

GIS REGISTRY INFORMATION

SITE NAME:	Merzdorf's Service		
BRRTS # and FID #:	246142600 0346120518		
CLOSURE DATE:	07/10/2003		
STREET ADDRESS:	N5475 Cigrand Drive		
CITY:	Waubeka		
SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):	X=	682557	Y= 335593

OFF-SOURCE CONTAMINATION (>ES): <small>(if there are more than 2 off-source properties, make a note and attach additional sheet(s))</small>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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IF YES, STREET ADDRESS 1:	X=	Y=
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IF YES, STREET ADDRESS 2:	X=	Y=
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CONTAMINATION IN RIGHT OF WAY:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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CONTAMINATED MEDIA: (Groundwater, Soil or Both?)	both
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DOCUMENTS NEEDED:

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 <i>(if referenced in the legal description)</i> for all affected properties		
County Parcel ID number, <i>if used for county</i> , for all affected properties	x	on deed restriction
Location Map which outlines all properties within contaminated site boundaries in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy)	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)	x	
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)	x	
Isoconcentration map(s), <i>if available from site investigation (SI)</i> (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of contamination defined. If not available, include the following 2 types of maps:		
Latest groundwater flow/monitoring well location map	x	
Latest extent of contaminant plume map	x	
Geologic cross-sections, <i>if available from SI</i> . (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)	x	
Copy of (soil or land use) deed restriction(s) or deed notice <i>if any required as a condition of closure.</i>	x	



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Plymouth Service Center
1155 Pilgrim Rd
PO Box 408
Plymouth, Wisconsin 53073-0408
Telephone 920-892-8756
FAX 920-892-6638

July 10, 2003

Mr. Ray Merzdorf
185 Fox Glen Road
Waubeka, WI 53021

SUBJECT: Final Case for Merzdorf Service Station site, N5475 Cigrand Drive, Waubeka, WI **WDNR FID#246142600 BRRTS#0346120518**

Dear Mr. Merzdorf:

The Wisconsin Department of Natural Resources has reviewed the above-referenced case file to determine compliance with state clean-up laws and standards. In a letter dated April 16, 2003, you were notified that conditional closure was granted to this case.

The Department has since received correspondence indicating that you have complied with the conditions of closure by submitting a copy of the recorded deed restriction and well abandonment forms. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit <http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm>

If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

If there is equipment purchased with PECFA funds remaining at the site, contact the Commerce PECFA Program to determine the method for salvaging the equipment.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

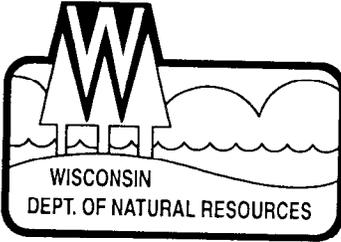
The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (920) 892-8756 ext. 3025.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nancy D. Ryan".

Nancy D. Ryan, Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Mike Bozikowski, Moraine Environmental



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April 16, 2003

Mr. Ray Merzdorf
N5475 Cigrand Drive
Waubeka, WI 53021

Subject: Conditional closure for Merzdorf Service Station site, N5475 Cigrand Drive, Waubeka, WI WDNR **FID#246142600 BRRTS#0346120518**

Dear Mr. Merzdorf:

The Department of Natural Resources (the Department) has received the test results from down-gradient water supply wells and a copy of a draft deed restriction, submitted on your behalf by Moraine Environmental to meet closure criteria put forth in my letter dated August 14, 2002. Based on a review of the information submitted, the Department has determined that the petroleum contamination at the above-referenced site from the 2-550 gallon gasoline underground storage tanks, appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

The monitoring wells and sumps at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/qw/.

Any remaining waste including soil piles or contaminated groundwater generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Please send a letter advising me that any remaining waste and/or soil piles have been removed once that work is completed.

To close this site, the Department requires that a deed restriction be signed and recorded to address the issue of the remaining soil contamination associated with the site. The Department has received a copy of your draft deed restriction. It has been forwarded to our legal staff for review. Your environmental consultant will be contacted regarding any revisions to the document and/or approval of the draft restriction. **After the Department has approved the deed restriction, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by the Ozaukee County Register of Deeds. Then you must submit a copy of the recorded document, with the recording information stamped on it, to me.** Please be aware that if a deed restriction is recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

Section NR 726.05(10) requires that the above conditions must be satisfied within 120 days of receipt of this conditional closure letter except for deed restrictions that comply with NR 726.05(8)(b), which must be recorded within 90 days of receipt of this letter. Please submit a letter to let me know that applicable conditions have been met and a final close out letter will be sent to you. Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit <http://gomapout.dnr.state.wi.us/org/at/et/geo/gwurl/index.htm>]

If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at (920) 892-8756 ext. 3025.

Sincerely,



Nancy D. Ryan, Hydrogeologist
Bureau for Remediation & Redevelopment

Enclosure

cc: Mike Bozikowski, Moraine Environmental
SER site file

This Indenture, Made this 26th day of May

in the year of our Lord, one thousand nine hundred and forty-three,
between Minerva Biersack, of the City of West Bend, County of Wash-
ington, State of Wisconsin, devisee of Minna Conrad, deceased, late of
the Town of Fredonia, County of Ozaukee, State of Wisconsin,

part y of the first part, and
Raymond E. Merzdorf and Florence Merzdorf, of the Unincorpor-
ated Village of Waubeka, Town of Fredonia, county and state aforesaid,
husband and wife, as joint tenants, parties of the second part.

Witnesseth, That the said part y of the first part, for and in consideration of the sum of
- - - - - One (\$1.00) - - - - - Dollars,
to her in hand paid by the said parties of the second part, the receipt whereof is hereby con-
fessed and acknowledged, has given, granted, bargained, sold, remised, released, aliened, conveyed
and confirmed, and by these presents do es give, grant, bargain, sell, remise, release, alien, convey and
confirm unto the said parties of the second part, as joint tenants, the following described real estate
situated in the County of Ozaukee, Wisconsin, to-wit:

A piece or parcel of land, lying in the East Half of Lot
Number Three (3), in Section 28, Township 12 North, of Range
21 East, and more particularly described as follows:

Commencing 152 feet North from the North East corner of a
lot formerly owned by Mathias Paulus and now owned by J. H.
Klessig in said Lot Number Three (3), thence running North 78
feet, thence West 120 feet, thence South 78 feet, thence East
120 feet to the place of beginning. ALSO,

A piece or parcel of land lying in the East Half of Lot
Number Three (3), in Section 28, Township 12 North, of Range
21 East, and more particularly described as follows:

Commencing at the Northeast corner of a certain piece of
land owned by Minnie Burrell and sold to John Conrad and wife
by deed bearing even date herewith, running thence North 27
feet, thence West 120 feet, thence South 27 feet, thence East
120 feet to the place of beginning, located in the Town of
Fredonia, Ozaukee County, Wisconsin,



Together, with all and singular the hereditaments and appurtenances thereunto belonging or in anywise
appertaining: and all the estate, right, title, interest, claim or demand whatsoever of the said

as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever

and that the above bargained premises, in the quiet and peaceable possession of the said parties of the second part, as joint tenants, against all and every person or persons lawfully claiming the whole or any part thereof she will forever WARRANT AND DEFEND.

In Witness Whereof, the said party of the first part has hereunto set her hand and seal this 26th day of May, 1943.

Signed, Sealed and Delivered in Presence of

Witness signatures: Minerva Biersack (Seal), [Seal], [Seal], [Seal]

State of Wisconsin, Ozaukee County, ss.

Personally came before me this 26th day of May, 1943, the within named Minerva Biersack, devisee of Minna Conrad, deceased,

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

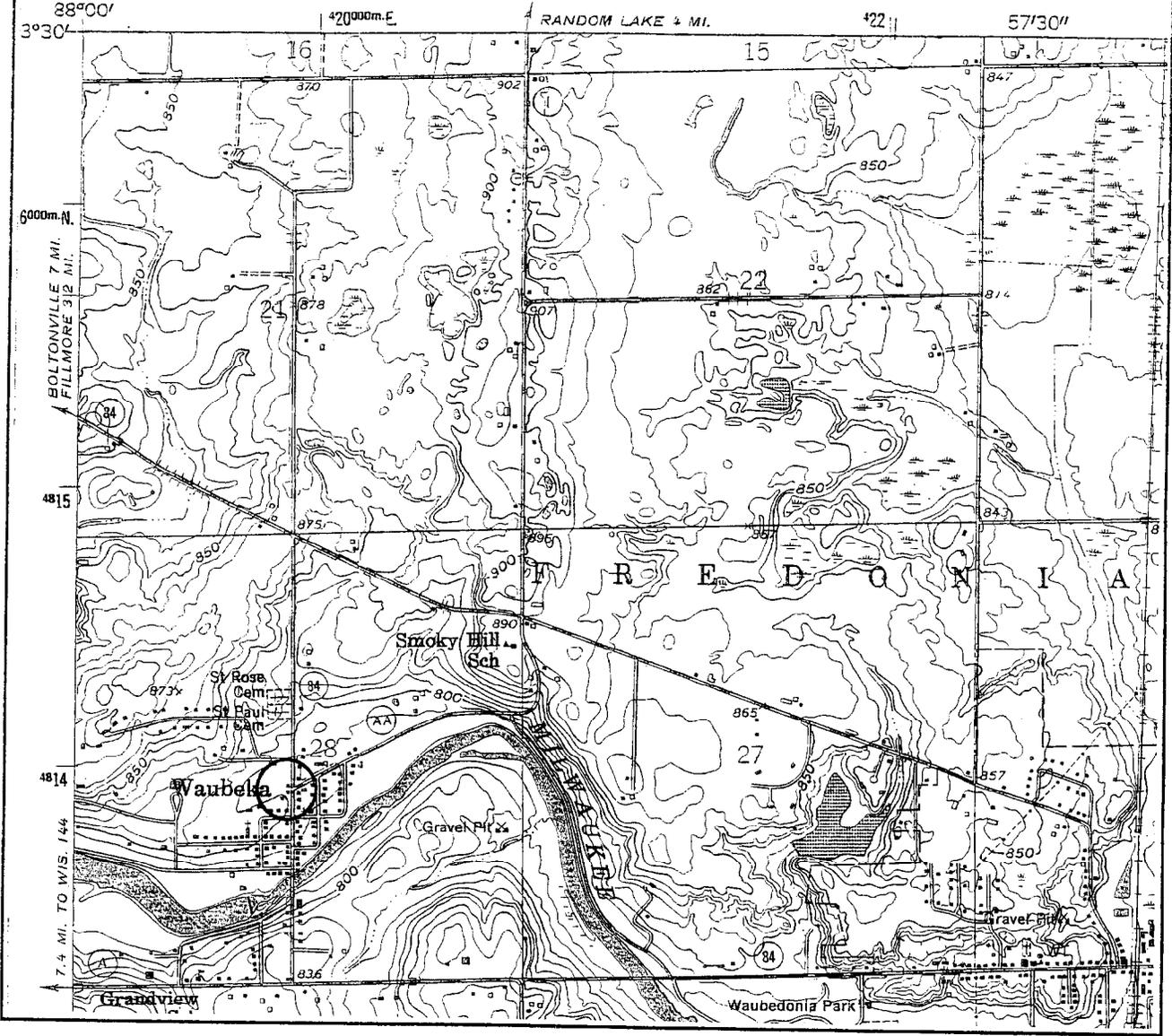
Notary signature: Bettende Mangel

Notary Public, Ozaukee County, Wisconsin.

My commission expires October 22nd, 1944 (To be filled in if signed by a Notary Public.)

of in

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

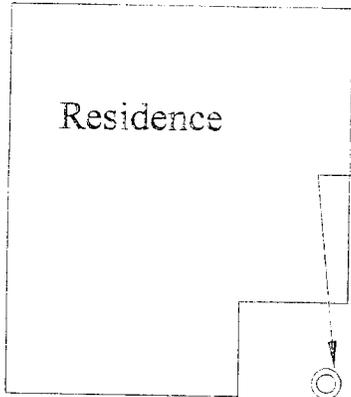


○ SITE LOCATION

SCALE 1:24,000

Drawing Title		
Site Location Map		
Project Name		
Merzdorf Service Station N5475 Cigrand Drive Fredonia (Waubesa), Wisconsin		
Project Number	Drawing Company	
1726	Moraine Environmental, Inc.	
Scale	Date	Figure
1:24,000	9-18-01	Figure 1

MW-7



Neighboring Potable Water Well
(in use - 64 feet deep)



- Power pole
- Monitoring Wells
- Geoprobe Boring
- Excavation Sample

Excavation Perimeter

P-4

P-3

Sump 1

3

1

2

Sump 2

4

MW-2

P-2

MW-3

Wisconsin Gas Line P-6

MW-4

MW-6

Cigrand Avenue

1 - Base 14'
Benzene <100
Ethyl Benzene 4100
MTBE <100
Toluene 1700
TMB (total) 9800
Xylenes 22200

2 - East Wall 12'
Benzene <25
Ethyl Benzene 80
MTBE <25
Toluene <25
TMB (total) 1350
Xylenes 410

3 - West Wall 11'
Benzene <130
Ethyl Benzene <130
MTBE <130
Toluene <130
TMB (total) 17300
Xylenes 6600

4 - North Wall 11'
Benzene <25
Ethyl Benzene <25
MTBE <25
Toluene <25
TMB (total) 68
Xylenes 29

5 - South Wall 11'
Benzene <25
Ethyl Benzene <25
MTBE <25
Toluene <25
TMB (total) 720
Xylenes 360

MW-1

CTH "Z"

P-5

MW-5

Drawing Name: Remedial Excavation and Soil Sample Location Map	
Site: Merzdorf's Service Station N5475 Cigrand Drive, Waubeka, WI	
Drawing Company: Moraine Environmental, Inc.	Date: 9-11-01
Scale: 1" = 30'	Figure Number: Figure 3

**TABLE 2
PRE-REMEDATION GROUNDWATER QUALITY RESULTS
MERZDORF SERVICE STATION
(Detected Compounds Only)**

Chemical	P-2W	P-5W	MW-1			MW-2			MW-3			MW-4	MW-5	MW-6	MW-7	Well Resid.	NR 140 ES	NR 140 PAL
	8-18-98	8-18-98	12-3-98	2-16-99	4-12-99	12-3-98	2-16-99	4-12-99	12-3-98	2-16-99	4-12-99	4-12-99	4-12-99	4-12-99	4-12-99	7-20-99		
Gasoline Range Organics	72	<50	65	<50	NA	9200	4300	NA	73000	86000	NA	<50	<50	<50	<50	NA	NSE	NSE
Soluble Lead	NA	NA	11	<1.8	<1.8	5.9	<1.6	<1.6	47	50	30	<1.8	<1.6	<1.6	<1.8	NA	15.0	1.5
Benzene	1000	<0.5	<0.27	2.3	<0.24	<5.4	<1.3	<0.65	820	1200	1100	<0.27	<0.27	<0.27	<0.27	<0.27	5.0	0.5
s-Butylbenzene	NA	NA	<0.29	NA	NA	28	NA	NA	<58	NA	NA	<0.29	<0.29	<0.29	<0.29	<0.29	NSE	NSE
n-Butylbenzene	NA	NA	<0.29	NA	NA	97	NA	NA	120	NA	NA	<0.29	<0.29	<0.29	<0.29	<0.29	NSE	NSE
Ethylbenzene	2800	<0.5	<0.32	<0.24	<0.24	110	31	16	2900	2500	3000	<0.32	<0.32	<0.32	<0.32	<0.32	700	140
Isopropylbenzene	NA	NA	<0.26	NA	NA	66	NA	NA	120	NA	NA	<0.26	<0.26	<0.26	<0.26	<0.26	NSE	NSE
p-Isopropyltoluene	NA	NA	<0.24	NA	NA	12	NA	NA	<48	NA	NA	<0.24	<0.24	<0.24	<0.24	<0.24	NSE	NSE
Methyl-Tert-Butyl-Ether	4000	0.74	120	28	0.66	<6.4	43	1.8	6300	5700	1900	<0.32	<0.32	<0.32	<0.32	<0.32	60	12
Naphthalene	NA	NA	<0.35	NA	NA	170	52	NA	590	840	940	<0.35	<0.35	<0.35	<0.35	<0.35	40	8.0
n-Propylbenzene	NA	NA	<0.76	NA	NA	220	NA	NA	420	NA	NA	<0.76	<0.76	<0.76	<0.76	<0.76	NSE	NSE
Toluene	25000	<0.5	<0.27	0.32	0.32	<5.4	<1.1	<0.53	24000	24000	27000	0.48	0.32	0.40	0.31	<0.27	1000	200
Trimethylbenzenes, combined	3480	<1.0	<0.27	<0.54	<0.54	2850	530	270	5700	5500	5700	0.24	<0.27	<0.27	<0.27	<0.27	480	96
Xylenes, Total	17000	0.56	<0.46	<0.97	<0.97	1070	122	66	25,200	24,200	25700	<0.43	<0.43	<0.43	<0.43	<0.43	10000	1000

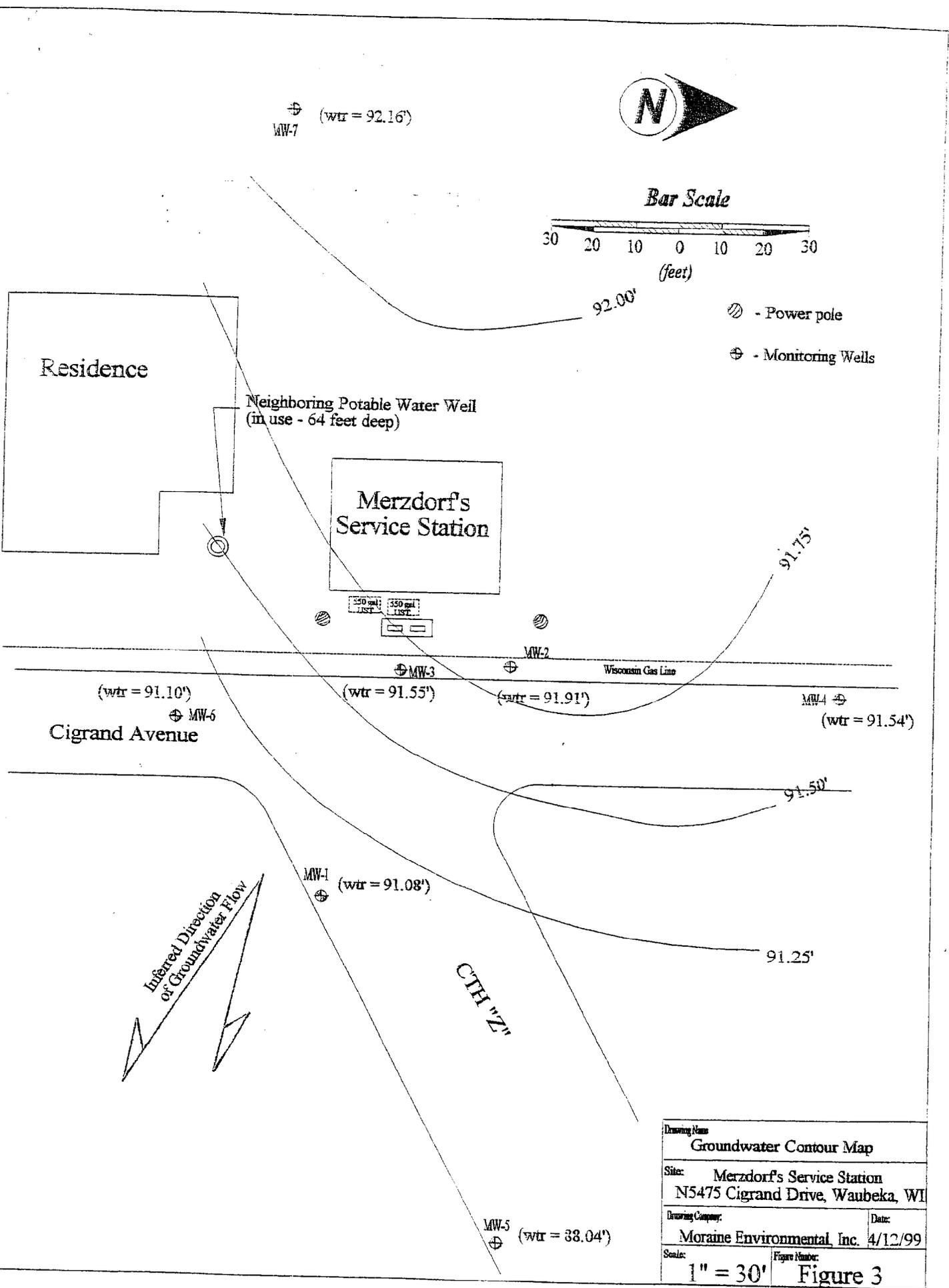
Key: <0.0 = Indicates no detectable analyte at or above the listed detection limit (see laboratory reports)
 All results reported in ug/l (equivalent to parts per billion)
 NSE = No Standard Established
 Bold Print = Exceeds PAL (Preventive Action Limit)
 Outlined Cell = Exceeds ES (Enforcement Standard)
 NA = Not Analyzed
 (1) Total Xylenes

**TABLE 4
POST-REMEDIATION GROUNDWATER QUALITY RESULTS
MERZDORF SERVICE
(P VOC Compounds Only)**

Chemical	MW-1					MW-2			MW-3					MW-4					MW-5					MW-6			MW-7			Sump1			Sump2			Potable Well	NR 140 ES	NR 140 PAL
	12-99	3-00	6-00	12-00	4-01	3-00	6-00	4-01	12-99	3-00	6-00	12-00	4-01	12-99	3-00	6-00	12-00	4-01	12-99	3-00	6-00	12-00	4-01	12-99	3-00	6-00	3-00	6-00	4-01	12-99	3-00	6-00	12-99	3-00	6-00			
Benzene	<0.26	0.27	18	0.47	<0.45	<0.26	<0.35	<0.45	430	270	54	52	<11	<0.26	<0.26	<0.35	<0.35	<0.45	<0.26	<0.26	<0.35	<0.35	<0.45	<0.26	<0.26	<0.35	<0.26	<0.35	<0.45	11	1.9	<3.5	26	1.2	4.6	<0.45	5.0	0.5
Ethylbenzene	<0.24	<0.24	3.7	<0.37	<0.82	5.9	8.1	10	2400	1200	1100	1500	540	<0.24	<0.24	<0.37	<0.37	<0.82	<0.24	<0.24	<0.37	<0.37	<0.82	<0.24	<0.24	<0.37	<0.24	<0.37	<0.82	160	110	280	760	110	410	<0.82	700	140
Methyl-Tert-Butyl-Ether	10	6.2	1.2	0.55	<0.43	2.4	1.1	2.9	720	290	23	<18	15	<0.22	<0.22	<0.36	<0.36	<0.43	<0.22	<0.22	<0.36	<0.36	<0.43	<0.22	<0.22	<0.36	<0.22	<0.36	<0.43	<4.4	5.1	<3.6	8.4	7.4	<3.6	<0.43	60	12
Toluene	0.40	0.30	0.81	<0.38	<0.68	<0.21	1.4	<0.68	14000	11000	4500	5600	1100	0.56	0.52	0.42	<0.38	<0.68	<0.21	0.27	<0.38	<0.38	<0.68	0.36	0.42	0.44	0.23	<0.38	<0.68	870	140	160	910	33	83	<0.68	1000	200
Trimethylbenzenes	<0.54	<0.86	3.5	<0.37	<0.94	130	106	176	5200	5000	5700	5200	4000	<0.86	<0.86	<0.37	<0.37	<0.94	<0.86	<0.86	<0.37	<0.37	<0.94	<0.86	<0.86	<0.37	<0.86	<0.37	<0.94	2680	700	1780	3260	1000	1740	<1.86	480	96
Xylenes, Total	<0.97	<0.97	30.5	<0.76	<1.7	17.7	49	28.7	20800	20700	19400	20400	9800	<0.97	<0.97	<0.76	<0.76	<1.7	<0.97	<0.97	<0.76	<0.76	<1.7	<0.97	<0.97	<0.76	<0.97	<0.76	<1.7	6500	1400	4200	7800	1170	3040	<2.47	10000	1000

Key: <0.0 = Indicates no detectable analyte at or above the listed detection limit (see laboratory reports)
 All results reported in ug/l (equivalent to parts per billion)
Bold Print = Exceeds PAL (Preventive Action Limit)
 Dark Cell Border = Exceeds ES (Enforcement Standard)

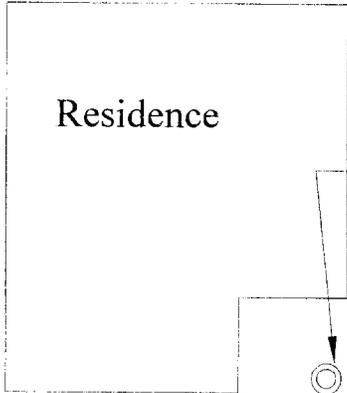
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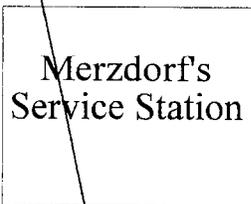
Drawing Name Groundwater Contour Map	
Site: Merzdorf's Service Station N5475 Cigrand Drive, Waubeka, WI	
Drawing Company: Moraine Environmental, Inc.	Date: 4/12/99
Scale: 1" = 30'	Figure Number: Figure 3



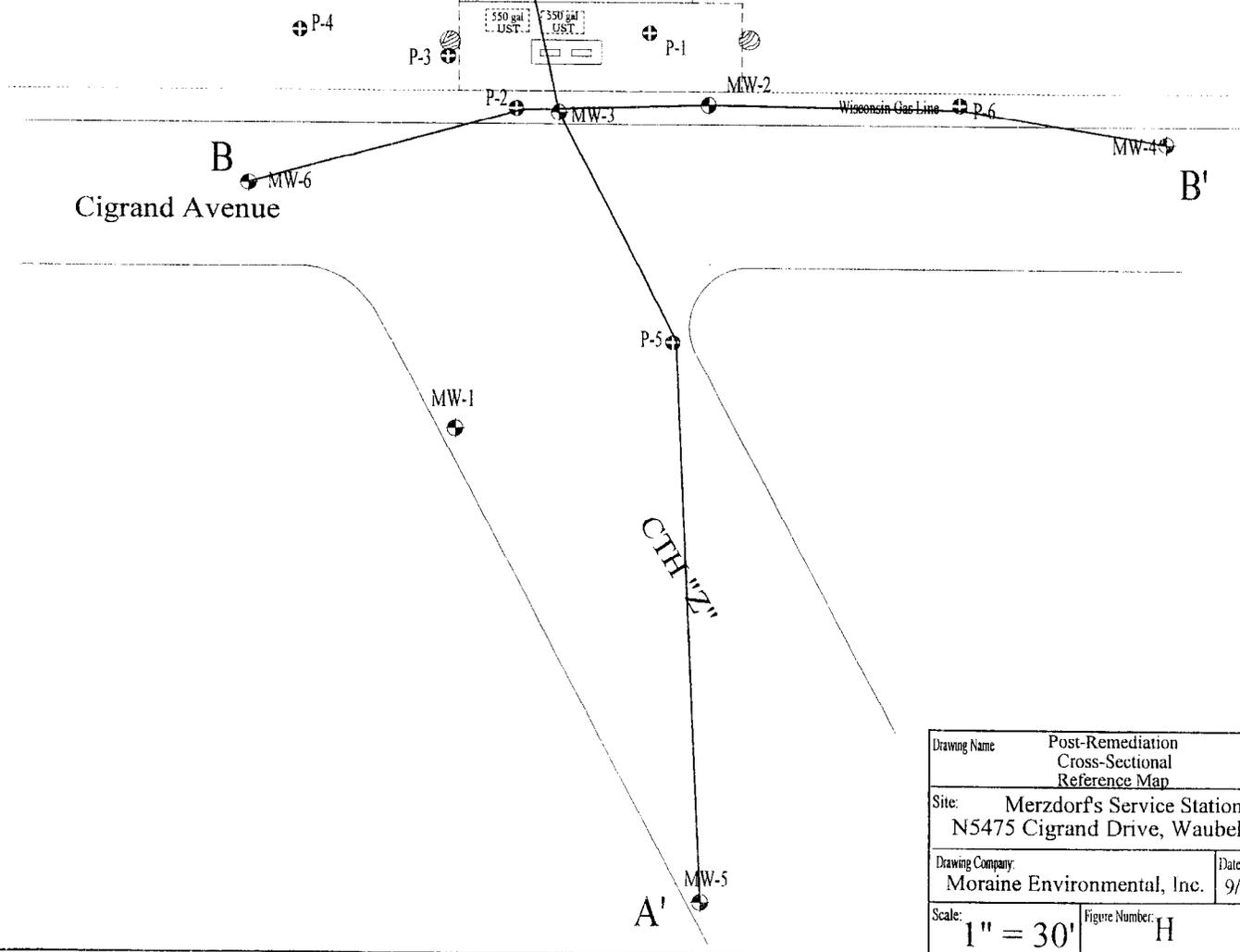
- ⊙ - Power pole
- ⊕ - Monitoring Wells
- ⊕ - Geoprobe Boring



Neighboring Potable Water Well
(in use - 64 feet deep)



Merzdorf's
Service Station



Drawing Name		Post-Remediation Cross-Sectional Reference Map	
Site: Merzdorf's Service Station N5475 Cigrand Drive, Waubeka, WI			
Drawing Company:		Date	
Moraine Environmental, Inc.		9/18/01	
Scale:	Figure Number:		
1" = 30'	H		

A
West

A'
East

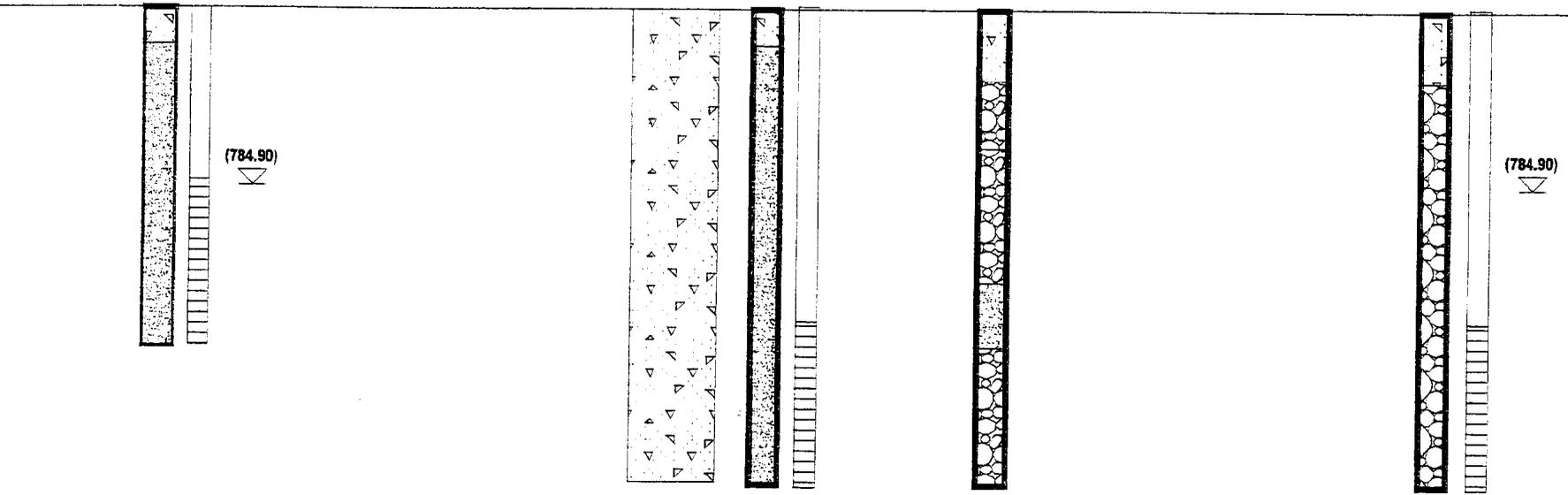
B-7/MW-7

B-3/MW-3

P-5

B-5/MW-5

795 ft. msl.
790 ft. msl.
785 ft. msl.
780 ft. msl.
775 ft. msl.
770 ft. msl.
765 ft. msl.



KEY

-  Screened portion of well
-  Sand-Silt
-  Sand-Gravel
-  Silt-Clay
-  Fill
-  No Recovery or Sample
-  (863.86) Water Table Elevation - September 20th, 2006

Post-Remediation Cross-Section A - A'
Merzdorf's Service Station
Waubeka, Wisconsin

Scale:
Vertical Scale: 1" = 5'
Horizontal Scale: 1" = 40'

H

B

South

B'

North

B-6/MW-6

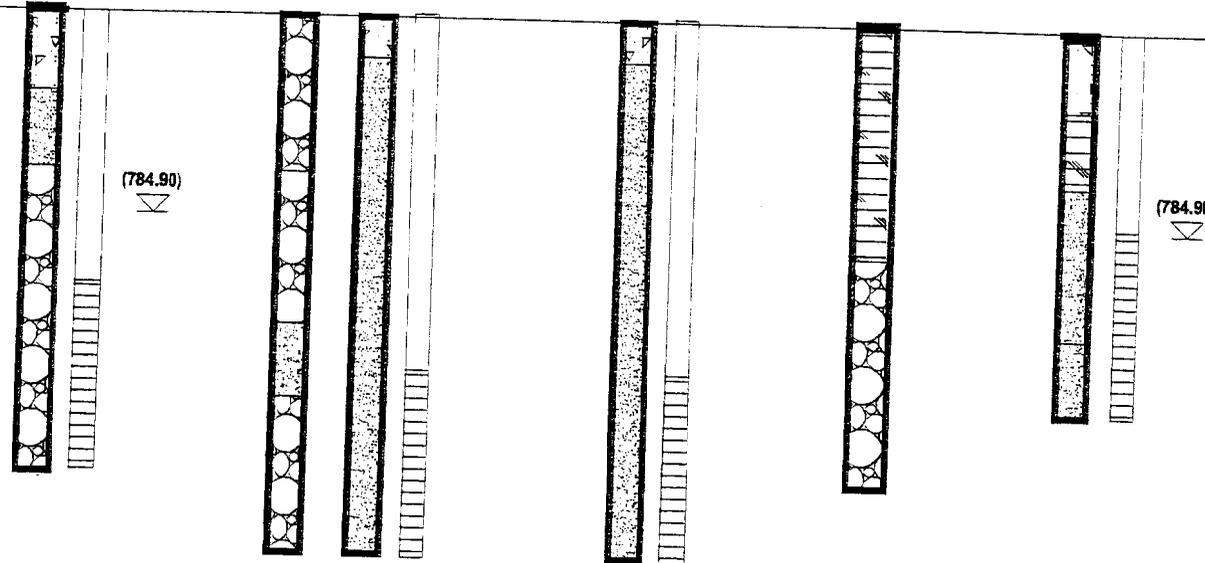
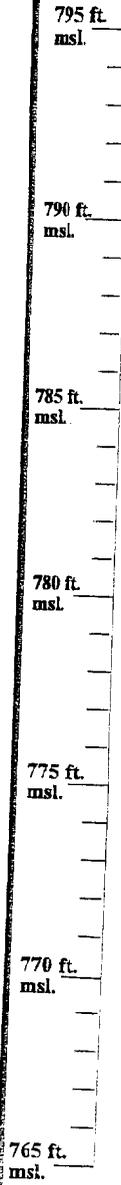
P-2

B-3/MW-3

B-2/MW-2

P-6

B-4/MW-4



KEY

- Sand-Silt
 - Sand-Gravel
 - Silt-Clay
 - Fill
 - No Recovery or Sample
 - Water Table Elevation - September 2006, 2008
- (863.86)

Post-Remediation Cross-Section B - B'
Merzdorf's Service Station
Waubeka, Wisconsin

Scale:
 Vertical scale: 1" = 5'
 Horizontal scale: 1" = 40'

H

April 3, 2002

Wisconsin Department of Natural Resources
Bureau of Remediation & Redevelopment
P.O. Box 12436
Milwaukee WI 53212-0436

RE: Merzdorf Service Station
M5475 Cigrand Drive, Waubesa WI
BRRTS #03-46-120518

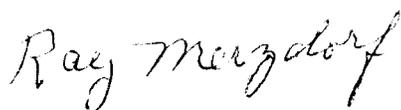
Project #1726

To Whom It May Concern:

I certify that, to the best of my knowledge, the legal description attached to this statement is complete, accurate, and describes the correct contaminated property site.

If you should have any questions, please do not hesitate to contact me, or my consultant, Moraine Environmental at (262) 377-9060.

Sincerely,

A handwritten signature in cursive script that reads "Ray Merzdorf".

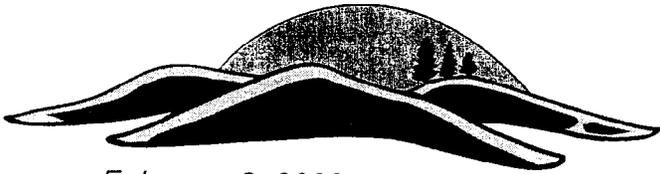
Ray Merzdorf
Merzdorf Service Station

Enc.

COPY

Moraine Environmental, Inc.

Environmental Management Services



February 3, 2003

Moraine Project #1726

Mr. Gary Wegner,
Construction Coordinator of Metropolitan Milwaukee
WE Energies
5400 N. Green Bay Road
Milwaukee, WI 53209

**Re: Notice of Contamination Likely in the Right-of-Way adjacent to
Merzdorf Service Station, N5475 Cigrand Drive, Waubeka, WI**

Dear Mr. Wegner,

In the process of closing the remedial action at Merzdorf Service Station, Moraine is required to inform the affected entities of the potential for residual contamination in the right-of-way.

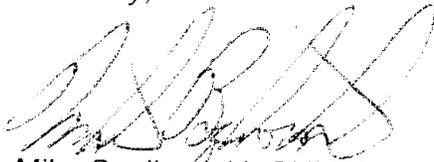
This contamination stems from leaking underground storage tanks removed from Merzdorf Station in October 1999. The petroleum release was initially discovered and reported to the Department of Natural Resources (WDNR) on April 10, 1997. A remedial investigation subsequently identified that soil and groundwater contamination extended eastward beyond property boundaries and into the adjacent ROW beneath Cigrand Drive. The site was remediated to the extent practical between October 1999 and July, 2000. Recent testing shows the residual contamination in its present state does not pose a threat to human health or to the environment and the remaining contamination is expected to further degrade safely and naturally over time. Please refer to the attached figure showing the estimated extent of Benzene in soil.

This is official notification of the residual petroleum contamination in front of the service station affecting the right-of-way and the utility corridor. Please be advised to protect workers engaged in future subsurface work near Merzdorf Station who may come in contact with the contamination and that any contaminated soil unearthed during that work may require proper disposal.

Please file this notice with the department or official responsible for maintaining the affected utilities and/or right-of-way.

If you have any questions or comments, please contact me at (262) 377-9060.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Bozikowski". The signature is fluid and cursive, with the first name being more prominent.

*Mike Bozikowski, CHMM
Hydrogeologist*

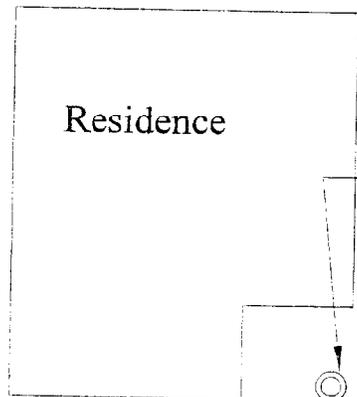
Enclosed: Figure. Extent of Benzene in Soil, 5/31/02

*cc: Mr. Bob Dreblow, Commissioner, Ozaukee Co. Highway Department
Ms. Carol Mueller, Clerk, Town of Fiedonia
Mr. Ray Merzdorf*

F:\WORD\Mswteh17\1726 Notice of Contamination in ROW.doc

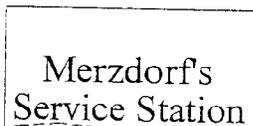


MW-7



Residence

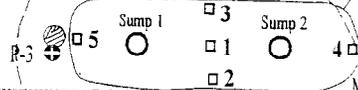
Neighboring Potable Water Well
(in use - 64 feet deep)



Merzdorf's
Service Station

- Power pole
- Monitoring Wells
- Geoprobe Boring
- Excavation Sample

Excavation Perimeter



1,000 ug/kg
100 ug/kg

Wisconsin Gas Line

10 ug/kg

Benzene Iso-Contour Lines

Cigrand Avenue

CTH "Z"

Estimated Volume of Contaminated Soil
Within Each Contour Line

Contour Line	Volume
1,000 ug/kg	75 cubic yds
100 ug/kg	150 cubic yds
10 ug/kg	200 cubic yds

Drawing Name		Extent of Benzene in Soil	
Site:		Merzdorf's Service Station N5475 Cigrand Drive, Waubeka, WI	
Drawing Company:		Moraine Environmental, Inc.	
Scale:		Date: 5-31-02	
1" = 30'		Figure Number: Figure 3	

MW-6

MW-i

MW-5

P-4

P-3

Sump 1

Sump 2

1

2

3

4

5

MW-2

P-6

MW-4

P-5

749005

U1675P950

RECORDED

Document Number	DEED RESTRICTION
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2003 APR 10 AM 8:30

Ken W. Waig
 REGISTER OF DEEDS
 OZAUKEE COUNTY, WI

In Re:

A piece or parcel of land, lying in the East Half of Lot Number Three (3), in Section 28, Township 12 North, of Range 21 East, and more particularly described as follows:

Commencing 152 feet North from the North East corner of a lot formerly owned by Mathias Paulus and now owned by J.H. Klessig in said Lot Number Three (3), thence running North 78 feet, thence West 120 feet, thence South 78 feet, thence East 120 feet to the place of the beginning. ALSO,

A piece or parcel of land, lying in the East Half of Lot Number Three (3), in Section 28, Township 12 North, of Range 21 East, and more particularly described as follows:

Commencing at the Northeast corner of a certain piece of land owned by Minnie Burrell and sold to John Conrad and wife by deed bearing even date herewith, running thence North 27 feet, thence West 120 feet, thence South 27 feet, thence East 120 feet to the place of the beginning, located in the Town of Fredonia, Ozaukee County, Wisconsin.

Property Commonly known as: N5475 Cigrand Drive, Waubeka, WI 53021
Further identified by Wisconsin Transverse Mercator coordinates: 682516, 335616

RECORDING AREA

Name and Return Address:

Mr. Ray Merzdorf
185 Fox Glen Road
Fredonia, WI 53201-5302

\$ 19

04-028-09-012.00

Parcel Identification No.

STATE OF WISCONSIN)
) ss
 COUNTY OF OZAUKEE)

DECLARATION OF RESTRICTIONS:

WHEREAS, Raymond E. Merzdorf and Florence Merzdorf currently own the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property, and as of March 12 and Oct. 13, 1999 when soil samples were collected on this property, soil contaminated with benzene, ethylbenzene, toluene and xylene in excess of regulatory standards remain on the property beneath the service garage and along the county right-of-way of Cigrand Drive. Figure 3, which is attached and hereby made a part of this restriction, approximates the extent of benzene in soil at the site, as of May 31, 2002. Tables 2 and 3, which are attached and hereby made a part of this restriction, show the residual soil contamination that is above the allowable residual contaminant levels.

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 investigative/remedial 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:

Structural impediments existing at the time of clean - up, namely the Service Garage and the Utility Poles, made complete investigation and remediation of the soil contamination on this property impracticable. If the structural impediments on this property that are described above are removed, the property owner shall investigate the degree and extent of petroleum contamination. To the extent that contamination is found at that time, the Wisconsin Department of Natural Resources shall be immediately notified and the contamination shall be properly remedied in accordance with applicable statutes and rules. If soil, currently inaccessible due to the above named structural impediments is removed or unearthed in the future, the soil must be sampled and analyzed for levels of benzene, ethylbenzene, toluene and xylene (BETX). If the levels of BETX in the soil exceed regulatory levels in effect at that time soil is excavated, the soil may be deemed a solid or hazardous waste and may require special treatment, storage and disposal in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources (WDNR), its successors or assigns. The WDNR, 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 the WDNR or its successor issue a determination that one or more of the restriction set forth in this covenant is no longer required. Upon receipt of such a request, the WDNR shall determine whether or not the restrictions contained herein can be extinguished. Upon that determination the property owner or other interested party may submit an affidavit and copy of the WDNR's written determination for recording in the county records to give notice that this deed restriction, or portions of this restriction, are no longer binding.

By signing this document, _____ asserts that he is duly authorized to sign this document on behalf of _____.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 3 day of APRIL, 2003.

Signature: Ray Merzdorf

Printed Name: Raymond E. Merzdorf

Subscribed and sworn to before me this 3 day of APRIL, 2003.

WINE

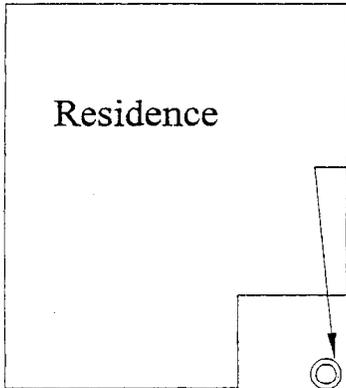
Notary Public, State of Wisconsin

My commission expires 2/18/07

This document was drafted by _____ WDNR and Moraine Environmental, Inc.



MW-7



Neighboring Potable Water Well
(in use - 64 feet deep)



Merzdorf's
Service Station

Excavation Perimeter

- ⊙ - Power pole
- ⊕ - Monitoring Wells
- ⊕ - Geoprobe Boring
- 1 - Excavation Sample

P-4

P-3

Sump 1

□ 3

□ 1

Sump 2

4

MW-2

Wisconsin Gas Line P-6

1,000 ug/kg

100 ug/kg

10 ug/kg

Benzene Iso-Contour Lines

MW-4

Cigrand Avenue

MW-6

P-5

MW-1

CTH "Z"

Estimated Volume of Contaminated Soil Within Each Contour Line	
Contour Line	Volume
1,000 ug/kg	75 cubic yds
100 ug/kg	150 cubic yds
10 ug/kg	200 cubic yds

MW-5

Drawing Name		Extent of Benzene in Soil	
Site: Merzdorf's Service Station N5475 Cigrand Drive, Waubeka, WI			
Drawing Company:		Date:	
Moraine Environmental, Inc.		5-31-02	
Scale:	Figure Number		
1" = 30'	Figure 3		

TABLE 2
PRE-REMEDIAL SOIL QUALITY RESULTS
MERZDORF SERVICE CENTER
Project Reference # 1412

Sample No./Date	Depth (feet bgs)	GRO	Lead	Benzene	sec-Butyl-benzene	n-Butyl-benzene	Ethyl Benzene	Isopropyl-benzene	p-Isopropyl-toluene	Methylene chloride	Naphthalene	n-Propyl-benzene	Toluene	1,2,4-TMB	1,3,5-TMB	Xylenes (total)
B/MW-1 10/19/98	12 - 14'	<2.6	<3.4	<25	<25	<25	<25	<25	<25	58	<25	<25	<25	<25	<25	<25
B/MW-2 10/19/98	6 - 8'	<2.7	<3.6	<25	<25	<25	<25	<25	<25	68	<25	<25	<25	<25	<25	<25
	8 - 10'	460	<3.7	<25	880	3700	900	1200	390	240	3300	5600	<100	34,000	11,000	4860
B/MW-3 10/19/98	10 - 12'	1500	6.4	730	2300	9000	35,000	3300	<500	1000	14000	16000	87,000	93,000	28,000	195,000
B/MW-4 3/12/99	6 - 8'	<2.9	NA	<25	NA	NA	<25	NA	NA	NA	NA	NA	<25	<25	<25	<25
B/MW-5 3/12/99	12 - 14'	<2.7	NA	<25	NA	NA	<25	NA	NA	NA	NA	NA	<25	<25	<25	<25
B/MW-6 3/12/99	8 - 10'	<2.9	NA	<25	NA	NA	<25	NA	NA	NA	NA	NA	<25	<25	<25	<25
B/MW-7 3/12/99	4 - 6'	<2.8	NA	<25	NA	NA	<25	NA	NA	NA	NA	NA	<25	<25	<25	<25
Blank 3/12/99		<2500	NA	<25	NA	NA	<25	NA	NA	NA	NA	NA	<25	<25	<25	<25
NR 720 RCLs		100	50 mg/kg	5.5	NSE	NSE	2,900	NSE	NSE	NSE	NSE	NSE	1,500	NSE	NSE	4,100

Key:

NA - Not Analyzed

NSE - No Standard Established

RCL - Residual Contaminant Levels

Bold results exceed NR 720 generic RCLs

All results reported in ug/kg (unless otherwise noted)

U1675P953

U1675P954

TABLE 3
PERIMETER SOIL SAMPLE RESULTS
 Following Remedial Excavation
 October 13, 1999
MERZDORF SERVICE STATION

Chemical	Base 14'	East Wall 12'	West Wall 11'	North Wall 11'	South Wall 11'	Transport #1	Transport #2	NR720 Generic RCLs	NR 746 Table 1 SSLs
	10-13-99	10-13-99	10-13-99	10-13-99	10-13-99	10-13-99	10-13-99		
Benzene	<100	<25	<130	<25	<25	<250	<62	5.5	8500
Ethyl Benzene	4100	80	<130	<25	<25	11000	1500	2,900	4600
Methyl-Tert-Butyl-Ether	<100	<25	<130	<25	<25	<250	<62	NSE	NSE
Toluene	1700	<25	<130	<25	<25	4500	470	1,500	38000
1,2,4-Trimethylbenzene	5400	920	12000	32	490	18000	5800	NSE	83000
1,3,5-Trimethylbenzene	4400	430	5300	36	230	12000	2800	NSE	11000
Xylene, Total	22200	410	6600	29	360	56000	81000	4,100	42000

Key:

<00 - Indicates no detectable analyte at or above the listed detection limit.

NSE - No Standard Established

RCL - Residual Contaminant Levels

SSL - Soil Screening Levels

All results reported in ug/kg

Bold Print - Concentration Exceeds NR 720 RCL

Outlined Cell - Concentration Exceeds NR 746 Table 1 SSL