

GIS REGISTRY
Cover Sheet

MAR 24 2009
July, 2008
(RR 5367)

Source Property Information

CLOSURE DATE: Mar 24, 2009

BRRTS #: 03-41-552423
ACTIVITY NAME: Former Patterson Tires/(Prop. Walgreen Store #12783
PROPERTY ADDRESS: 2826 North Martin Luther King Drive
MUNICIPALITY: Milwaukee
PARCEL ID #: 313-0312-100-8 & 313-1370-000-6

FID #: 341016500
DATCP #:
COMM #:

*WTM COORDINATES:

X: 689891 Y: 290648

* Coordinates are in
WTM83, NAD83 (1991)

WTM COORDINATES REPRESENT:

Approximate Center Of Contaminant Source

Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

(note: for list of off-source properties
see "Impacted Off-Source Property")

Soil Contamination > *RCL or **SSRCL (232)

Contamination in ROW

Off-Source Contamination

(note: for list of off-source properties
see "Impacted Off-Source Property")

Land Use Controls:

Soil: maintain industrial zoning (220)

(note: soil contamination concentrations
between residential and industrial levels)

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

(note: maintenance plan for
groundwater or direct contact)

Vapor Mitigation (226)

Maintain Liability Exemption (230)

(note: local government or economic
development corporation)

Monitoring wells properly abandoned? (234)

Yes No N/A

* Residual Contaminant Level

**Site Specific Residual Contaminant Level

MAR 23 4 2009

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: 03-41-552423 PARCEL ID #: 313-0312-100-8 & 313-1370-000-6
ACTIVITY NAME: Former Patterson Tire/Prop. Walgreen Store #12783 WTM COORDINATES: X: 689891 Y: 290648

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: **Title: Certified Survey Map No. 8093**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

- Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.
- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: 1 Title: Site Vicinity Map
 - Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 Title: Site Plan
 - Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 3 Title: Soil Boring and Sample Locations Map

BRRTS #: 03-41-552423

ACTIVITY NAME: Former Patterson Tire/Prop. Walgreen Store #12783

MAPS (continued)

Geologic Cross-Section Map: A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: 4 Title: Cross-Section With Soil & Groundwater Data

Figure #: Title:

Groundwater Isoconcentration Map: For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: Title:

Groundwater Flow Direction Map: A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: Title:

Figure #: Title:

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

Soil Analytical Table: A table showing remaining soil contamination with analytical results and collection dates.

Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1 Title: Soil Analytical Results - VOCs, GRO, DRO and PAHs

Groundwater Analytical Table: Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: 2 Title: Groundwater Analytical Results - VOCs

Water Level Elevations: Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: Title:

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

Not Applicable

Site Location Map: A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: if the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: Title:

Well Construction Report: Form 4440-113A for the applicable monitoring wells.

Deed: The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

Notification Letter: Copy of the notification letter to the affected property owner(s).

BRRTS #: 03-41-552423

ACTIVITY NAME: Former Patterson Tire/Prop. Walgreen Store #12783

NOTIFICATIONS

Source Property

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.
Number of "Off-Source" Letters:
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).
Number of "Governmental Unit/Right-Of-Way Owner" Letters:



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, Wisconsin 53212-3128
FAX 414-263-8606
Telephone 414-263-8500
TTY Access via relay - 711

March 24, 2009

BRIC (MLK/Hadley) Associates
Attn: Mark Lake
W228 N745 Westmound Drive
Waukesha, WI 53186

Subject: Final Closure with Continuing Obligations for the Former Patterson Tire Service/Walgreen Store #12783, 2826 North Martin Luther King Drive, Milwaukee, WI

FID: 341016500
BRRTS: 03-41-552423

Dear Mr. Lake:

On March 24, 2009, the Wisconsin Department of Natural Resources ("the Department") reviewed the above referenced case for closure. This Department 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 closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed

This letter and information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If the property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwq/3300254.pdf> or at the web address listed above for the GIS Registry.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. 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. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter.

Residual Soil Contamination

Residual soil contamination remains at BV-1, East Pit Bottom (8 ft), and West Pit Bottom (8 ft) as indicated on the attached maps Figures 3 and 4, and in the information submitted to the Department of Natural Resources. If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Stats., and chs. 500 to 536, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material is 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.

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 (414-263-8688) at the above address.

Sincerely,



James A. Schmidt
Southeast Region
Remediation and Redevelopment Team Supervisor

Enclosures: Figure 3, Soil Boring and Sample Locations Map
Figure 4, Cross Section with Soil & Groundwater Data

C: David Matz, Bureau Veritus NA
WDNR SER Files

EXHIBIT A

PARCEL I:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) in Block Six (6) in S.A. RICHARDS ADDITION of part of the Northeast 1/4 of Section Seventeen (17), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

PARCEL II:

Lot Three (3) in Block Three (3) in ASSESSOR'S PLAT NO. 111, in the Northeast One-quarter (1/4) of Section Seventeen (17), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

PARCEL III:

Lots One (1), Two (2) and Three (3) in Block Six (6) in WECHSELBERG AND ELLIOTT'S SUBDIVISION of Lots "C" and "D" in partition of the Northeast One-quarter (1/4) of Section Seventeen (17), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No. 313-0312-100-8

Address: 2826 North Martin Luther King Jr. Dr.

PARCEL IV:

Lot Nine (9) in Block Six (6) in S.A. RICHARDS ADDITION of part of the Northeast 1/4 of Section Seventeen (17), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No. 313-1370-000-6

Address: 2846 North Martin Luther King Jr. Dr.

RECORDED CERTIFIED SURVEY MAP

Date Recorded: October 1st, 2008
 CSM No.: 8093
 Document No. 09655462

BADGER
 BLUEPRINT
 COMPANY, INC.
 (262) 542-8200

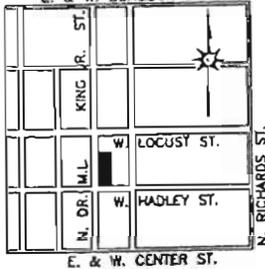
DCD# 2706
 FORM BBC-101

CERTIFIED SURVEY MAP NO. 8093

LOTS 9, 10, 11, 12, 13 AND 14, IN BLOCK 6 IN S. A. RICHARDS ADDITION, LOT 3 IN BLOCK 3 IN ASSESSOR'S PLAT NO. 111, AND LOTS 1, 2 AND 3 IN BLOCK 6 IN WECHSELBERG AND ELLIOTT'S SUBDIVISION, ALL IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, IN TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

TAX KEY NOS. 313-0312-100 & 313-1370-000

VICINITY MAP
 NE 1/4 SEC. 17, T7N, R22E
 E. & W. BURLEIGH ST.



SCALE: 1" = 2000'

LEGEND:

° #6 REBAR (3/4" DIAM.) X 18" LONG, MIN. WT. 1.50 LBS./LIN. FT. TO BE SET, UNLESS SHOWN OTHERWISE

BEARINGS REFERENCED TO THE WEST LINE OF THE NE 1/4 SEC. 17-7-22 WHICH BEARS N 00°52'40" W AND IS REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 27 (DEC. 2005 DATUM).

OWNER/SUBDIVIDER:
 BRIC (MLK/HADLEY), ASSOCIATES

FLOODPLAIN DESIGNATION:
 AREA DOES NOT FALL WITHIN A FLOODPLAIN PER CITY OF MILWAUKEE WEBSITE. FLOODPLAIN INFORMATION CAN BE FOUND ON FIRM COMMUNITY PANEL NO. 550278 0012 B.

ZONING:
 LB2 - LOCAL BUSINESS DISTRICT

INTERIOR ANGLE TABLE

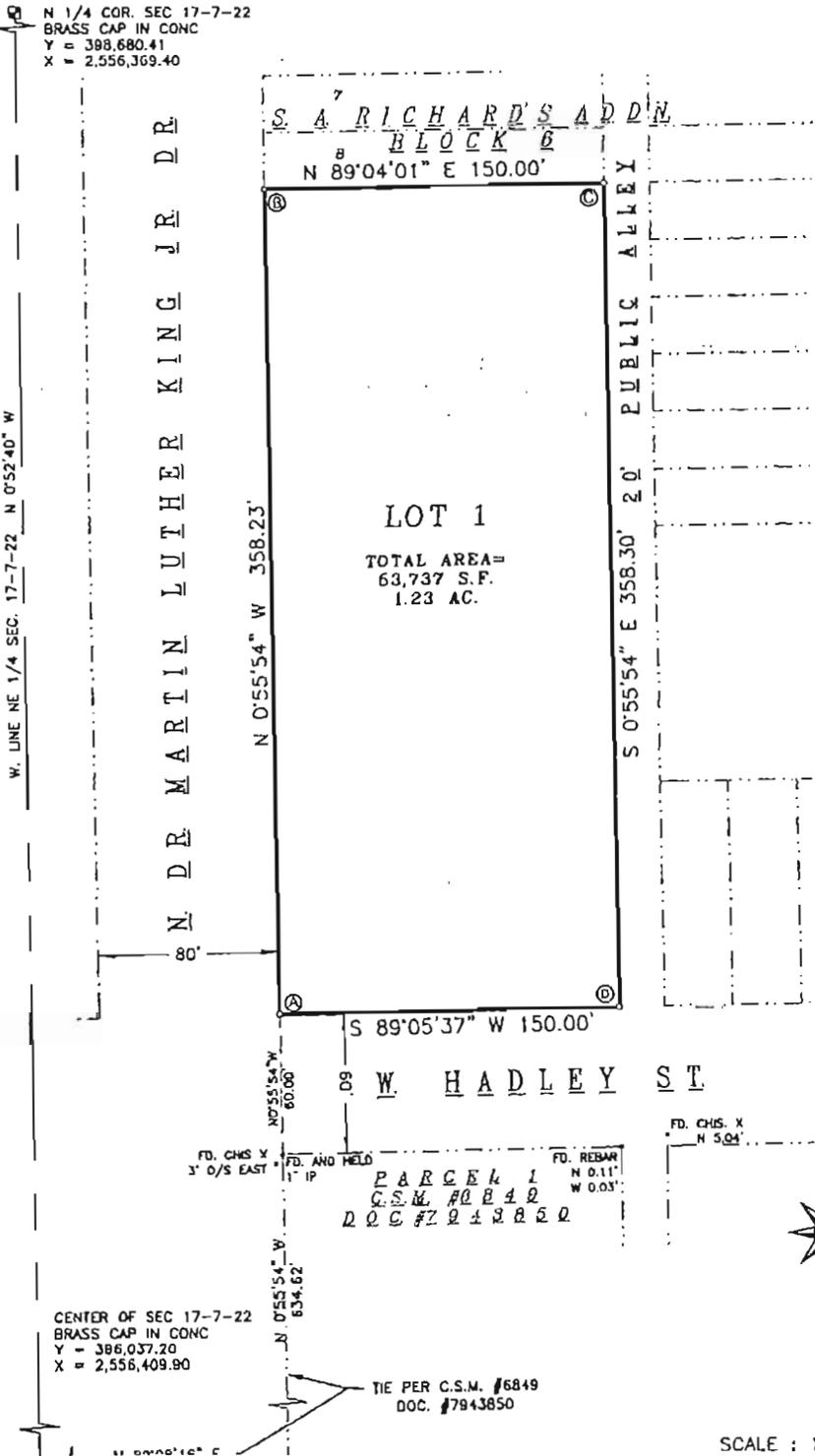
A	90°01'31"
B	90°00'05"
C	89°59'55"
D	89°58'29"



REV. 8-05-08
 REV. 8-18-08

SIGMA
 DEVELOPMENT, INC.
 1300 WEST CANAL STREET

N 1/4 COR. SEC 17-7-22
 BRASS CAP IN CONC
 Y = 398,680.41
 X = 2,556,369.40



FD. CHS. X
 1" O/S EAST
 1" IP
 FD. AND HELD
 PARCELS 1
 C.S.M. #0842
 D.C. #Z 2 ± 2 2 2 2
 FD. REBAR
 N 0.11"
 W 0.03"

CENTER OF SEC 17-7-22
 BRASS CAP IN CONC
 Y = 386,037.20
 X = 2,556,409.90

TIE PER C.S.M. #6849
 DOC. #7943850



SCALE: 1" = 80'

CERTIFIED SURVEY MAP NO. 8093

LOTS 9, 10, 11, 12, 13 AND 14, IN BLOCK 6 IN S. A. RICHARDS ADDITION, LOT 3 IN BLOCK 3 IN ASSESSOR'S PLAT NO. 111, AND LOTS 1, 2 AND 3 IN BLOCK 6 IN WECHSELBERG AND ELLIOTT'S SUBDIVISION, ALL IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, IN TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, BAIBA M. ROZITE, REGISTERED SURVEYOR, CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED LOTS 9, 10, 11, 12, 13 AND 14, IN BLOCK 6 IN S. A. RICHARDS ADDITION, LOT 3 IN BLOCK 3 IN ASSESSOR'S PLAT NO. 111, AND LOTS 1, 2 AND 3 IN BLOCK 6 IN WECHSELBERG AND ELLIOTT'S SUBDIVISION, ALL IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, IN TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 17; THENCE NORTH 89°08'16" EAST, 1005.08 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 SECTION; THENCE NORTH 0°55'54" WEST, 634.62 FEET ALONG THE EASTERLY LINE OF NORTH DR. MARTIN LUTHER KING JR. DRIVE TO THE NORTHWEST CORNER OF CERTIFIED SURVEY MAP NO. 6849; CONTINUING THENCE NORTH 0°55'54" WEST, 60.00 FEET TO THE POINT OF BEGINNING; CONTINUING THENCE NORTH 0°55'54" WEST, 358.23 FEET ALONG THE WESTERLY LINE OF BLOCK 6 OF WECHSELBERG & ELLIOTT'S SUBDIVISION, BLOCK 3 OF ASSESSOR'S PLAT NO. 111, AND BLOCK 6 OF S. A. RICHARD'S ADDITION TO THE NORTHWEST CORNER OF LOT 9, OF SAID BLOCK 6 OF S. A. RICHARD'S ADDITION; THENCE NORTH 89°04'01" EAST, 150.00 FEET ALONG THE NORTH LINE OF SAID LOT 9 TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 0°55'54" EAST, 358.30 FEET ALONG THE WEST LINE OF A 20' WDE PUBLIC ALLEY TO THE NORTH LINE OF WEST HADLEY STREET; THENCE SOUTH 89°05'37" WEST, 150.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 53,737 SQUARE FEET, OR 1.23 ACRES OF LAND, MORE OR LESS.

THAT I HAVE MADE THE SURVEY, LAND DIVISION, AND MAP BY THE DIRECTION OF BRIC (MLK/HADLEY) ASSOCIATES, OWNER OF SAID LAND.

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 236.34 OF THE WISCONSIN STATUTES AND CHAPTER 119 OF THE MILWAUKEE CODE OF ORDINANCES IN SURVEYING, DIVIDING AND MAPPING THE SAME.


BAIBA M. ROZITE S-2351 8-05-08 REV. 8-18-08 DATE



CERTIFIED SURVEY MAP NO. 8093

LOTS 9, 10, 11, 12, 13 AND 14, IN BLOCK 6 IN S. A. RICHARDS ADDITION, LOT 3 IN BLOCK 3 IN ASSESSOR'S PLAT NO. 111, AND LOTS 1, 2 AND 3 IN BLOCK 6 IN WECHSELBERG AND ELLIOTT'S SUBDIVISION, ALL IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, IN TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

OWNER'S CERTIFICATE

BRIC (MLK/Hadley) Associates, A Wisconsin Limited Partnership, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said partnership has caused the land described on this map to be surveyed, divided, dedicated and mapped as represented on this map.

IN WITNESS WHEREOF, the said BRIC (MLK/Hadley) Associates, A Wisconsin Limited Partnership has caused these presents to be signed by Brian Cummings, President of BRIC (MLK/Hadley), Inc., its sole general partner, at Waukesha, Wisconsin, this 25 day of Aug., 2008

By: BRIC (MLK/Hadley) Associates, A Wisconsin Limited Partnership
By: BRIC (MLK/Hadley), Inc., its sole general partner

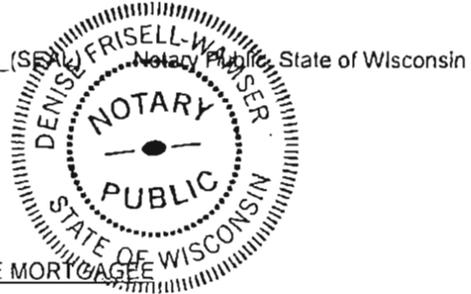
By: [Signature]
Brian Cummings, President

STATE OF WISCONSIN)

Waukesha :SS
COUNTY)

PERSONALLY came before me this 25 day of Aug., 2008, Brian Cummings, President of BRIC (MLK/Hadley), Inc. to me known to be the person who executed the foregoing instrument and to me known to be the President of said corporation, and acknowledged that he executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

[Signature]
My Commission Expires 9/25/11



CONSENT OF CORPORATE MORTGAGEE

JOHNSON BANK, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the herein described land, does hereby consent to the surveying, dividing and mapping of the land described in the foregoing affidavit of Baiba M. Rozite, Surveyor, and does hereby consent to the above certificate of BRIC (MLK/Hadley), Associates, A Wisconsin Limited Partnership, owner.

IN WITNESS WHEREOF, the said JOHNSON BANK has caused these presents to be signed by Robert N. Bell II, its Senior Vice President, and countersigned by Dani-Lynn Herreman, its Vice President, at Milwaukee, Wisconsin, and its corporate seal to be hereunto affixed this 25 day of August, 2008.
In the presence of:

(Corporate Seal)
[Signature]
Senior Vice President
Robert N. Bell II
Date 8/25/08

[Signature]
Vice President
Dani-Lynn Herreman
Date 8/25/08

STATE OF WISCONSIN)

Milwaukee :SS
COUNTY)

PERSONALLY came before me this 25 day of August, 2008, Robert N. Bell II, Senior Vice President and Dani-Lynn Herreman, Vice President, of JOHNSON BANK, to me known to be the persons who executed the foregoing instrument and to me known to be the President and Secretary

Wisconsin Department of Natural Resources
Southeast Region Headquarters
Milwaukee Service Center
2300 North Martin Luther King Drive
Milwaukee, Wisconsin 53212

Subject: **Statement of Legal Description**
 BRRTS# 03-41-552423
 FID# 341016500
 Former Patterson Tire Service/Proposed Walgreen Store #12783
 2826 North Martin Luther King Drive
 Milwaukee, Milwaukee County, Wisconsin

To Whom It May Concern:

Please consider this letter a formal statement that BRIC (MLK/Hadley) Associates believes the provided legal description for the above-referenced subject property to be complete and accurate.

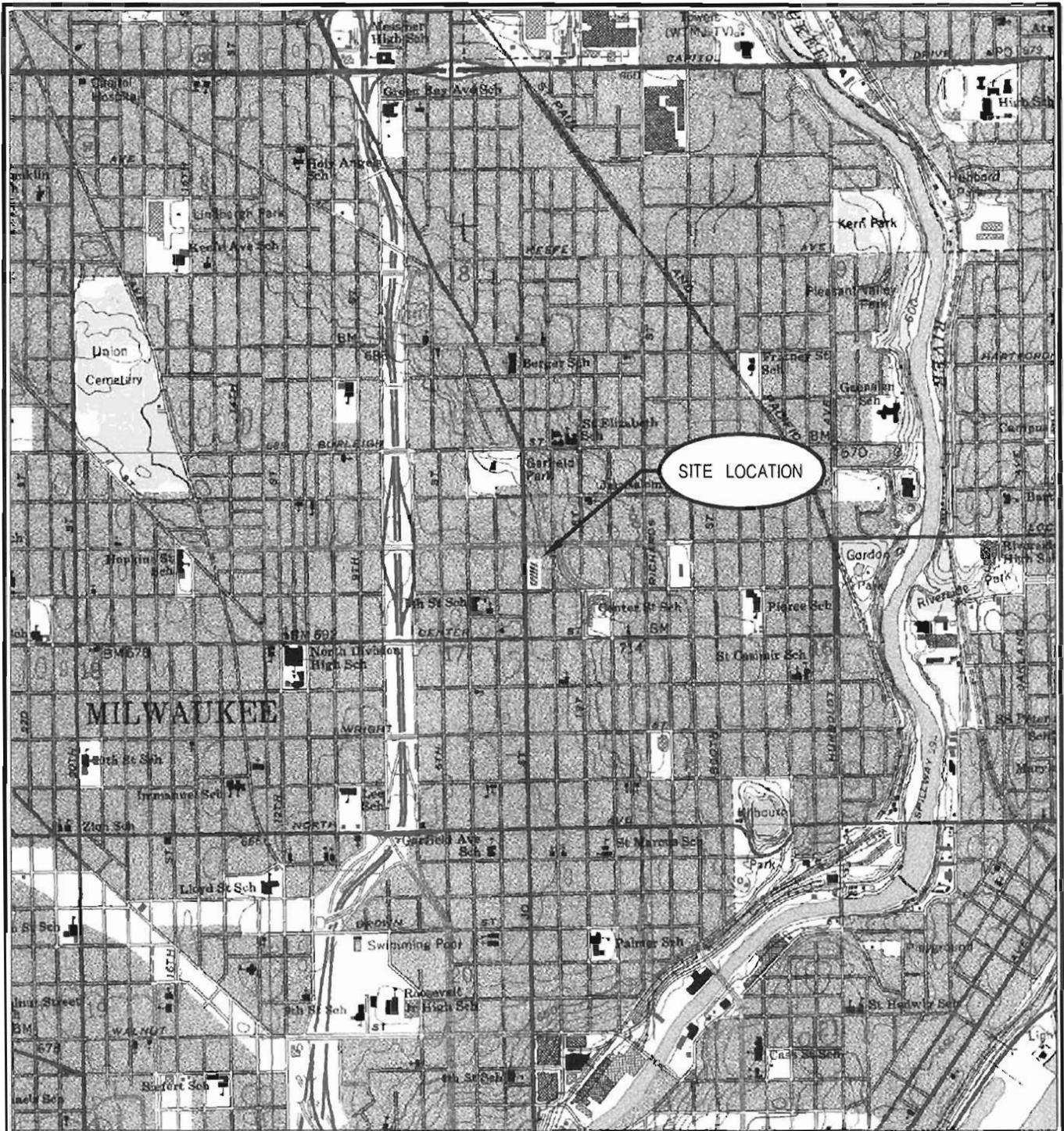
Please keep this acknowledgement on file with the records for the above-noted facility.



Mr. Brian Cummings, BRIC (MLK/Hadley) Associates

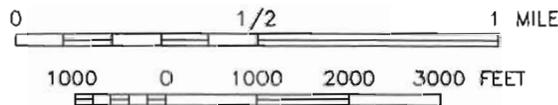
1 - 14 - 09

Date



QUADRANGLE LOCATION

Scale 1:24000



(SOURCE OF MAP IS USGS 7.5 MINUTE QUADRANGLE MAP, MILWAUKEE (1958 PHOTOREVISED 1971), WISCONSIN)



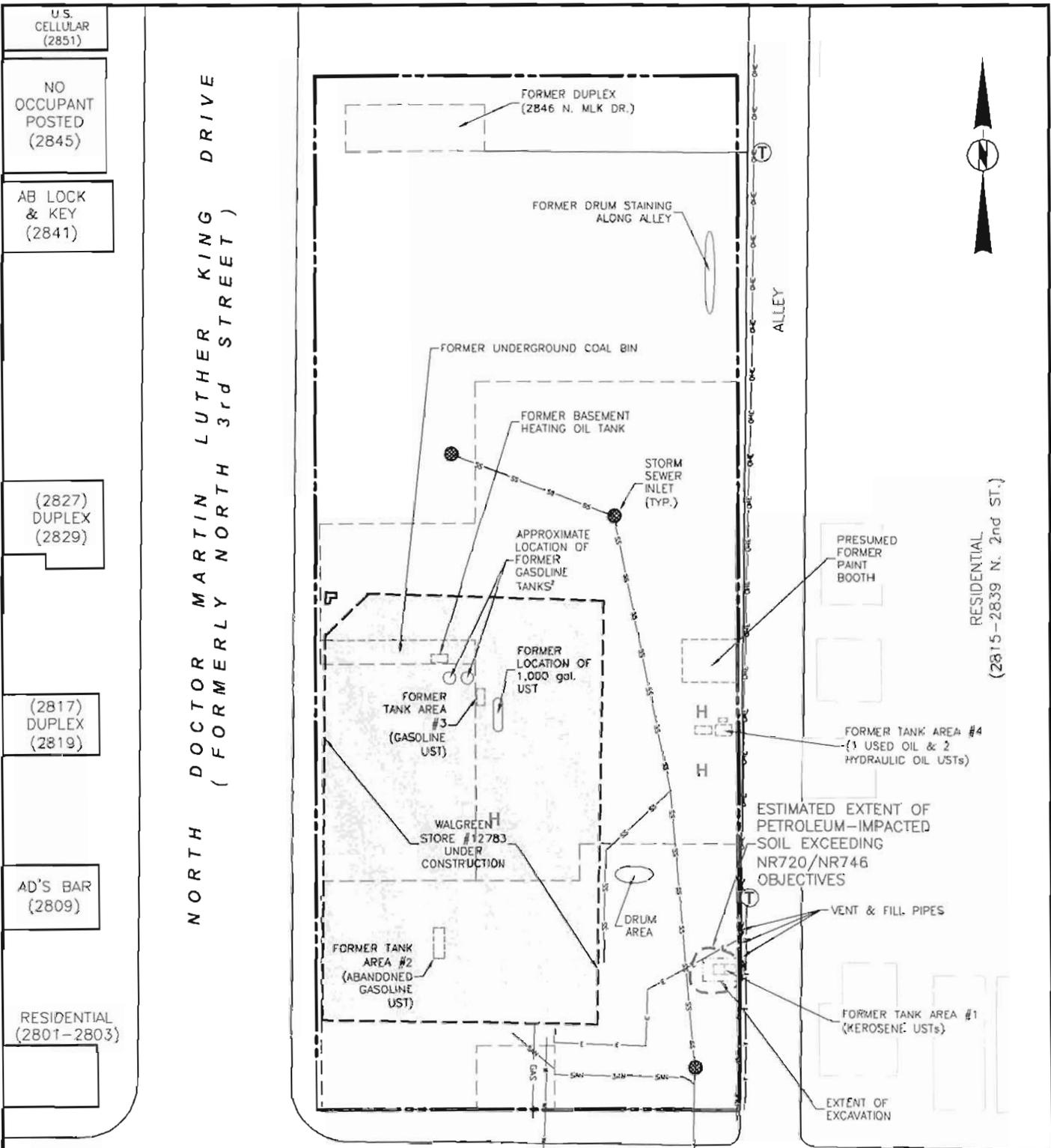
CHECK BY	DRM
DRAWN BY	JL
DATE	12/12/2008
SCALE	AS SHOWN
CAD NO.	08105.01A
PRJ NO.	99008-008105.04

SITE VICINITY MAP
 BRRTS #03-41-552423
 FORMER PATTERSON TIRE SERVICE
 PROPOSED WALGREEN STORE #12783
 2826 NORTH MARTIN LUTHER KING DRIVE
 MILWAUKEE, WISCONSIN



FIGURE

1



LEGEND	
	SUBJECT PROPERTY BOUNDARY
	FORMER BUILDING LOCATION
	TRANSFORMER-POLE MOUNTED
	FORMER HYDRAULIC LIFT
	OVERHEAD ELECTRIC
	STORM SEWER
	UNDERGROUND ELECTRIC
	GAS LINE
	UNDERGROUND TELEPHONE

CHECK BY	DRM
DRAWN BY	JL
DATE	2/3/2009
SCALE	AS SHOWN
CAD NO.	08105.04_B2
PRJ NO.	99008-008105.04

SITE PLAN
 BRRTS #03-41-552423
 FORMER PATTERSON SERVICE STATION
 PROPOSED WALGREEN STORE #12783
 2826 NORTH MARTIN LUTHER KING DRIVE
 MILWAUKEE, WISCONSIN



FIGURE
2

U.S. CELLULAR (2851)

NO OCCUPANT POSTED (2845)

AB LOCK & KEY (2841)

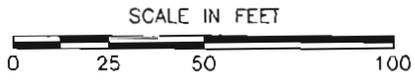
(2827) DUPLEX (2829)

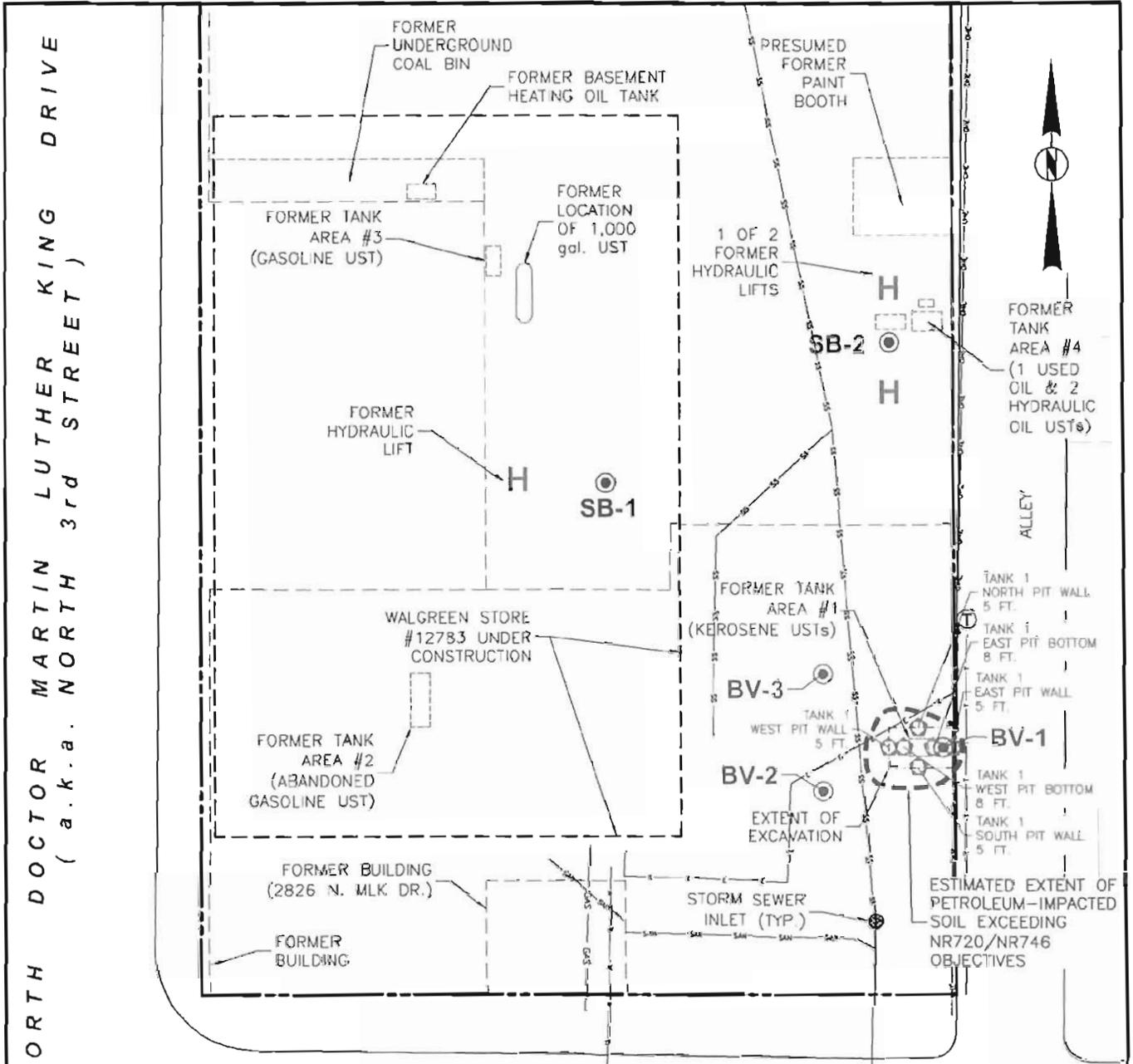
(2817) DUPLEX (2819)

AD'S BAR (2809)

RESIDENTIAL (2801-2803)

RESIDENTIAL (2815-2839 N. 2nd ST.)





LEGEND

- SUBJECT PROPERTY BOUNDARY
- SAMPLE LOCATION (CONFIRMATION SOIL-JULY 2008)
- SOIL BORING LOCATION (MAY 2008 - PCB's ONLY)
- SOIL BORING LOCATION (OCTOBER 2008)
- TRANSFORMER-POLE MOUNTED
- OVERHEAD ELECTRIC
- STORM SEWER
- UNDERGROUND ELECTRIC
- GAS LINE
- UNDERGROUND TELEPHONE



CHECK BY	DRM
DRAWN BY	JL
DATE	2/3/2009
SCALE	AS SHOWN
CAD NO.	08105.04_sb
PRJ NO.	99008-08105.04

SOIL BORING AND SAMPLE LOCATIONS MAP
 BRRTS #03-41-552423
 FORMER PATTERSON TIRE SERVICE
 PROPOSED WALGREEN STORE #12783
 2826 NORTH MARTIN LUTHER KING DRIVE
 MILWAUKEE, WISCONSIN



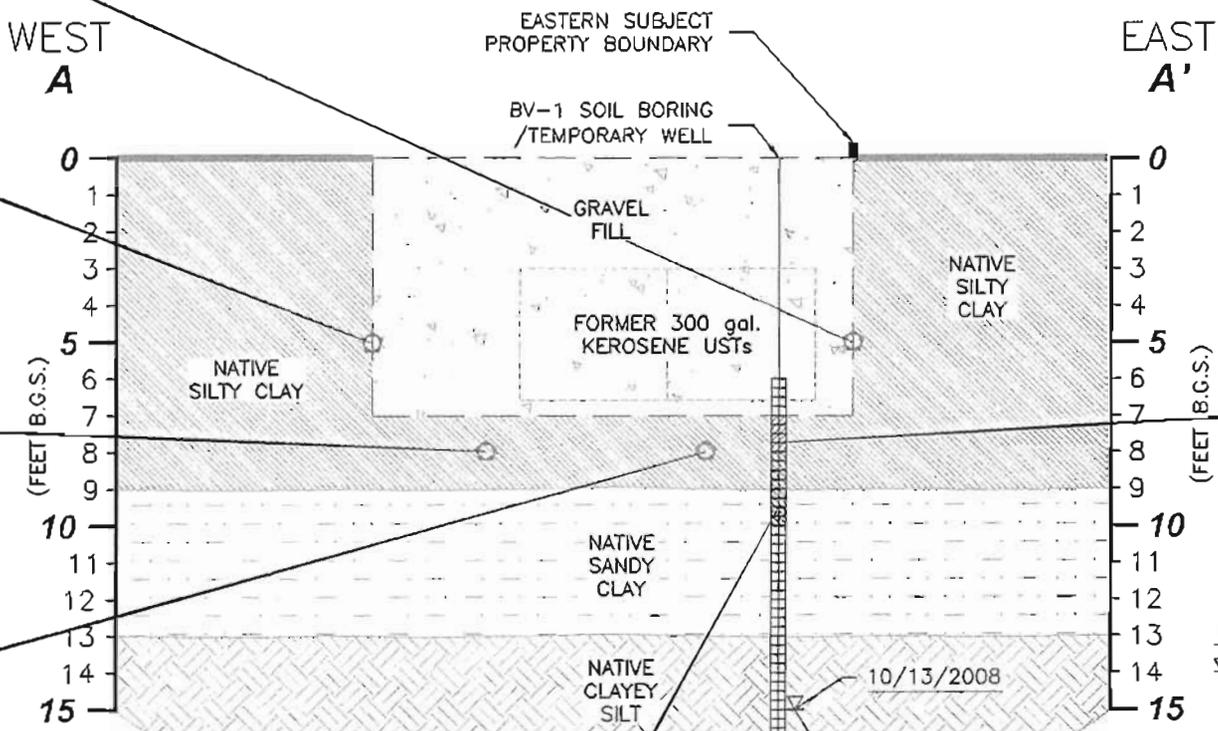
FIGURE
3

EAST PIT WALL - 5'	
BENZENE	<0.01
ETHYL BENZENE	<0.03
TOLUENE	<0.01
1,2,4-TRIMETHYLBENZENE	<0.01
1,3,5-TRIMETHYLBENZENE	<0.01
TOTAL XYLENES	<0.092
NAPHTHALENE	NA
GRD	<6.2
DRD	<6.2

WEST PIT WALL - 5'	
BENZENE	<0.30
ETHYL BENZENE	<0.30
TOLUENE	<0.30
1,2,4-TRIMETHYLBENZENE	<0.30
1,3,5-TRIMETHYLBENZENE	<0.30
TOTAL XYLENES	<0.89
NAPHTHALENE	NA
GRD	<5.9
DRD	<5.9

WEST PIT BOTTOM - 8'	
BENZENE	0.44
ETHYL BENZENE	3.1
TOLUENE	0.93
1,2,4-TRIMETHYLBENZENE	18
1,3,5-TRIMETHYLBENZENE	5.9
TOTAL XYLENES	27
NAPHTHALENE	4.2
GRD	250
DRD	18

EAST PIT BOTTOM - 8'	
BENZENE	0.63
ETHYL BENZENE	5.7
TOLUENE	1.6
1,2,4-TRIMETHYLBENZENE	29
1,3,5-TRIMETHYLBENZENE	9.9
TOTAL XYLENES	36
NAPHTHALENE	5.3
GRD	470
DRD	30



BV-1 - 7-8'	
BENZENE	<0.02
ETHYL BENZENE	3.2
TOLUENE	1.2
1,2,4-TRIMETHYLBENZENE	33
1,3,5-TRIMETHYLBENZENE	11
TOTAL XYLENES	16
NAPHTHALENE	7.5
GRD	780
DRD	NA

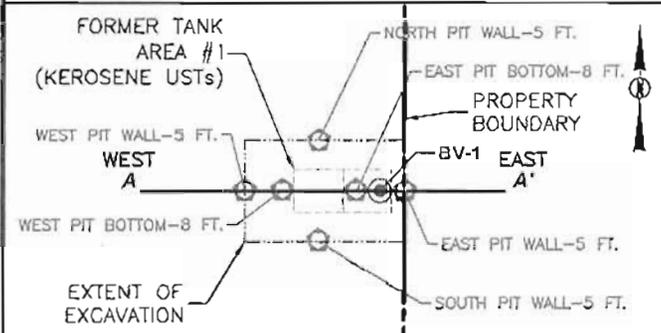
LEGEND
 ▣ FIRST SATURATED CONDITIONS ENCOUNTERED DURING PROBING (15' b.g.s.)

- NOTES:**
- ANALYTICAL RESULTS HIGHLIGHTED BOLD DETECTED CONCENTRATIONS EXCEEDING THE NR720 RESIDUAL CONTAMINANT LEVELS.
 - ALL ANALYTICAL RESULTS REPORTED IN MILLIGRAMS PER KILOGRAM (mg/kg).



BV-1 - 8-10'	
BENZENE	<0.028
ETHYL BENZENE	<0.028
TOLUENE	0.038
1,2,4-TRIMETHYLBENZENE	0.093
1,3,5-TRIMETHYLBENZENE	0.035
TOTAL XYLENES	<0.883
NAPHTHALENE	0.07
GRD	8.9
DRD	NA

BV-1 - GROUNDWATER	
CHLOROMETHANE	0.67 J
ETHYL BENZENE	1 J
1,2,4-TRIMETHYLBENZENE	4
1,3,5-TRIMETHYLBENZENE	1.5
TOTAL XYLENES	5.3
REMAINING VOC's	ND



CHK BY	DRM
DWN BY	JL
DATE	2/19/2009
SCALE	AS SHOWN
CAD NO.	08105.04_x
PRJ NO.	99008-008105.04

CROSS SECTION WITH SOIL & GROUNDWATER DATA
 BRRTS #03-41-552423
 FORMER PATTERSON TIRE SERVICE
 PROPOSED WALGREEN STORE #12783
 2826 NORTH MARTIN LUTHER KING DRIVE
 MILWAUKEE, WISCONSIN



FIGURE
 4

TABLE 1
Soil Analytical Results - VOCs, GRO, DRO and PAHs

BRRIS# 10-41-52423
Former Patterson Tire Service/Proposed Walgreen Store #12783
2826 N. Martin Luther King Jr. Dr., Milwaukee, WI
Bureau Veritas Project Number 99008-008105.04

COMPOUND	WDNR OBJECTIVES			SAMPLE LOCATION											
	NR 720 Residual ConL Levels	NR 746 Table 1 Soil Screening Levels	NR 746 Table 2 Soil Screening Levels	July 15, 2008						October 13, 2008					
				Tank 1/South Pit Wall/5'	Tank 1/North Pit Wall/5'	Tank 1/East Pit Wall/5'	Tank 1/East Pit Bottom/8'	Tank 1/West Pit Bottom/8'	Tank 1/West Pit Wall/5'	BV-1 7'-5'	BV-1 8'-10'	BV-2 6'-8'	BV-2 18'-20'	BV-3 8'-10'	
VOCs (mg/kg)															
Benzene	0.0055	8.5	1.1	<0.30	<0.29	<0.31	0.63	0.44	<0.30	0.32	<0.28	<0.32	<0.28	<0.30	
Ethylbenzene	2.9	4.6	NE	0.057	0.641	<0.31	5.7	3.1	<0.30	3.2	<0.26	<0.32	<0.28	<0.30	
MTBE	NE	NE	NE	<0.30	<0.29	<0.31	<0.120	<0.064	<0.30	0.32	<0.28	<0.32	<0.28	<0.30	
Toluene	1.5	38	NE	<0.30	<0.29	<0.31	1.6	0.93	<0.30	1.2	0.038	<0.32	<0.28	<0.30	
1,2,4-Trimethylbenzene	NE	83	NE	0.17	0.13	<0.31	29	18	<0.30	33	0.093	<0.32	0.036	<0.30	
1,3,5-Trimethylbenzene	NE	11	NE	0.049	0.039	<0.31	9.9	5.9	<0.30	11	0.035	<0.32	<0.28	<0.30	
Total Xylenes	4.1	42	NE	0.37	0.26	<0.92	36	27	<0.89	16	<0.083	<0.097	<0.083	<0.09	
n-Butylbenzene	NE	NE	NE	NA	NA	NA	2.5	1.6	NA	NA	NA	NA	NA	NA	
sec-Butylbenzene	NE	NE	NE	NA	NA	NA	0.4	0.29	NA	NA	NA	NA	NA	NA	
Isopropylbenzene	NE	NE	NE	NA	NA	NA	0.52	0.41	NA	NA	NA	NA	NA	NA	
p-Isopropyltoluene	NE	NE	NE	NA	NA	NA	0.17	0.19	NA	NA	NA	NA	NA	NA	
Naphthalene	0.4*	2.7	NE	NA	NA	NA	5.3	4.2	NA	7.5	0.07	<0.085	<0.055	<0.06	
n-Propylbenzene	NE	NE	NE	NA	NA	NA	5.1	1.8	NA	NA	NA	NA	NA	NA	
Remaining VOCs	Various	NE	NE	NA	NA	NA	ND	ND	NA	NA	NA	NA	NA	NA	
GRO (mg/kg)															
	100	NE	NE	<6.1	<5.9	<6.2	470	250	<5.9	780	8.9	<6.5	6.3	<6.0	
DRO (mg/kg)															
	100	NE	NE	<6.1	<5.9	<6.2	30	18	<5.9	NA	NA	NA	NA	NA	
PAHs* (mg/kg)															
Acenaphthene	38	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Acenaphthylene	0.7	NE	NE	NA	NA	NA	<0.1	<0.11	NA	NA	NA	NA	NA	NA	
Anthracene	3,000	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Benzo(a)anthracene	0.088	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Benzo(b)fluoranthene	0.088	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Benzo(k)fluoranthene	0.88	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Benzo(a)pyrene	0.0088	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Benzo(g,h,i)perylene	1.8	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Chrysene	8.8	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
Dibenzo(a,h)anthracene	0.0088	NE	NE	NA	NA	NA	<0.092	<0.095	NA	NA	NA	NA	NA	NA	
Fluoranthene	500	NE	NE	NA	NA	NA	<0.12	<0.13	NA	NA	NA	NA	NA	NA	
Fluorene	100	NE	NE	NA	NA	NA	0.026	<0.13	NA	NA	NA	NA	NA	NA	
Indeno(1,2,3-cd)pyrene	0.088	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	
1-Methylnaphthalene	23	NE	NE	NA	NA	NA	0.4	0.25	NA	NA	NA	NA	NA	NA	
2-Methylnaphthalene	20	NE	NE	NA	NA	NA	0.8	0.55	NA	NA	NA	NA	NA	NA	
Naphthalene	0.4	2.7	NE	NA	NA	NA	0.77	0.91	NA	NA	NA	NA	NA	NA	
Phenanthrene	1.8	NE	NE	NA	NA	NA	<0.061	0.011	NA	NA	NA	NA	NA	NA	
Pyrene	500	NE	NE	NA	NA	NA	<0.061	<0.064	NA	NA	NA	NA	NA	NA	

Notes:
mg/kg = Milligrams per kilogram or parts per million (ppm). All results reported in mg/kg.
VOC samples analyzed by USEPA SW846 Method 8021 or 8260B.
GRO/DRO samples analyzed by the WDNR Methods.
PAH samples analyzed by USEPA SW846 Method 8310.
Bold values = detected concentrations exceeding the NR720 Residual Contaminant Levels.
*Residual Contaminant Level for naphthalene and PAHs are most stringent levels from WDNR Publication RR-519-97, *Soil Cleanup Levels for PAHs Interim Guidance*, dated April 1997.
NE = Objective not established for this compound, NA = Parameter not analyzed, ND = Compound(s) not detected above detection limit.

TABLE 2
Groundwater Analytical Results - VOCs

BRRTS #10-41-552423
 Former Patterson Tire Service/Proposed Walgreen Store #12783
 2826 N. Martin Luther King Drive, Milwaukee, Wisconsin
 Bureau Veritas Project Number 99008-008105.04

PARAMETER	PREVENTIVE ACTION LIMIT (ug/L)	GROUNDWATER ENFORCEMENT STANDARD (ug/L)	SAMPLE LOCATION	
			BV-1 10/13/08	BV-3 10/13/08
VOCs (ug/L)				
Chloromethane	0.3	3	0.87 J	<0.3
Ethylbenzene	140	700	1 J	<0.5
1,2,4-Trimethylbenzene*	96	480	4	<0.2
1,3,5-Trimethylbenzene*	96	480	1.5	<0.2
Total Xylenes	1,000	10,000	5.3	<0.5
Remaining Analyzed VOCs	Various	Various	ND	ND

ug/L = Micrograms per Liter or parts per billion (ppb). All results reported in ug/L.

*The PALs/ES are combined for the two trimethylbenzenes.

Groundwater enforcement standards established in Wisc. Adm. Code NR 140.

J = estimated value by laboratory

MTBE = Methyl-tert-butyl-ether

VOC samples analyzed by USEPA SW846 Method 8260B.

ITALICIZED results above the Preventive Action Limit.

BOLD results above the Preventive Action Limit and GW Enforcement Standard.

ND = Compound(s) not detected above the laboratory detection limit