-wit: Commencing at a point in the West line of said ¼ Section, said point being the intersection of the center line of North 27th Street and the extended North line of West St. Paul Avenue; thence East along the North line of West St. Paul Avenue, 99.00 feet to the point of beginning of the land to be described; thence North on a line parallel to the West line of said ¼ Section, 70.00 feet more or less to a point; thence Northwesterly 41.80 feet to a point which is 66.80 feet East of the West line of said ¼ Section, 82.52 feet to a point; thence South on a line parallel to the West line of said ¼ Section 96.65 feet to a point in the North line of West St. Paul Avenue; thence West along the North line of West St. Paul Avenue, 50.32 feet to the point of beginning, as recorded in Volume 26 of Plats, at page 16 as Document No. 334359 (Tax Key No. 400-0088)

Parcel 3:

The West 66 feet of Lot 2, Block 6, in Assessment Subdivision No. 40, being a Subdivision of Blocks 1, 2, 3, 4 and 6 of Cross & Ludington's Addition (now vacated) in the South West ¼ of Section 30, Township 7 North, Range 22 East in the City of Milwaukee, County of Milwaukee and State of Wisconsin. (Tax Key No. 400-0090)

Parcel 4:

The South 108.32 feet of the North 323.32 feet of Lot 1, Block 6, in Assessment Subdivision No. 40, being a Subdivision of Blocks 1, 2, 3, 4 and 6 of Cross and Ludington's Addition, now vacated, in the South West ¼ of Section 30, Township 7 North, Range 22 East, excepting therefrom the following: Commencing at a point in the East line of said Lot 1, said point being 12 feet North of the South East corner of the South 108.32 feet of the North 323.32 feet of Lot 1; thence South along the East Line of said Lot 1, 12 feet to the South East corner of the South 108.32 feet of the North 323.32 feet of Lot 1; thence West along the South line of said South 108.32 feet of the North 323.32 feet of Lot 1, 65 feet to a point; thence Northeasterly to the place of beginning, all in the City of Milwaukee, County of Milwaukee and State of Wisconsin. (Tax Key No. 400-0086-100)

Parcel 5:

Lot 30, Block 7, in Palmer and Company's Addition to the City of Milwaukee, in the South East ¼ of Section 25, Township 7 North, Range 21 East, in the City of Milwaukee. County of Milwaukee and State of Wisconsin. (Tax Key No. 401-1028)

STATE OF WISCONSIN

COUNTY OF MILWAUKEE

WHEREAS, A & P Realty is the owner of the above-described property.

WHEREAS, one or more petroleum hydrocarbon discharges have occurred on this property. Shallow petroleum hydrocarbon impacts to soil remains on this property at the following location(s): Refer to Figure 3 - Estimated Extent of Residual Soil Impacts, included with this DEED RESTRICTION. Shallow soil contamination existed on the property at the following locations(s) on the following dates:

Soil boring MW-3 (2-4') in Sept. 2002: Benzo(a)Anthracene = 13.2 µg/kg

Recording Area

Name and Return Address

Mr. Jerald Perlstein
12501 St. Anne Court
Mequon, WI 53092

400-0088, 400-0090, 400-0086-
100, 401-1028

Tax Key Nos.

H

Soil boring MW-2 (0' to 2') in Sept. 2002: Benzo(a)Anthracene = 126 µg/kg
Benzo(a)Pyrene = 213 µg/kg
Benzo(b)Fluoranthene = 151 µg/kg
DiBenzo(a,h)Anthracene = 31 µg/kg
Indeno(1,2,3-cd)Pyrene = 89 µg/kg

Soil boring MW-1 (2-4') in Sept. 2002: Benzo(a)Pyrene = 15.6 µg/kg

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

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:

Petroleum impacted soil likely exists beneath the site building (refer to included Figure 3). If the building on this property is removed, the property owner shall conduct an investigation of the degree and extent of petroleum hydrocarbon contamination. To the extent that contamination is found at that time, the Wisconsin Department of Commerce shall be immediately notified and the contamination shall be properly remediated in accordance with applicable statutes and rules. If the currently-inaccessible contaminated soil that remains on the property is excavated in the future, it will have to be sampled and analyzed, and the treatment or disposal of the soil as a solid or hazardous waste may be necessary.

An existing engineered cap (bituminous asphalt pavement) has been utilized as a remedial action to address shallow residual soil contamination that may present a direct contact risk on the property. Therefore, the following activities are prohibited on that portion of the property described above where a cap or cover has been placed (refer to included Figure 1), unless prior written approval has been obtained from the Wisconsin Department of Commerce or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on the capped area; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or cover. In addition, the cap or cover shall be maintained in compliance with a plan prepared and submitted to the Wisconsin Department of Commerce by a responsible party, as required by section NR 724.13(2), Wis. Adm. Code (1997).

The bituminous asphalt pavement cap shall be inspected on a yearly basis to monitor for cracks, holes, or other breaches in the pavement layer. Yearly inspections shall be compared to the previous year's inspection (except for the first year) to compare the relative condition of the cap. Maintenance actions may include, but are not limited to: (1) filling of any breaches in the cap with non-permeable asphaltic sealer(s), (2) filling of any breaches in the cap with a non-permeable asphalt patch, (3) filling of any breaches in the cap with a non-permeable cement-based patch, or (4) removal of defective area and replacement with equivalent (in quality and thickness) bituminous asphalt pavement.

If the asphaltic cap on this property is disturbed or excavation of contaminated soil occurs in the future, the property owner shall conduct an investigation of the degree and extent of petroleum hydrocarbon contamination. To the extent that contamination is found at that time,

the Wisconsin Department of Commerce shall be immediately notified and the contamination shall be properly remediated in accordance with applicable statutes and rules. If the contaminated soil that remains on the property is excavated in the future, it will have to be sampled and analyzed, and the treatment or disposal of the soil as a solid or hazardous waste may be necessary.

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 inures to the benefit of and is enforceable by the Wisconsin Department of Commerce, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed 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 Commerce or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Commerce shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Jerold Perlstein asserts that he/she is duly authorized to sign this document on behalf of A & P Reality.

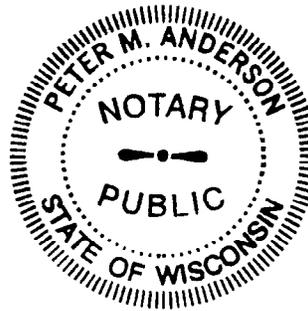
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 7th day of August, 2003.

Signature: Jerold Perlstein

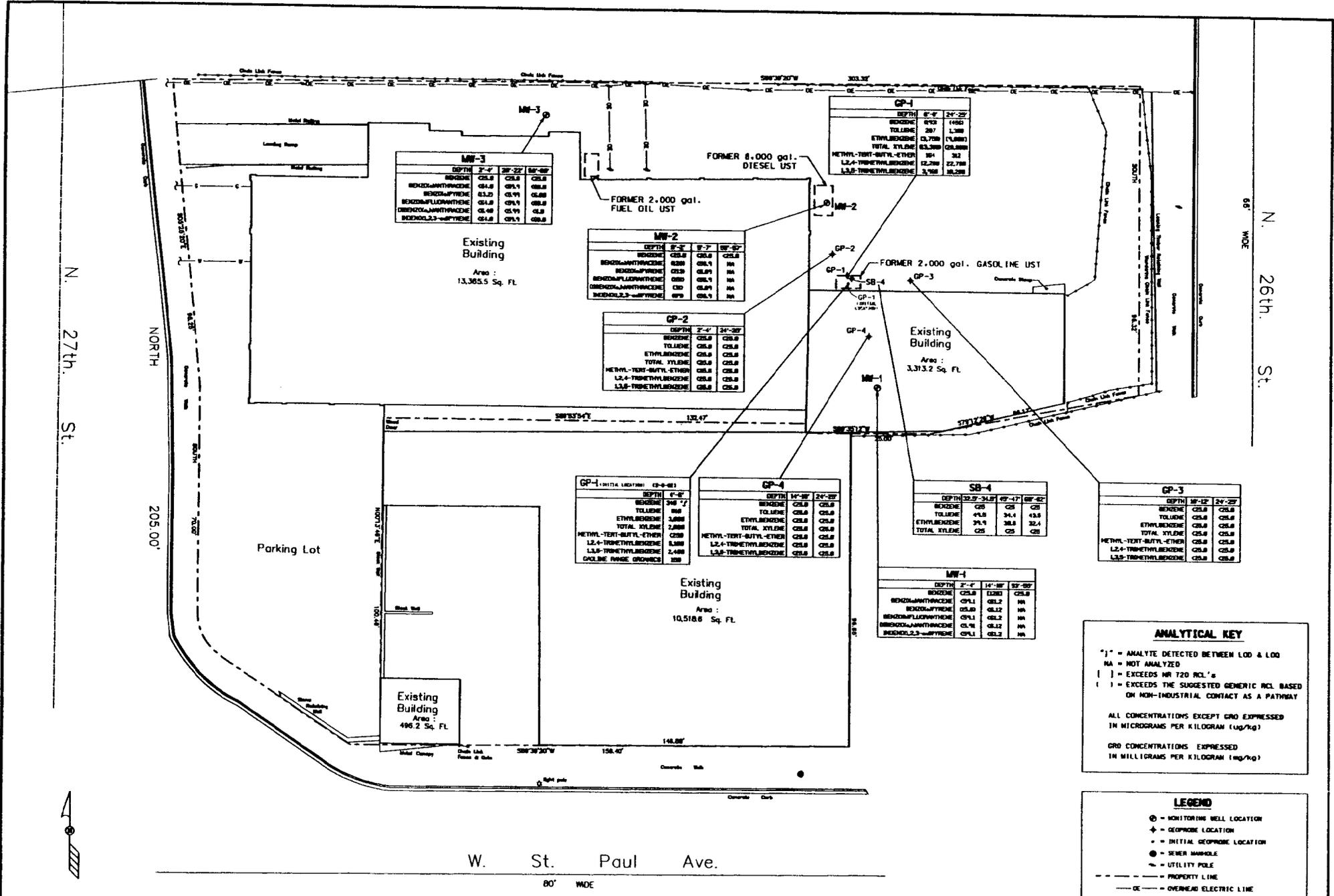
Print Name: Jerold I. Perlstein

Subscribed and sworn to before me
this 7th day of August, 2003.

Peter M. Anderson
Notary Public, State of Wisconsin
My commission is permanent.



This document was drafted by Sigma Environmental Services, Inc. Aimee Hennings



NOTES:
 1. MAP BASED FROM SURVEY PERFORMED ON 10-23-02, BY SURVEYING ASSOCIATES, INC.

 220 EAST RYAN ROAD OAK CREEK, WISCONSIN 53154 PHONE : (414) 768 - 7144 1-800-732-4671	GRAPHIC SCALE		NAME: BEB		DATE: 7-25-03	PERLSTEIN PROPERTY 418 NORTH 27th STREET, MILWAUKEE, WI SOIL QUALITY MAP	DRAWING NUMBER 7232-002
			DRAWN BY:				
NO	DATE	REVISIONS	BY	APVD	DESIGNED BY:		
					CHECKED BY:		
					APPROVED BY:		