

GIS REGISTRY INFORMATION

SITE NAME: Northgate Shopping Center

BRRTS # and FID #: 0260286550 460004490

CLOSURE DATE: 04/15/2005

STREET ADDRESS: 1321-1419 Mayflower Ave.

CITY: Sheboygan

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 703205 Y= 369562

OFF-SOURCE CONTAMINATION (>ES): Yes No
 (if there are more than 2 off-source properties, make a note and attach additional sheet(s))

IF YES, STREET ADDRESS 1: _____

GPS COORDINATES (meters in WTM91 projection): X= _____ Y= _____

IF YES, STREET ADDRESS 2: _____

GPS COORDINATES (meters in WTM91 projection): X= _____ Y= _____

CONTAMINATION IN RIGHT OF WAY: Yes No

CONTAMINATED MEDIA: (Groundwater, Soil or Both?) soil

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 (if referenced in the legal description) for all affected properties	x	
County Parcel ID number, if used for county, for all affected properties	x	
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)	na	soil
Isoconcentration map(s), if available from site investigation (SI) (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:	x	
Latest groundwater flow/monitoring well location map		
Latest extent of contaminant plume map		
Geologic cross-sections, if available from SI. (8.5x14' if paper copy)	x	
RP certified statement that legal descriptions are complete and accurate		
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 if any required as a condition of closure.	x	



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Plymouth Service Center
1155 Pilgrim Road
Plymouth, Wisconsin 53073-4294
Telephone 920-892-8756
FAX 920-892-6638
TTY Access via relay - 711

April 15, 2005

Mr. Tom Schafer
Development 3000, LLC
10134 N. Port Washington Road
Mequon, WI 53092

**SUBJECT: Final Case Closure – Northgate Shopping Center site, 1321-1419
Mayflower Ave., Sheboygan, WI
WDNR FID#460004490 BRRTS#02-60-286550**

Dear Mr. Schafer:

In a letter dated October 11, 2004, you were notified that conditional closure was granted to the above-referenced site. The Department has received groundwater well abandonment forms and a copy of the recorded deed restriction which satisfies the conditions of closure. Based on the information 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. Furthermore, the NR 140.28 PAL exemption described in the conditional closure letter is now in effect.

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>

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,

Nancy D. Ryan, Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Amy Haak, Alpha Terra Science



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
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Plymouth Service Center
1155 Pilgrim Road
P.O. Box 308
Plymouth, Wisconsin 53073-0408
Telephone 920-892-8756
FAX 920-892-6638
TTY Access via relay - 711

October 11, 2004

Mr. Tom Schafer
Development 3000, LLC
10134 N. Port Washington Road
Mequon, WI 53092

Subject: Conditional Closure for the Northgate Shopping Center site at 1321-1419
Mayflower Avenue, Sheboygan, WI WDNR FID#460004490 BRRTS#02-60-286550

Dear Mr. Schafer:

The Wisconsin Department of Natural Resources (the Department) has received a request for closure of the above-referenced site submitted on your behalf by Alpha Terra Science. The Department previously issued a *Conditional Grant of Exemption for Construction on an Abandoned Landfill* to Development 3000 LLC to allow construction of the Northgate Shopping Center at the site. Based on a review of information submitted, it appears that development on this property has occurred according to the conditions of the exemption and contamination related to the buried solid waste at the site has been investigated and remediated to the extent practicable in accordance with s. NR 726.05, Wis. Adm. Code. This site will be closed if the following conditions are satisfied:

- ◆ The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to the Department on Form 3300-5B found at <http://www.dnr.state.wi.us/org/water/dwg/gw/>.
- ◆ To close this site, the Department requires a deed restriction to be signed and recorded to address the issue of the remaining contamination associated with the site. The purpose of the restriction is to maintain a surface barrier over the remaining waste to prevent it from impacting human health and the environment. Your environmental consultant has provided the Department with a copy of the draft deed restriction and cap maintenance plan. The Department will review the draft document and provide you with any suggested revisions to be made prior to recording the document at the Sheboygan County Register of Deeds. 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. Once the deed restriction has been recorded, please provide the Department with a copy of the recorded document.

When the above-cited conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be tracked as closed.

Because residual soil contamination exceeds site specific residual contaminant levels and/or NR 720.19 soil standards, this 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>.

Recent groundwater monitoring data at this site indicates exceedances of the NR 140 preventive action limit (PAL) for arsenic at monitoring points MW-1, MW-3, MW-5 and PZ-A; lead is exceeded at MW-1, MW-3 and PZ-7; cadmium is exceeded at MW-1 and MW-5. The Department may grant an exemption to a PAL for a substance of public health concern, other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

1. The measured or anticipated increase in the concentration of the substance will be minimized to the extent technically and economically feasible.
2. Compliance with the PAL is either not technically or economically feasible.
3. The enforcement standard for the substance will not be attained or exceeded at the point of standards application.
4. Any existing or projected increase in the concentration of the substance above the background concentration does not present a threat to public health or welfare.

Based on the information you provided, the Department believes that the above criteria have been or will be met because of the extensive source removal and capping at the site. Therefore, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, an exemption to the PAL is granted for arsenic at MW-1, MW-3, MW-5 and PZ-A, for lead at MW-1, MW-3 and PZ-7 and for cadmium at MW-1 and MW-5 for cadmium. This letter serves as your exemption.

Water samples taken from monitoring well MW-6 are not considered to be "groundwater" because the well is screened in waste. Therefore, no s. NR 140, Wis. Adm. Code groundwater enforcement standards have been exceeded at the property. Under separate cover, we will return the \$250 GIS Registry groundwater fee that was submitted with the closure request.

The conditional closure granted here relates only to releases identified during the investigation of the site undertaken to date. 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. Please also be aware that because this property is part of a landfill that extends beyond property lines, you could be obligated to take additional action if discharges from the landfill are identified in the future.

The Department appreciates the efforts you have taken 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 black ink, appearing to read "Nancy D. Ryan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nancy D. Ryan, Hydrogeologist
Bureau for Remediation & Redevelopment

Cc: SER site file
Amy Haak, Alpha Terra Science

1561790

SHEBOYGAN COUNTY, WI
RECORDED ON

12-31-1999 11:56 AM

DARLENE J. NAVIS
REGISTER OF DEEDS

RECORDING FEE: 10.00
TRANSFER FEE: 3225.00

TRANSFER 029596 2
\$ 3225.00

FEE

Recording Area

Name and Return Address

Neumann Law Office

WARRANTY DEED

Document Number

Wayne Rindt, Russell Rindt and Alan Rudnick d/b/a Northgate Partners, a Wisconsin partnership, conveys and warrants to Development 3000 LLC, a limited liability company, the following described real estate in Sheboygan County, State of Wisconsin:

719340
(Parcel Identification Number)

Commencing at the intersection of the South line of Section 10, Township 15 North, Range 23 East, with the West line of North 13th Street, thence North 0° 04' West along the said West line of North 13th Street four hundred eighty-seven and two-tenths (487.2) feet to the South line of Mayflower Avenue, thence South 89° 52' West along the South line of Mayflower Avenue six hundred eighty-two and five-tenths (682.5) feet to the East line of Lake Shore Road, thence South 1° 48' East along the East line of Lake Shore Road three hundred thirty-five and six-tenths (335.6) feet, thence South 7° 58' East along the East line of Lake Shore Road one hundred fifty-six and one-tenth (156.1) feet to the South line of Section Ten (10) six hundred fifty-one and two-tenths (651.2) feet to the point of beginning, Sheboygan County, Wisconsin. *being part of the SE 1/4 of the SE 1/4 and the SW 1/4 of the SE 1/4 Section 10, Township 15 North, Range 23 East*

Exception to warranties: municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants and general taxes levied in the year of closing.

This is not homestead property.

Dated this 31 day of December, 1999.

Wayne Rindt
*Wayne Rindt

Russell Rindt
*Russell Rindt

Alan Rudnick
*Wayne Rindt Alan Rudnick

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) _____

STATE OF WISCONSIN
SHEBOYGAN COUNTY
Personally came before me this 31 day of December, 1999 the above named Wayne Rindt, Russel Rindt and Alan Rudnick to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

authenticated this ____ day of _____.

J. Phil Mueller
signature
type or print name J. Phil Mueller

signature _____
type or print name _____

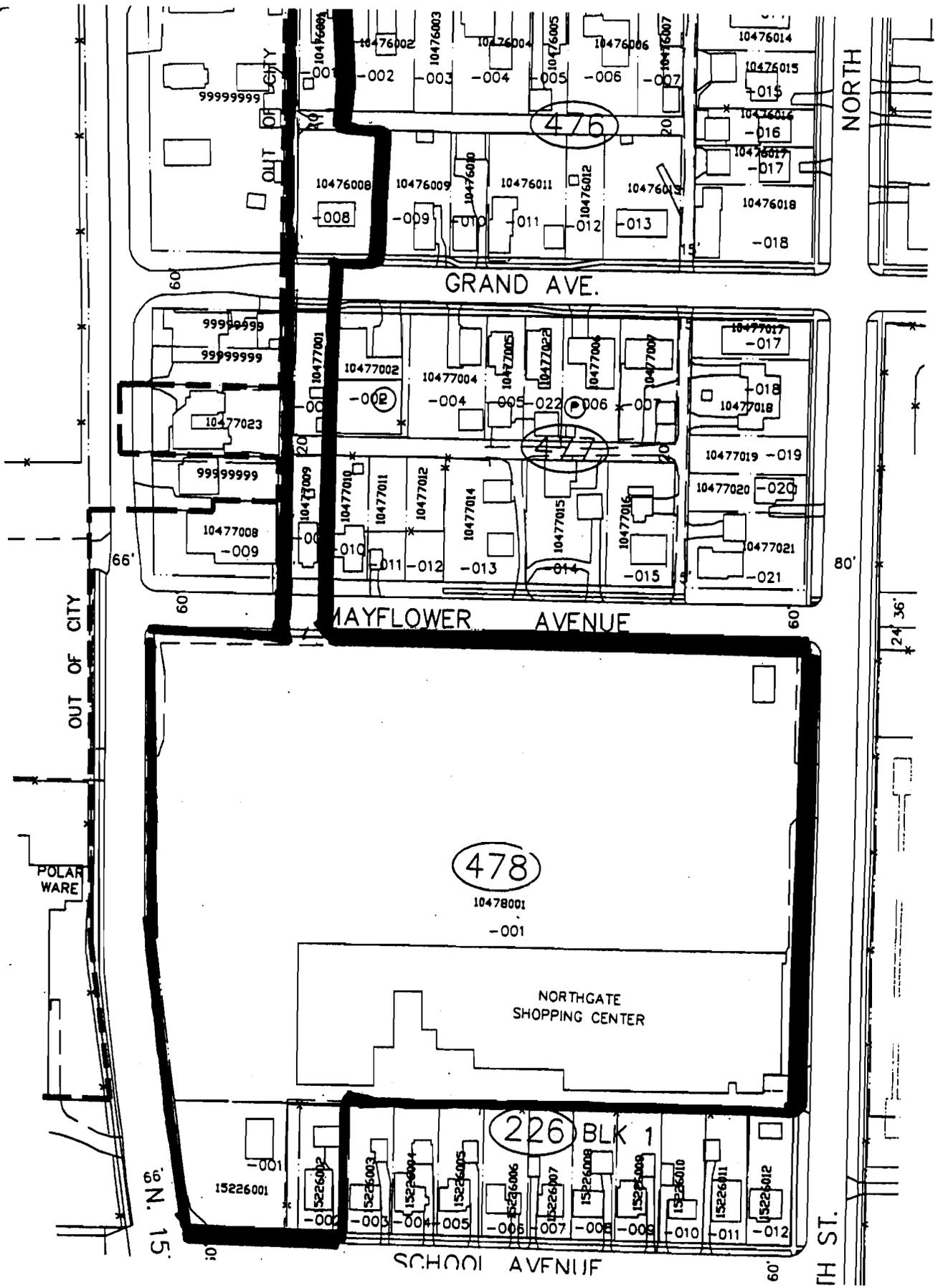
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by § 706.06, Wis. Stats.)

Notary Public Sheboygan County, Wisconsin
My commission is permanent. (If not, state expiration date:
permanent.)

THIS INSTRUMENT WAS DRAFTED BY
J. Phil Mueller
Attorney at Law

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

1000



OUT OF CITY

POLAR WARE

NORTH

GRAND AVE.

MAYFLOWER AVENUE

478

10478001
-001

NORTHGATE SHOPPING CENTER

226 BLK 1

SCHOOL AVENUE

TH ST.

51 N.6.

66'

60'

60'

60'

80'

24' 36"

99999999

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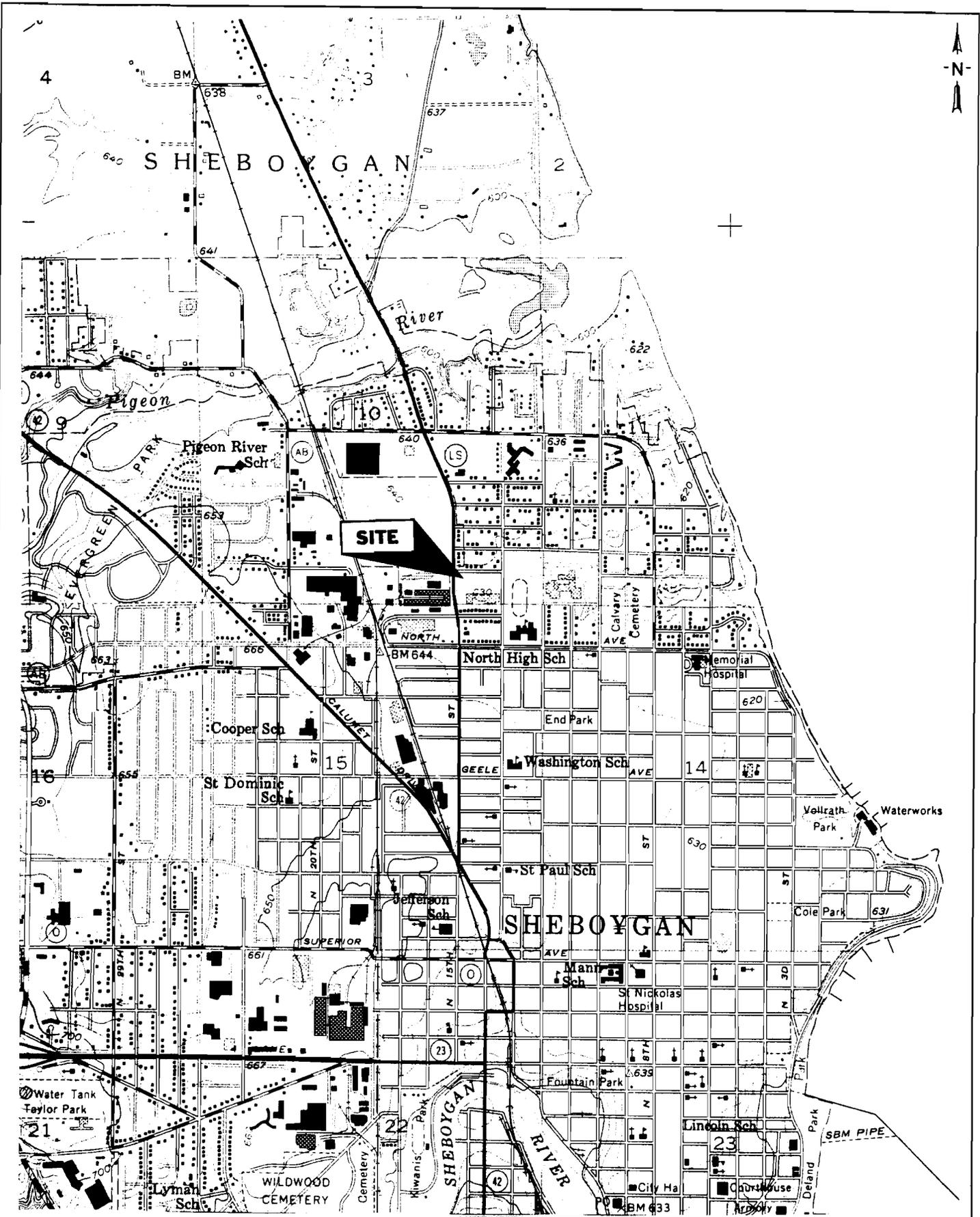
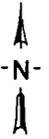
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Northgate Shopping Center, Sheboygan, WI

SITE LOCATION

REV	DATE	DESCRIPTION	APPVD
SCALE		1: 24,000	

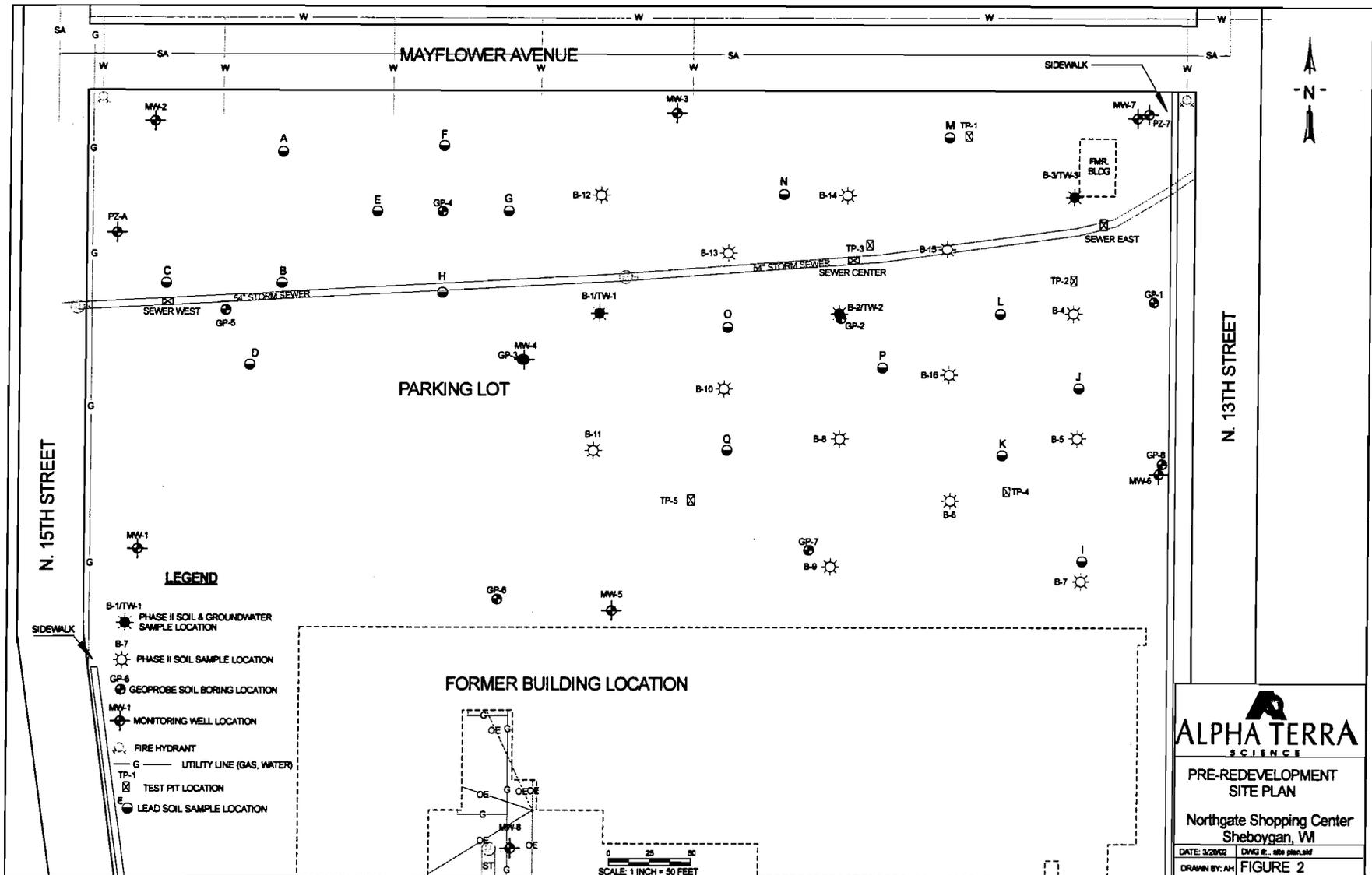


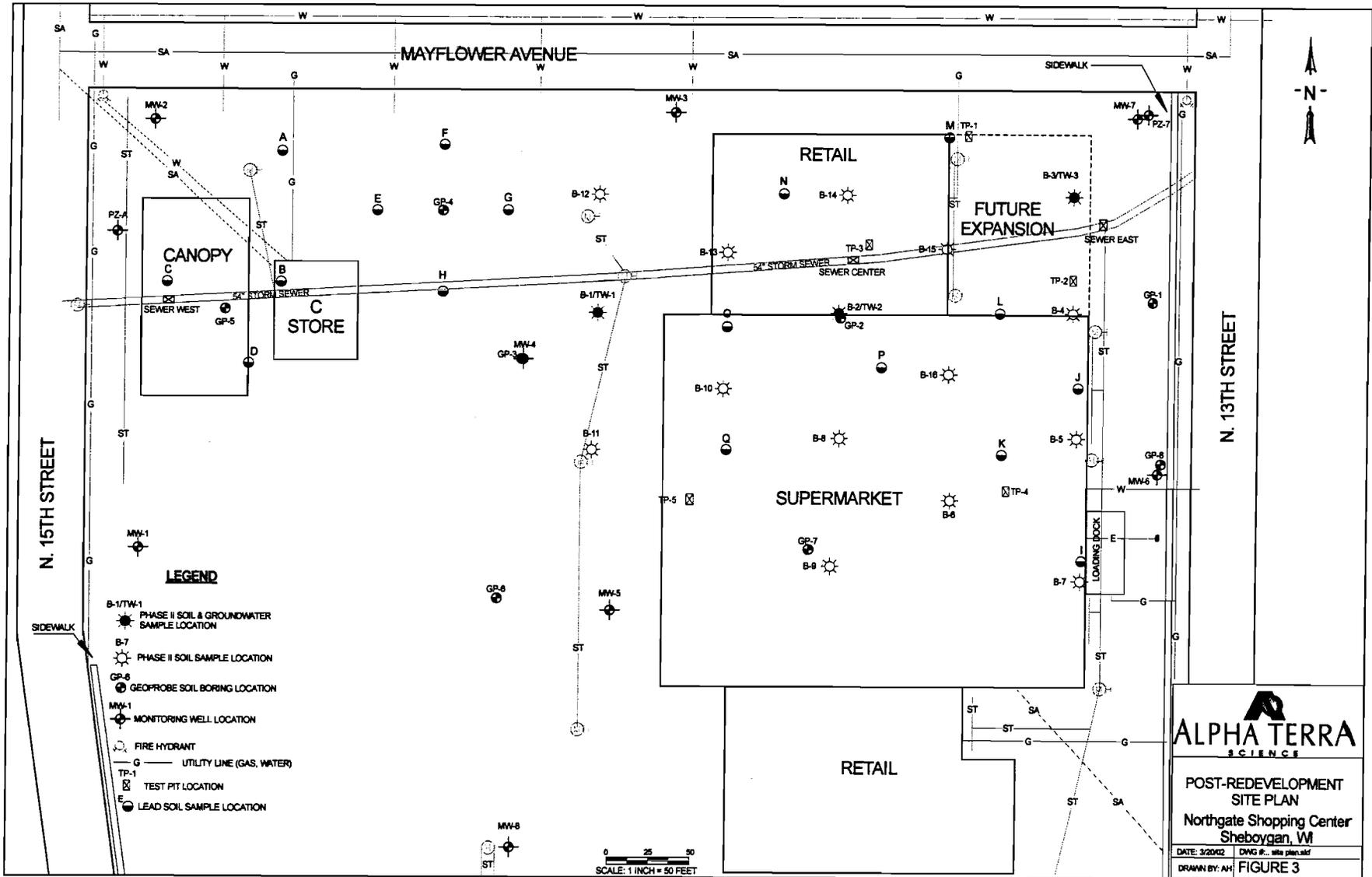
DATE: 1/21/02 DWG #: site-loc.sxd

APPROVED: AH

FIGURE 1

SOURCE: U.S. GEOLOGICAL SURVEY
SHEBOYGAN NORTH QUADRANGLE
7.5 MINUTE, 1954, REVISED 1994





ALPHA TERRA
SCIENCE

POST-REDEVELOPMENT
SITE PLAN
Northgate Shopping Center
Sheboygan, WI

DATE: 3/2012 DWG #: site plan.srf
DRAWN BY: AH

FIGURE 3

TABLE 10
SOIL CONTAMINATION REMAINING AFTER EXCAVATION - DETECTED VOC PARAMETERS
 Northgate Shopping Center, Sheboygan, WI

Sample ID	Sample Description	Depth (feet)	PID Reading (su)	SOIL ANALYTICAL PARAMETER													
				1,2 dichlorobenzene (ug/kg)	1,3 dichlorobenzene (ug/kg)	1,4 dichlorobenzene (ug/kg)	cis-1,2 dichloroethene (ug/kg)	trans-1,2 dichloroethene (ug/kg)	Methylene chloride (ug/kg)	Naphthalene (ug/kg)	Tetrachloroethene (ug/kg)	Toluene (ug/kg)	1,2,4 trichlorobenzene (ug/kg)	Trichloroethene (ug/kg)	1,2,4 trimethylbenzene (ug/kg)	1,3,5 trimethylbenzene (ug/kg)	Vinyl chloride (ug/kg)
B-1	B-1	12-14'	7.0	<19	<14	<17	<16	<24	<14	<25	<22	<20	<23	<23	<20	<11	<17
MW-1	MW-1	5-7'	3.3	<31	<31	<31	<31	<31	<62	<31	<31	<31	<31	<31	<31	<31	<31
MW-2	MW-2	5-7'	5.1	<45	<45	<45	<45	<45	<91	<45	<45	<45	<45	<45	<45	<45	<45
MW-2	MW-2	11-13'	11.1	<33	<33	<33	<33	<33	96	<33	<33	<33	<33	<33	<33	<33	<33
MW-3	MW-3	5-7'	5.6	<30	<30	<30	<30	<30	73	<30	<30	<30	<30	<30	<30	<30	<30
MW-3	MW-3	11-13'	3.1	<31	<31	<31	<31	<31	135	<31	<31	<31	<31	<31	<31	<31	<31
MW-5	MW-5	5-7'	11.7	<30	<30	<30	<30	<30	<59	<30	<30	<30	<30	<30	<30	<30	<30
MW-6	MW-6	11-13'	2.0	<44	<44	<44	<44	<44	<87	<44	<44	<44	<44	<44	<44	<44	<44
MW-7	MW-7	5-7'	2.6	<38	<38	59	<38	<38	<75	<38	<38	<38	<38	<38	<38	<38	<38
MW-7	MW-7	11-13'	3.2	<30	<30	<30	<30	<30	<59	<30	<30	<30	<30	<30	<30	<30	<30
GP-1	GP-1	4-6'	2.8	252	46	192	<38	<38	78	312	<38	<38	84	<38	<38	<38	<38
GP-1	GP-1	11-13'	1.8	<34	<34	<34	<34	<34	<69	80	<34	<34	<34	<34	<34	<34	<34
GP-3	GP-3	4-6'	5.8	<44	<44	<44	2350	97	<90	<44	884	<44	<44	130	<44	<44	<44
GP-3	GP-3	14-16'	3.2	<30	<30	<30	<30	<30	<60	<30	<30	<30	<30	<30	<30	<30	<30
GP-4	GP-4	4-6'	8.8	<52	<52	<52	<52	<52	<100	3690	<52	<52	<52	<52	<52	<52	120
GP-6	GP-6	4-6'	1.2	<36	<36	<36	<36	<36	<71	37	<36	<36	<36	<36	<36	<36	<36

TABLE 10
SOIL CONTAMINATION REMAINING AFTER EXCAVATION - DETECTED VOC PARAMETERS
 Northgate Shopping Center, Sheboygan, WI

Sample ID	Sample Description	Depth (feet)	PID Reading (su)	SOIL ANALYTICAL PARAMETER													
				1,2 dichlorobenzene (ug/kg)	1,3 dichlorobenzene (ug/kg)	1,4 dichlorobenzene (ug/kg)	cis-1,2 dichloroethene (ug/kg)	trans-1,2 dichloroethene (ug/kg)	Methylene chloride (ug/kg)	Naphthalene (ug/kg)	Tetrachloroethene (ug/kg)	Toluene (ug/kg)	1,2,4 trichlorobenzene (ug/kg)	Trichloroethene (ug/kg)	1,2,4 trimethylbenzene (ug/kg)	1,3,5 trimethylbenzene (ug/kg)	Vinyl chloride (ug/kg)
GP-8	GP-8	4-6'	9.6	<31	<31	<31	<31	<31	<62	<31	<31	<31	<31	<31	<31	<31	<31
2	North wall west end	12'		<31	<31	<31	<31	<31	92	<31	<31	<31	<31	<31	<31	<31	<31
	Methanol Blank			<25	<25	<25	<25	<25	75	<25	<25	<25	<25	<25	<25	<25	<25
3	North wall center	10'		<30	<30	<30	<30	<30	93	<30	<30	<30	<30	<30	<30	<30	<30
4	North wall center	12'		<32	<32	<32	<32	<32	155	<32	<32	<32	<32	<32	<32	<32	<32
5	North wall east end	8'		<29	<29	<29	<29	<29	<59	<29	<29	<29	<29	<29	<29	<29	<29
6	East wall north end	12'		<32	<32	<32	<32	<32	<64	<32	<32	<32	<32	<32	<32	<32	<32
7	East wall drive	12'		<32	<32	<32	<32	<32	90	<32	<32	<32	<32	<32	<32	<32	<32
8	East wall	12'		<33	<33	<33	<33	<33	69	<33	<33	<33	<33	<33	<33	<33	<33
9	East wall south end	6'		<30	<30	<30	<30	<30	157	<30	<30	<30	<30	<30	<30	<30	<30
10	South wall @ building	3'		<30	<30	<30	<30	<30	<60	<30	<30	31	<30	<30	<30	<30	<30
11	Southwest @ building	3'		<29	<29	<29	<29	<29	97	<29	<29	<29	<29	<29	<29	<29	<29
12	West wall south end	4.5'		<29	<29	<29	<29	<29	<58	<29	<29	<29	<29	<29	<29	<29	<29
13	South wall	10'		<36	<36	<36	<36	<36	<71	<36	<36	<36	<36	<36	<36	<36	<36
14	South wall west end	5'		<30	<30	<30	<30	<30	93	<30	<30	<30	<30	<30	<30	<30	<30
17	West wall north west	13'		<32	<32	<32	<32	<32	93	<31	<32	<31	<32	<32	98	<32	<32

TABLE 11
SOIL CONTAMINATION REMAINING AFTER EXCAVATION - PAH PARAMETERS
 Northgate Shopping Center, Sheboygan, WI

Sample ID	Sample Description	Depth (feet)	ANALYTICAL PARAMETERS																	
			Acenaphthene (ug/kg)	Acenaphthylene (ug/kg)	Anthracene (ug/kg)	Benzo(a)anthracene (ug/kg)	Benzo(b)fluoranthene (ug/kg)	Benzo(k)fluoranthene (ug/kg)	Benzo(a)pyrene (ug/kg)	Benzo(ghi)perylene (ug/kg)	Chrysene (ug/kg)	Dibenzo(a,h)anthracene (ug/kg)	Fluoranthene (ug/kg)	Fluorene (ug/kg)	Indeno(1,23-cd)pyrene (ug/kg)	1-methyl naphthalene (ug/kg)	2-methyl naphthalene (ug/kg)	Naphthalene (ug/kg)	Phenanthrene (ug/kg)	Pyrene (ug/kg)
B-1	B-1	12-14'	<15	<16	<14	<18	<14	<22	<15	<18	<15	<17	<15	<18	<21	<18	<19	<18	<15	<39
MW-1	MW-1	5-7'	<62	<110	<6.2	<6.2	<6.2	<6.2	<6.2	<6.2	<6.2	<9.4	<12	<12	<6.2	<37	<31	<37	<6.2	<6.2
MW-2	MW-2	5-7'	<70	<120	<7.0	<7.0	<7.0	<7.0	<7.0	<7.0	<7.0	<10	<14	<14	<7.0	<42	<35	<42	<7.0	<7.0
MW-2	MW-2	11-13'	<65	<110	<6.5	<6.5	<6.5	<6.5	<6.5	<6.5	<6.5	<9.8	<13	<13	<6.5	<39	<33	<39	<6.5	<6.5
MW-3	MW-3	5-7'	<60	<100	<6.0	<6.0	<6.0	<6.0	<6.0	<6.0	<6.0	<9.0	<12	<12	<6.0	<36	<30	<36	<6.0	<6.0
MW-3	MW-3	11-13'	<62	<0.100	<6.2	<6.2	<6.2	<6.2	<6.2	<6.2	<6.2	<9.2	<12	<12	<6.2	<37	<31	<37	<6.2	<6.2
MW-5	MW-5	5-7'	<59	<100	<5.9	<5.9	<5.9	<5.9	<5.9	<5.9	<5.9	<89	<12	<12	<5.9	<35	<30	<35	<5.9	<5.9
MW-6	MW-6	11-13'	<2490	<4230	<249	336	249	<249	<249	<249	373	<373	<489	<489	<246	<1490	<1240	<1490	883	510
MW-7	MW-7	5-7'	<2510	<4270	<251	<251	<251	<251	<251	<251	<251	<377	<503	<503	<251	<1510	<1260	<1510	3,020	<251
MW-7	MW-7	11-13'	<59	<100	<5.9	<5.9	<5.9	<5.9	<5.9	<5.9	<5.9	<89	<12	<12	<5.9	<36	<30	<36	<5.9	<5.9
GP-1	GP-1	4-6'	<900	<1560	<90	<90	120	<90	168	120	114	<132	348	<180	114	<540	<456	<540	276	312
GP-1	GP-1	11-13'	<2760	<4690	1790	2210	1320	800	1930	1166	1930	510	7310	924	1380	<1660	<1380	<1660	7,500	5,100
GP-3	GP-3	4-6'	<69	<120	909	120	97	40	110	180	83	18	193	<14	130	<41	442	<41	130	68
GP-3	GP-3	14-16'	<80	<100	<6.0	<6.0	<6.0	<6.0	<6.0	<6.0	<6.0	<9.0	<12	<12	<6.0	<36	<30	<36	<6.0	<6.0
GP-4	GP-4	4-6'	<62	<100	25	209	110	78	209	172	148	97	209	<12	148	<37	<31	79	80	172
GP-6	GP-6	4-6'	<89	<154	36	166	100	59	154	238	64	17	404	<18	59	178	344	166	297	166
GP-8	GP-6	4-6'	<62	<0.100	<6.2	<6.2	<6.2	<6.2	<6.2	<6.2	<6.2	<9.2	<12	<12	<6.2	<37	<31	<37	<6.2	<6.2
2	North wall west end	12'	<62	<110	<6.2	8.4	6.6	<6.2	<50	<50	10	<9.3	45	<12	<6.2	<37	<31	<37	15	22
3	North wall center	10'	<80	<100	<6.0	<6.0	<6.0	<6.0	<48	<48	<6.0	<8.9	<12	<12	<6.0	<38	<30	<36	<6.0	<6.0
4	North wall center	12'	<65	<110	<6.5	<6.5	<6.5	<6.5	<52	<52	<6.5	<9.7	<13	<13	<6.5	<39	<32	<39	<6.5	<6.5
5	North wall east end	8'	<59	<100	<5.9	<5.9	<5.9	<5.9	<47	<47	<5.9	<8.8	<12	<12	<5.9	<35	<29	<35	<5.9	<5.9
6	East wall north end	12'	<64	<110	<6.4	<6.4	<6.4	<6.4	<51	<51	<6.4	<9.6	<13	<13	<6.4	<38	<32	<38	<6.4	<6.4

TABLE 11
SOIL CONTAMINATION REMAINING AFTER EXCAVATION - PAH PARAMETERS
 Northgate Shopping Center, Sheboygan, WI

Sample ID	Sample Description	Depth (feet)	ANALYTICAL PARAMETERS																		
			Acenaphthene	Acenaphthylene	Anthracene	Benzo(a)anthracene	Benzo(b)fluoranthene	Benzo(k)fluoranthene	Benzo(a)pyrene	Benzo(ghi)perylene	Chrysene	Dibenzo(a,h)anthracene	Fluoranthene	Fluorene	Indeno(123-cd)pyrene	1-methyl naphthalene	2-methyl naphthalene	Naphthalene	Phenanthrene	Pyrene	
7	East wall drive	12'	<64	<110	43	56	36	26	60	86	56	<9.6	217	26	41	<38	<32	<38	217	141	
8	East wall	12'	<66	<110	<6.6	<6.6	<6.6	<6.6	<53	<53	7.0	<9.9	21	<13	<6.6	<40	<33	<40	18	<6.6	
9	East wall south end	6'	<61	<100	<6.1	<6.1	<6.1	<6.1	<48	<48	<6.1	<9.1	<12	<12	<6.1	<36	<30	<36	<6.1	<6.1	
10	South wall @ building	3'	<60	<100	6.2	14	8.0	6.3	<48	<48	13	<9.0	36	<12	11	<36	<30	<36	22	17	
11	Southwest @ building	3'	<110	<190	<11	<11	<11	16	<91	<91	<11	<17	<22	<22	11	<66	<58	<68	17	21	
12	West wall south end	4.5'	<120	<200	<12	<12	<12	<12	<92	<92	<12	<17	<24	<24	<12	<70	<58	<70	<12	<12	
13	South wall	10'	<64	<110	<6.4	<6.4	<6.4	6.8	<51	<51	<6.4	<9.6	<13	<13	<6.4	<39	<32	<39	<6.4	<6.4	
14	South wall west end	5'	<60	<100	<6.0	<6.0	<6.0	<6.0	<48	<48	<6.0	<8.9	<12	<12	<6.0	<36	<30	<36	<6.0	<6.0	
17	West wall north west	13'	<63	<110	<6.3	<6.3	<6.3	<6.3	<50	<50	<6.3	<9.4	<13	<13	<6.3	<38	<31	65	<6.3	<6.3	
18	West wall central	13'	<60	<100	<6.0	<6.0	<6.0	<6.0	<48	<48	<6.0	<9.0	<12	<12	<6.0	<36	<30	<36	<6.0	<6.0	
GS-1	South wall	12'	<64	<110	<6.4	<6.4	<6.4	6.8	<51	<51	<6.4	<9.6	<13	<13	<6.4	<39	<32	<39	<6.4	<6.4	
GS-2	East wall	12'	<63	<110	<6.3	<6.3	<6.3	<6.3	<50	<50	<6.3	<9.4	<13	<13	<6.3	<38	<31	<36	<6.3	<6.3	
GS-3	West wall	12'	<63	<110	16	14	<6.3	<6.3	<50	<50	9.3	<9.4	60	<13	<6.3	<38	<31	<38	77	35	
GS-4	North wall	12'	<61	<100	<6.1	<6.1	<6.1	<6.1	<48	<48	<6.1	<9.1	<12	<12	<6.1	<37	<30	<37	<6.1	<6.1	
NW	Canopy north west	10'	<60	<100	<6.0	<6.0	<6.0	<6.0	<48	<48	<6.0	<9.0	<12	<12	<6.0	<36	<30	<36	<6.0	<6.0	
WC	Canopy west center	9'	<58	<99	<5.8	<5.8	<5.8	<5.8	<46	<46	<5.8	<8.7	<12	<12	<5.8	<35	<29	<35	<5.8	<5.8	
E	Canopy east	11'	<64	<110	<6.4	26	<6.4	<6.4	<51	<51	10	<9.6	24	<13	<6.4	40	39	<39	19	14	
GENERIC RESIDUAL CLEANUP LEVEL																					
Groundwater Pathway			38,000	700	3,000,000	17,000	360,000	870,000	48,000	6,800,000	37,000	38,000	500,000	100,000	680,000	23,000	20,000	400	1800	8,700,000	
Direct Contact (Applies to upper 4' only)			900,000	18,000	5,000,000	88	88	880	8.8	1,800	8,800	8.8	600,000	600,000	88	1,100,000	600,000	20,000	18,000	500,000	

Notes: Generic Cleanup Levels from Soil Cleanup Levels for Polycyclic Aromatic Hydrocarbons (PAH) Interim Guidance WDNR Publication RR-519-97, April 1997 (corrected)
 Direct contact cleanup levels used are for non-industrial sites and apply to the upper four feet of soil.
BOLD indicates exceedance of groundwater pathway level
 No direct contact exceedances in samples collected from a depth of 4 feet or less.

TABLE 12
SOIL CONTAMINATION REMAINING AFTER EXCAVATION - RCRA METAL PARAMETERS
 Northgate Shopping Center, Sheboygan, WI

Sample ID	Sample Description	Depth (feet)	SOIL ANALYTICAL PARAMETER							
			Arsenic (mg/kg)	Barium (mg/kg)	Cadmium (mg/kg)	Chromium (mg/kg)	Lead (mg/kg)	Mercury (mg/kg)	Selenium (mg/kg)	Silver (mg/kg)
B-1	B-1	12-14'	2.9	95	0.26	21	25	0.029	0.65	0.29
MW-1	MW-1	5-7'	3.1	77	0.18	30	7.0	0.20	1.2	<0.096
MW-2	MW-2	5-7'	5.6	110	0.90	15	27	0.023	0.87	<0.098
MW-2	MW-2	11-13'	0.8	49	0.14	14	4.0	0.024	0.50	<0.10
MW-3	MW-3	5-7'	1.8	44	0.089	15	3.8	0.017	0.99	<0.094
MW-3	MW-3	11-13'	2.8	76	0.31	24	13	0.49	0.49	<0.100
MW-5	MW-5	5-7'	2.7	84	0.14	26	6.2	0.0080	1.2	<0.096
MW-6	MW-6	5-7'	1.9	71	0.24	23	7.7	0.054	0.47	<0.099
MW-6	MW-6	11-13'	2.5	65	0.60	18	13	0.14	0.36	<0.11
MW-7	MW-7	5-7'	3.7	100	0.27	37	11	0.037	0.46	<0.10
MW-7	MW-7	11-13'	2.2	76	0.20	26	6.6	0.014	1.3	<0.098
GP-1	GP-1	4-6'	55	160	1.7	120	580	0.34	0.81	0.45
GP-1	GP-1	11-13'	12	100	22	590	110	0.095	4.4	0.11
GP-3	GP-3	4-6'	12	250	0.61	25	110	0.11	1.7	0.29
GP-3	GP-3	14-16'	3.5	78	0.14	25	7.9	0.017	1.1	<0.10
GP-4	GP-4	4-6'	42	1100	1.1	250	4900	0.032	1.9	2.3
GP-6	GP-6	4-6'	3.5	110	1.7	27	36	0.20	0.62	<0.11
GP-8	GP-8	4-6'	4.0	79	0.41	23	63	0.10	1.0	<0.095
2	North wall west end	12'	<5.0	50	<1.2	16	<6.2	0.025	<9.3	<1.2
3	North wall center	10'	13	61	<2.4	21	<12	0.019	<18	<2.4
4	North wall center	12'	<5.2	57	<1.3	21	<6.5	0.030	<9.7	<1.3
5	North wall east end	8'	1.4	42	<1.2	15	<1.2	<0.12	<2.4	<1.2
6	East wall north end	12'	2.7	120	<1.3	33	9	<0.13	<2.6	<1.3
7	East wall drive	12'	<5.1	74	<1.3	33	9.7	0.041	<9.6	<1.3
8	East wall	12'	<5.3	46	<1.3	15	8.2	0.026	<9.9	<1.3
9	East wall south end	6'	<9.7	110	<2.4	31	18	0.13	<18	<2.4
10	South wall @ building	3'	<4.8	100	<1.2	28	8.9	0.050	<9.0	<1.2
11	Southwest @ building	3'	48	21	<3.4	6.2	<17	<0.011	<25	<3.4

TABLE 12
SOIL CONTAMINATION REMAINING AFTER EXCAVATION - RCRA METAL PARAMETERS
Northgate Shopping Center, Sheboygan, WI

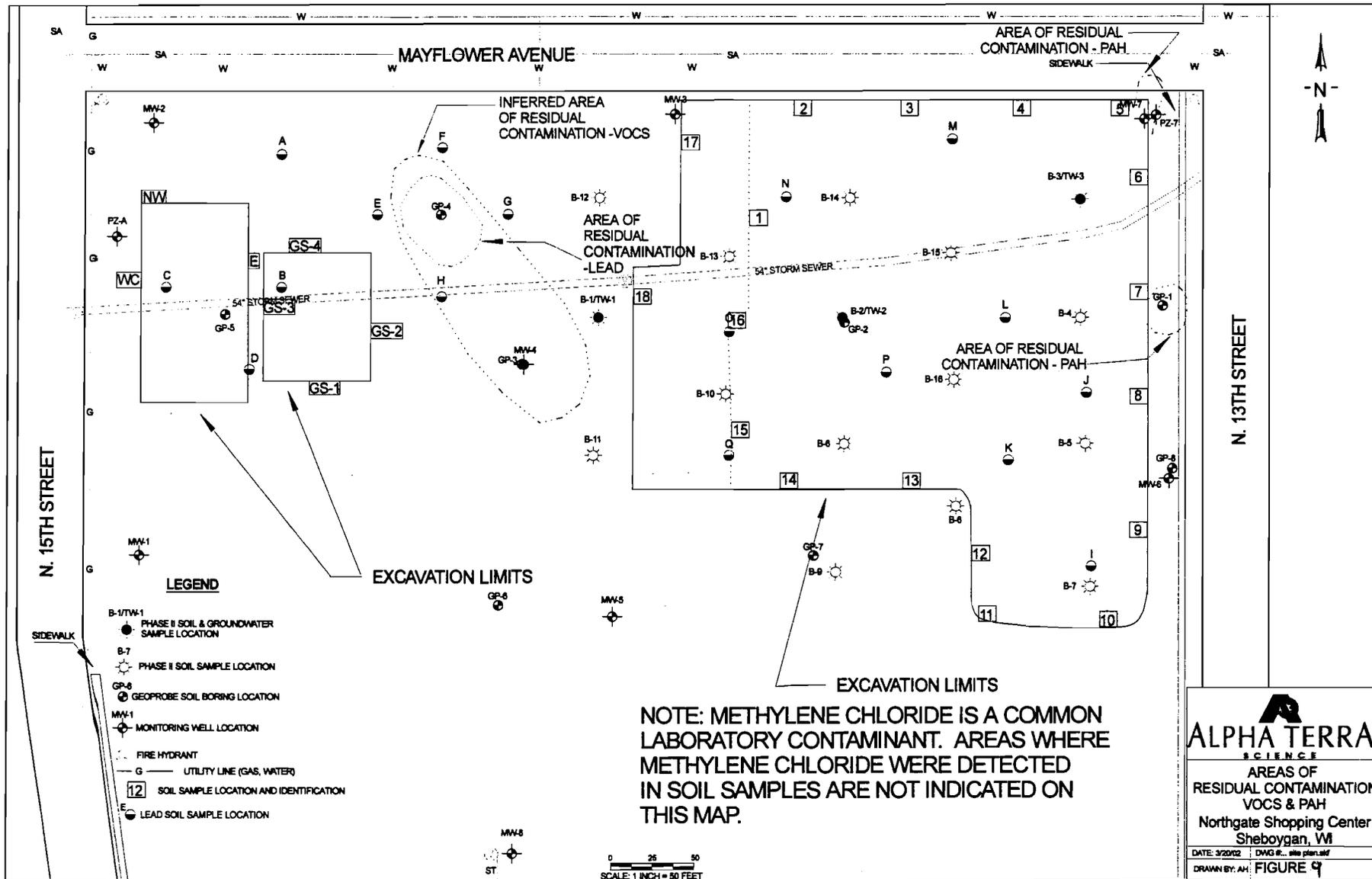
Sample ID	Sample Description	Depth (feet)	SOIL ANALYTICAL PARAMETER							
			Arsenic (mg/kg)	Barium (mg/kg)	Cadmium (mg/kg)	Chromium (mg/kg)	Lead (mg/kg)	Mercury (mg/kg)	Selenium (mg/kg)	Silver (mg/kg)
12	West wall south end	4.5'	20	42	<3.5	9.2	24	0.021	<25	<3.5
13	South wall	10'	18	180	<1.3	33	39	0.033	<9.6	<1.3
14	South wall west end	5'	16	72	<2.4	27	<12	0.013	<18	<2.4
17	West wall north west	13'	<5.0	30	<1.3	11	<6.3	0.039	<9.4	<1.3
18	West wall central	13'	<4.8	46	<1.2	17	<6.0	0.029	<9.0	<1.2
GS-1	South wall	12'	<5.1	120	2.4	37	8.4	0.040	<9.6	<1.3
GS-2	East wall	12'	<5.0	65	1.5	24	<6.3	0.110	<9.4	<1.3
GS-3	West wall	12'	<5.0	46	1.5	15	<6.3	0.060	<9.4	<1.3
GS-4	North wall	12'	<4.9	46	<1.2	16	<6.1	0.021	<9.1	<1.2
NW	Canopy north west	10'	11	19	<2.4	20	<12	0.018	<26	<2.4
WC	Canopy west center	9'	<9.3	14	<2.3	26	<12	0.012	<17	<2.3
E	Canopy east	11'	<5.1	76	2	22	14	0.054	<9.6	<1.3
NR 720 Residual Contaminant Level for Direct Contact at Non-industrial Site (applies to upper 4')			0.039	NS	8	14/ 16,000**	50	NS	NS	NS
Calculated Soil to Groundwater Pathway RCL			0.58	3300	0.75	NC	NC	0.21	1.0	1.5
Background Levels - WDNR			2 - 5	---	0.01 - 7	5 - 200	15 - 25	0.01 - 0.5	---	---
Background Levels - EPA			1 - 50	100 - 3000	0.01 - 0.7	1 - 1000	2 - 200	0.01 - 0.3	0.1 - 2	0.01 - 5

Notes: NS = No standard established

NC= Standard not calculated

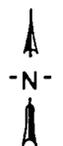
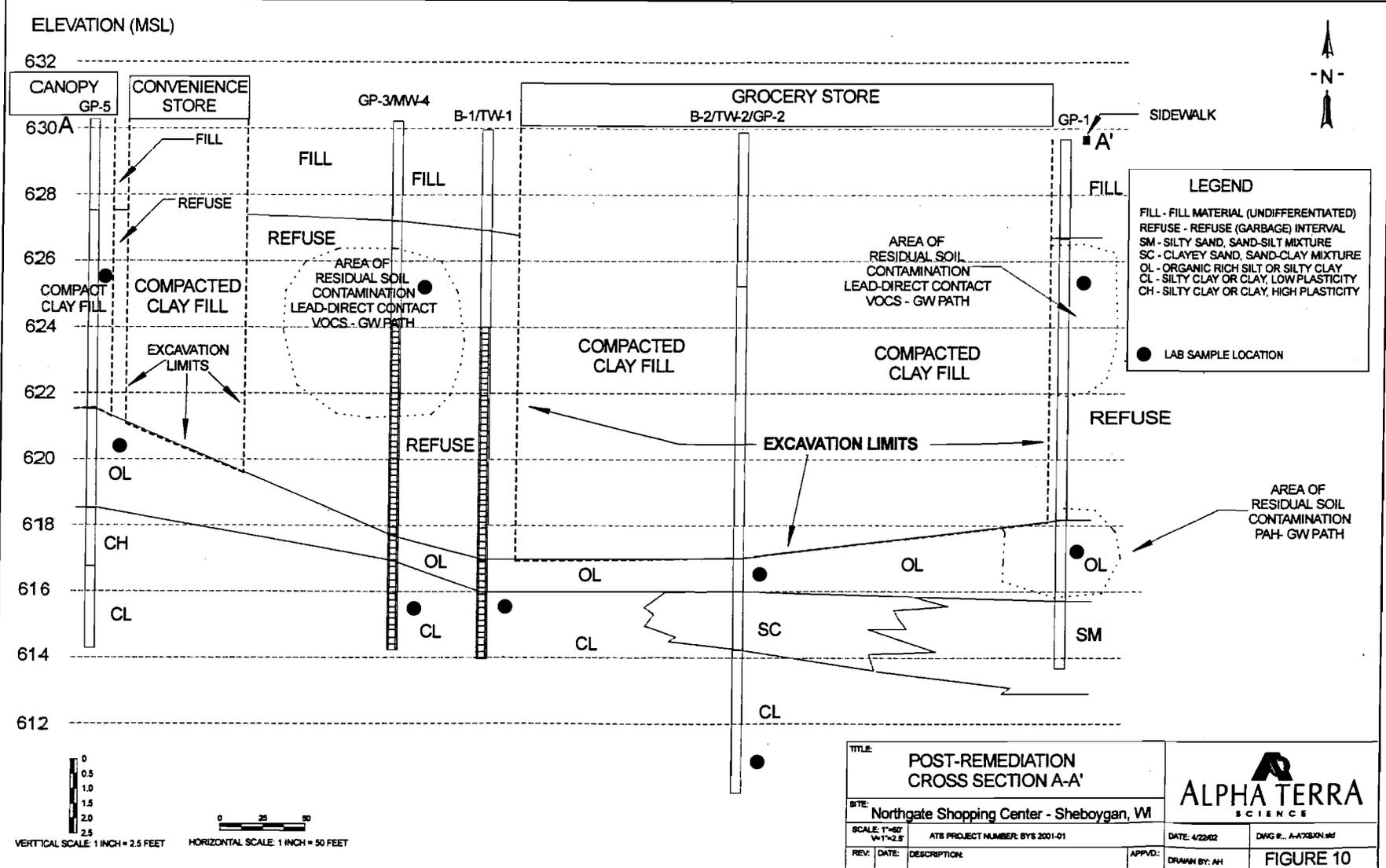
****:** Standards for hexavalent chromium/trivalent chromium. Analysis for Total Chromium

11 indicates exceedance of NR 720 soil residual contaminant level - direct contact
BOLD indicates exceedance of soil to groundwater pathway RCL



NOTE: METHYLENE CHLORIDE IS A COMMON LABORATORY CONTAMINANT. AREAS WHERE METHYLENE CHLORIDE WERE DETECTED IN SOIL SAMPLES ARE NOT INDICATED ON THIS MAP.

ALPHA TERRA
 SCIENCE
 AREAS OF RESIDUAL CONTAMINATION
 VOCs & PAH
 Northgate Shopping Center
 Sheboygan, WI
 DATE: 3/23/02 DWG #: alpha plan1.sld
 DRAWN BY: AH: **FIGURE 9**



LEGEND

- FILL - FILL MATERIAL (UNDIFFERENTIATED)
- REFUSE - REFUSE (GARBAGE) INTERVAL
- SM - SILTY SAND, SAND-SILT MIXTURE
- SC - CLAYEY SAND, SAND-CLAY MIXTURE
- OL - ORGANIC RICH SILT OR SILTY CLAY
- CL - SILTY CLAY OR CLAY, LOW PLASTICITY
- CH - SILTY CLAY OR CLAY, HIGH PLASTICITY

● LAB SAMPLE LOCATION

TITLE: POST-REMEDIATION CROSS SECTION A-A'			
SITE: Northgate Shopping Center - Sheboygan, WI			
SCALE: 1"=50' VERTICAL	ATS PROJECT NUMBER: BYS 2001-01	DATE: 4/22/02	DWG. NO.: A-ATX50N-01
REV: DATE	DESCRIPTION	APPROV: DRAWN BY: AH	FIGURE 10

0
0.5
1.0
1.5
2.0
2.5

VERTICAL SCALE: 1 INCH = 2.5 FEET

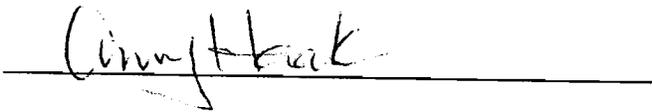
0 25 50

HORIZONTAL SCALE: 1 INCH = 50 FEET

On behalf of Development 3000, LLC, I have reviewed the warranty deed for the property described as:

Property commencing at the intersection of the South line of Section 10, T15N, R23E, with the West line of North 13th Street, thence north 0°4' West along the said West line of North 13th Street 487.2 feet to the South line of Mayflower Avenue, thence South 89°52' West along the South line of Mayflower Avenue 682.5 feet to the East line of Lake Shore Road, thence South 1°48' East along the East line of Lake Shore Road 335.6 feet, thence South 7°58' East along the East line of Lake Shore Road 156.1 feet to the South line of Section 10 651.2 feet to the point of beginning, Sheboygan County, Wisconsin, being part of the SE ¼ of the SE ¼ and the SW ¼ of the SE ¼, Section 10, T15N, R23E.

in the attached legal description. The legal description appears to be complete and accurate for the contaminated property.



Amy Haak
Alpha Terra Science

attachment



June 8, 2004

Ms. Pat Lohse, City Clerk
City of Sheboygan
828 Center Street
Sheboygan, WI 53081

Alpha Terra Science, Inc.
1237 S. Pilgrim Road, Plymouth, WI 53073
TEL 920/892-2444 FAX 920/892-2620
E-mail-alphaterra@alphaterra.net
VIA CERTIFIED MAIL

RE: Notice of Contamination Within Right-of-Way

Dear Ms. Lohse:

On behalf of our client, Bayside Development, Alpha Terra Science is sending this notification regarding contamination within city right-of-way property. Groundwater contamination that appears to have originated from the property located at 1321-1419 Mayflower Avenue, (Northgate Shopping Center) has migrated onto the 13th Street right-of-way. As the city is aware, this site and adjoining properties was developed on an historic fill site.

Although all refuse material was excavated from areas where site buildings currently stand, refuse remains at other parts of the site. An area of groundwater contamination has been identified in the vicinity of MW-6 (Figure 1). Contaminants present in the groundwater include benzo(a)pyrene, benzo(b)fluoranthene and chrysene at concentrations of 1.0, 0.89 and 1.2 ug/l respectively. These concentrations are in excess of the Wisconsin Administrative Code NR 140.10 enforcement standards for these compounds. In a few days a report will be submitted to the Department of Natural Resources (DNR) requesting that natural attenuation be accepted as the final cleanup remedy for this site and that case closure be granted. Closure means the Department will not be requiring any further investigation or cleanup actions to be taken, other than the reliance on natural attenuation. The Department of Natural Resources' publication #RR-671, *Fact Sheet: What Landowners Should Know: Information About Using Natural Attenuation To Clean Up Contaminated Groundwater*, is attached.

The DNR will be making a decision regarding site closure shortly. Nancy Ryan is reviewing the project and can be reached at (920) 892-8756, ext. 3025. The applicable WDNR BRRTS number is 02-60-286550.

If you need more information, you may contact me at 1237 S. Pilgrim Road, Plymouth, WI 53073 or by phone at (920) 892-2444. Mr. Tom Schafer, representative for Bayside Development, can be contacted at: 10134 N. Port Washington Road, Mequon, WI 53092.

Sincerely,

A handwritten signature in cursive script that reads 'Amy Haak'.

Amy Haak, P. G.
Geologist

Attachments

cc: Tom Schafer

Ms. Paulette Enders, City of Sheboygan Dir. of Community Development

1761476

SHEBOYGAN COUNTY, WI
RECORDED ON

04/04/2005 09:55AM

DARLENE J. NAVIS
REGISTER OF DEEDS

RECORDING FEE: 19.00
TRANSFER FEE:

STAFF ID 2
TRANS # 59578

OF PAGES: 5

DEED RESTRICTION

DOCUMENT NO.

DECLARATION OF RESTRICTIONS

In Re: That part of the Southwest ¼ of the Southeast ¼ of Section 10, Town 15 North, Range 23 East, in the City of Sheboygan, County of Sheboygan, State of Wisconsin. Commencing at intersection of the South line of Section 10, Town 15 North, Range 23 East, with the West line of North 13th Street; thence North 0° 04' West along said West line of North 13th Street 487.2 feet to the South line of Mayflower Avenue; thence South 89° 52' West along the South line of Mayflower Avenue 682.5 feet to the East line of Lake Shore Road; thence South 1° 48' East along the East line of Lake Shore Road 335.6 feet; thence South 7° 58' East along the East line of Lake Shore Road 156.1 feet to the South line of Section 10; thence North 89° 38' East along the said South line of Section 10, 651.2 feet to the point of commencement.

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

Amy Haak
Alpha Terra Science
1237 S. Pilgrim Road
Plymouth, WI 53073

719340

Parcel Identification Number

STATE OF WISCONSIN)
) SS
COUNTY OF SHEBOYGAN)

WHEREAS, Development 3000, LLC is the owner of the above-described property.

WHEREAS, as of November 2002, when soil and waste samples were collected on this property, volatile organic compounds, polycyclic aromatic hydrocarbons and metals contaminated soil and waste remained at the locations indicated on the attached **Figure 1** titled "Residual Soil Contamination- Northgate Shopping Center."

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 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:

The paved and landscaped surfaces that exist on the above-described property on the date that this restriction was signed form a barrier that must be maintained in order to prevent

direct contact with residual soil contamination and waste that might otherwise pose a threat to human health and to minimize the infiltration of water and prevent additional groundwater contamination that could violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code. The paved and landscaped surfaces shall be maintained on the above-described property in the locations shown on the attached **Figure 2**, labeled "Proposed Engineered Barrier" unless another barrier, with an infiltration rate of 10-7 cm/sec or less, is installed and maintained in their place. The existing structures, and any replacement barrier with an infiltration rate of 10-7 cm/sec or less, shall be maintained on the above-described property in compliance with the maintenance plan outlined in the Remedial Action Documentation Report dated June 9, 2004, that was submitted to the Wisconsin Department of Natural Resources by Development 3000, LLC., as required by section NR 724.13(2), Wis. Adm. Code (1999).

In addition, the following activities are prohibited on any portion of the above-described property described where an impervious cap has been placed or where impervious surfaces exist (**Figure 2**), unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on capped areas and areas with impervious surfaces; (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 impervious surface.

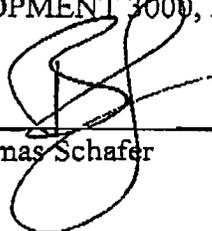
This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, 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 Natural Resources 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 Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, 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, the undersigned asserts that he or she is duly authorized to sign this document on behalf of Development 3000, LLC.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 31st day of March, 2005.

DEVELOPMENT 3000, LLC

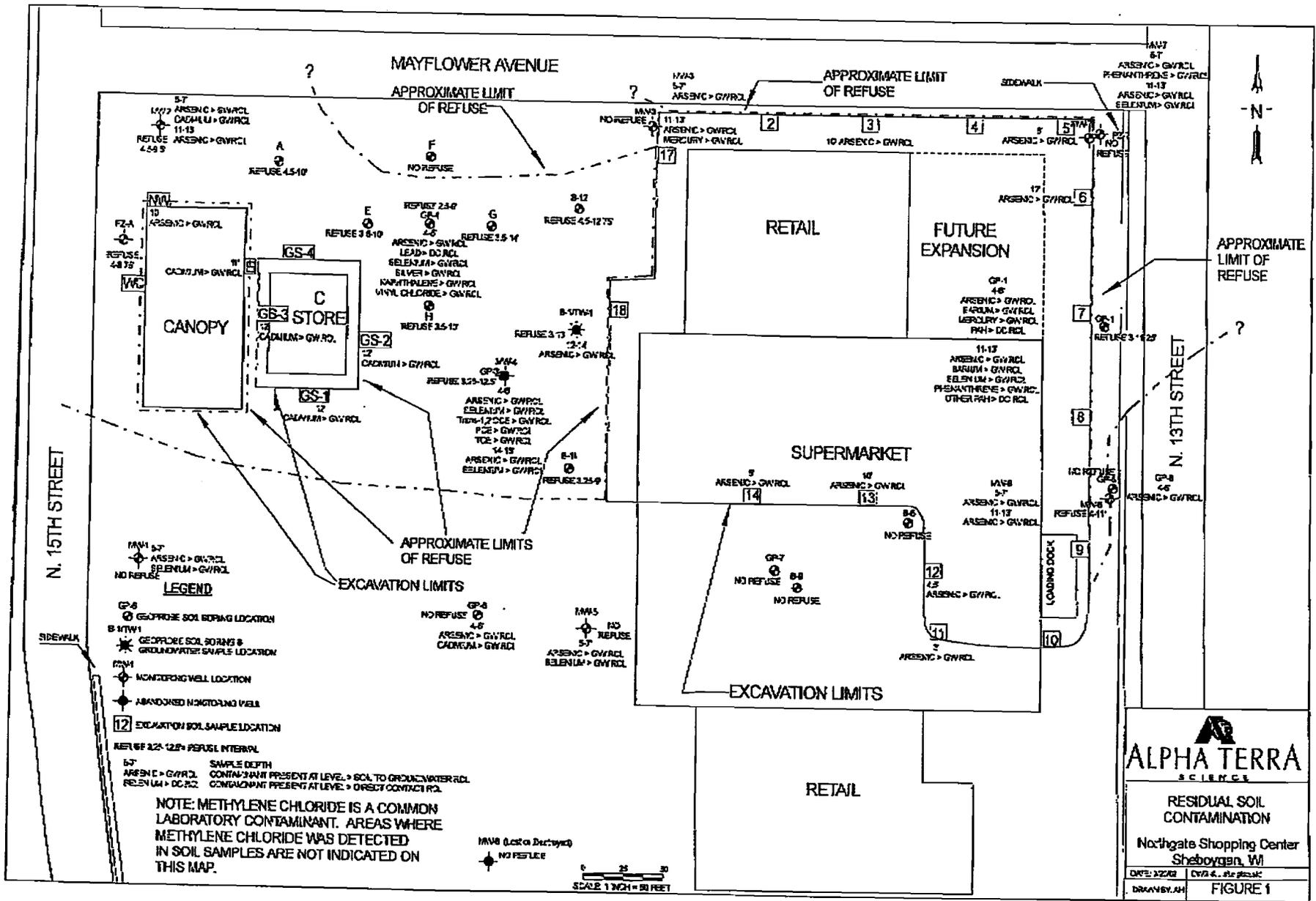
By: 
Thomas Schafer

Signature of Thomas Schafer authenticated
this 31st day of March, 2005.


Stephanie A. Lyons
TITLE: State Bar of Wisconsin

This document was drafted by:
Stephanie Lyons
Godfrey and Kahn, S.C.
780 North Water Street
Milwaukee, WI 53202

MW939691_1.DOC



ALPHA TERRA
SCIENCE

RESIDUAL SOIL CONTAMINATION

Northgate Shopping Center
Sheboygan, WI

DATE: 12/20/02 DRAWN BY: JAH

DWG. NO.: 02-000004 FIGURE 1

