

GIS REGISTRY

Cover Sheet

May, 2009
(RR 5367)

Source Property Information

BRRTS #: 02-67-547260

ACTIVITY NAME: GUNDRUM BROGUNDRUM BROS FARM SUPPLY INC-WEST

PROPERTY ADDRESS: 210 WISCONSIN ST

MUNICIPALITY: West Bend

PARCEL ID #: See Exhibit A

CLOSURE DATE: Sep 15, 2008

FID #:

DATCP #: 03-410-09-19-01

COMM #:

*WTM COORDINATES:

X: 667274 Y: 329556

** 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:

N/A (Not Applicable)

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations
between non-industrial 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:

Are all monitoring wells properly abandoned per NR 141? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

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 #: 02-67-547260 PARCEL ID #: None

ACTIVITY NAME: Gundrum Brogundrum Bros Farm Supply WTM COORDINATES: X: 667274 Y: 329556

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:

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 Location 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 #: 1 Title: General Extent of Groundwater Exceeding NR140 Enforcement Standards

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 #: Title:

BRRTS #: 02-67-547260

ACTIVITY NAME: Gundrum Brogrundrum Bros Farm Supply

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 #: Title:

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 #: 1 Title: **General Extent of Groundwater Exceeding NR140 Enforcement Standards**

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 #: 1 Title: **Water Table Contours, April 6, 2004**

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 #: Title:

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 #: Title:

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 site 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 #: 02-67-547260

ACTIVITY NAME: Gundrum Brogundrum Bros Farm Supply

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: 1

Impacted Off-Source Property Information

Form 4400-246 (R 3/08)

This fillable form is intended to provide a list of information that must be submitted for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request (Section H). 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 #:

02-67-547260

ACTIVITY NAME:

GUNDRUM BROGUNDRUM BROS FARM SUPPLY INC-

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
A	150 Veterans Ave, West Bend, WI 53095	1119-141-0014	667228	329512
B				
C				
D				
E				
F				
G				
H				
I				



State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

September 15, 2008

Ms. Julie Cayo
City of West Bend
1115 South Main Street
West Bend, WI 53095

RE: Final Closure
Former Gundrum Brothers Farm Supply
BRRTS #02-67-547260
DATCP #03410091901

Dear Ms. Cayo:

My receipt of the completed GIS Registry Packet fulfills the conditions for closure of the cleanup case referenced above. The case is now listed as "closed" as of September 15, 2008 on the DATCP database.

The site will be listed on the Department of Natural Resources' (DNR's) GIS Registry (Groundwater) of closed remediation sites. I will forward the GIS Registry Package submitted with your closure request, and a copy of this letter, to DNR for posting on the registry.

This case may be reopened (*pursuant to NR 726.09, Wis. Adm. Code*) if additional information indicates that contamination from the site poses a threat to public health, safety or welfare, or the environment.

If you have any questions, please call me at (608) 224-4502.

Sincerely,

Richard C. Graham, P.G.
Hydrogeologist; Environmental Quality Section

C: Jeff Saatkamp, DATCP
Dave Volkert, WDNR

Agriculture generates \$51.5 billion for Wisconsin



State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

August 12, 2008

Ms. Julie Cayo
City of West Bend
1115 South Main Street
West Bend, WI 53095

RE: Closure Meeting Summary
Former Gundrum Brothers Farm Supply
BRRTS #02-67-547260
DATCP #03410091901

Dear Ms. Cayo:

I recently presented a summary of the soil and groundwater investigation that was completed at the former Gundrum Brothers Farm Supply liquid fertilizer facility, located on TIF District #5, parcel #9 and in the WDNR's right-of-way (ROW) in the City of West Bend to DATCP's Closure Committee. Just so you know, even though this investigation covered two adjacent areas of the site with two responsible persons (RP) conducting the work, DATCP has always considered this to be one case.

I have some good news for you. The Closure Committee agreed that the nitrogen investigation / cleanup portion of the property can be considered closed from further investigation. However, since groundwater has been impacted with nitrate nitrogen above the Wis. Admin Code NR 140 Enforcement Standard, the case can only be considered closed if it is included on the WDNR's groundwater GIS Registry in accordance with Wis. Admin. Code NR 726. Since WDNR is the RP for the right-of-way portion of the investigation, they have agreed to compile the information and complete the paperwork necessary to have the case listed on the GIS Registry. Dave Volkert (WDNR project manager) will likely contact you in the near future to provide him with the information he needs to have the site closed. DATCP will review the GIS Registry package prior to posting on the Registry.

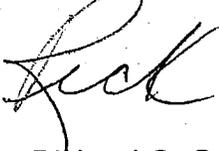
You are reminded that the only the nitrogen portion of the investigation at these two parcels will be considered closed once the case is placed onto the GIS Registry. DATCP has no authority to close or comment on any contamination at the larger property in the TIF district other than agrichemicals. As such, the groundwater monitoring wells cannot be abandoned, which is ordinarily a condition of closure, until all groundwater issues have been resolved at the property.

Agriculture generates \$51.5 billion for Wisconsin

Ms. Julie Cayo
August 18, 2008
Page 2

If you have any questions, please call me at (608) 224-4502.

Sincerely,



Richard C. Graham, P.G.
Environmental Quality Section

C: Jeff Saatkamp, DATCP
Katherine Juno, NRT
Dave Volkert, WDNR

**AFTER RECORDING, RETURN
THIS DOCUMENT TO:**

Redevelopment Authority of the
City of West Bend
1115 S. Main Street
West Bend, WI 53095

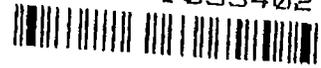
THIS DOCUMENT IS PREPARED BY:

WISCONSIN CENTRAL LTD.
17641 S. Ashland Avenue
Homewood, IL 60430
708-332-3500

MAIL ALL FUTURE TAX BILLS TO:

Redevelopment Authority of the
City of West Bend
1115 S. Main Street
West Bend, WI 53095

DOC#: 1053402



Recorded
JUNE 21, 2004 AT 10:00AM
SHARON A. MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$15.00
Fee Exempt 77.25-(12)

15-3
THIS SPACE RESERVED FOR RECORDING DATA

**FEE
#77.25 (12)
EXEMPT**

QUITCLAIM DEED

THIS INDENTURE, Witnesseth that the Grantor, WISCONSIN CENTRAL LTD., a Corporation duly organized and existing under and by virtue of the laws of the State of Illinois, whose mailing address is 17641 S. Ashland Avenue, Homewood, Illinois 60430, for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, does hereby GRANT, CONVEY AND QUIT CLAIM to the Grantee, REDEVELOPMENT AUTHORITY OF THE CITY OF WEST BEND, WI, right of title, and interest in and to the following described lands and property situated in the County of Washington and State of Wisconsin to wit:

"See Exhibit A"

Grantee shall pay the cost of all documentary stamps, deed or real estate transfer or transaction taxes required by law, and all other costs or fees necessary to the recording of this deed. Grantee agrees to hold Grantor harmless from any liability therefor imposed by law on Grantor.

IN WITNESS WHEREOF, WISCONSIN CENTRAL LTD., the Grantor, has caused these presents to be signed by Kay B. Bryant, its Regional Manager - U.S. Real Estate, and its corporate seal, duly witnessed by Scott E. Roberts, to be hereunto affixed, they being thereunto duly authorized this 25th day of May, 2004.

WISCONSIN CENTRAL LTD.

By Kay B. Bryant
Kay B. Bryant
Regional Manager - U.S. Real Estate

WITNESS

By: Scott E. Roberts
Scott E. Roberts

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

I, GENISE MARTINEZ, a Notary Public in and for the County of Cook, State of Illinois, Do Hereby Certify that Kay B. Bryant, personally known to me to be the Regional Manager - U.S. Real Estate of WISCONSIN CENTRAL LTD., an Illinois Corporation and KAY B. BRYANT, personally known to me to be the Regional Manager - Real Estate U.S. of said corporation and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged under oath that as such they signed and delivered the said instrument as the Regional Manager - U.S. Real Estate and Scott E. Roberts of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 25th day of May, 2004.



By: Genise Martinez
Notary Public

My commission expires: 8-9-05

Property Address: _____

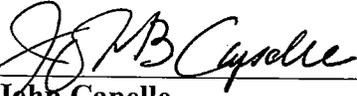
This deed does not violate the Plat Act by reason of Provision No. 6 as exempt listed in Chap. 109, Paragraph 1-b.

EXHIBIT A

That portion of the NORTHEAST Quarter of the NORTHEAST Quarter (NE 1/4 NE 1/4) of Section Fourteen (14), Township Eleven (11) North of Range Nineteen (19) East and the West Half of the NORTHWEST Quarter (W 1/2 NW 1/4) of Section Thirteen (13), Township Eleven (11) North of Range Nineteen (19) East, City of West Bend, Washington County, Wisconsin, lying Southerly of STH 33 also known as Washington Street, Westerly of Wisconsin Street, Northerly of Water Street and Easterly of a line that lies parallel with and 50 feet normally distant Northeasterly from the Wisconsin Central Ltd. Main Track centerline, EXCEPTING THEREFROM the following nine (9) described parcels:

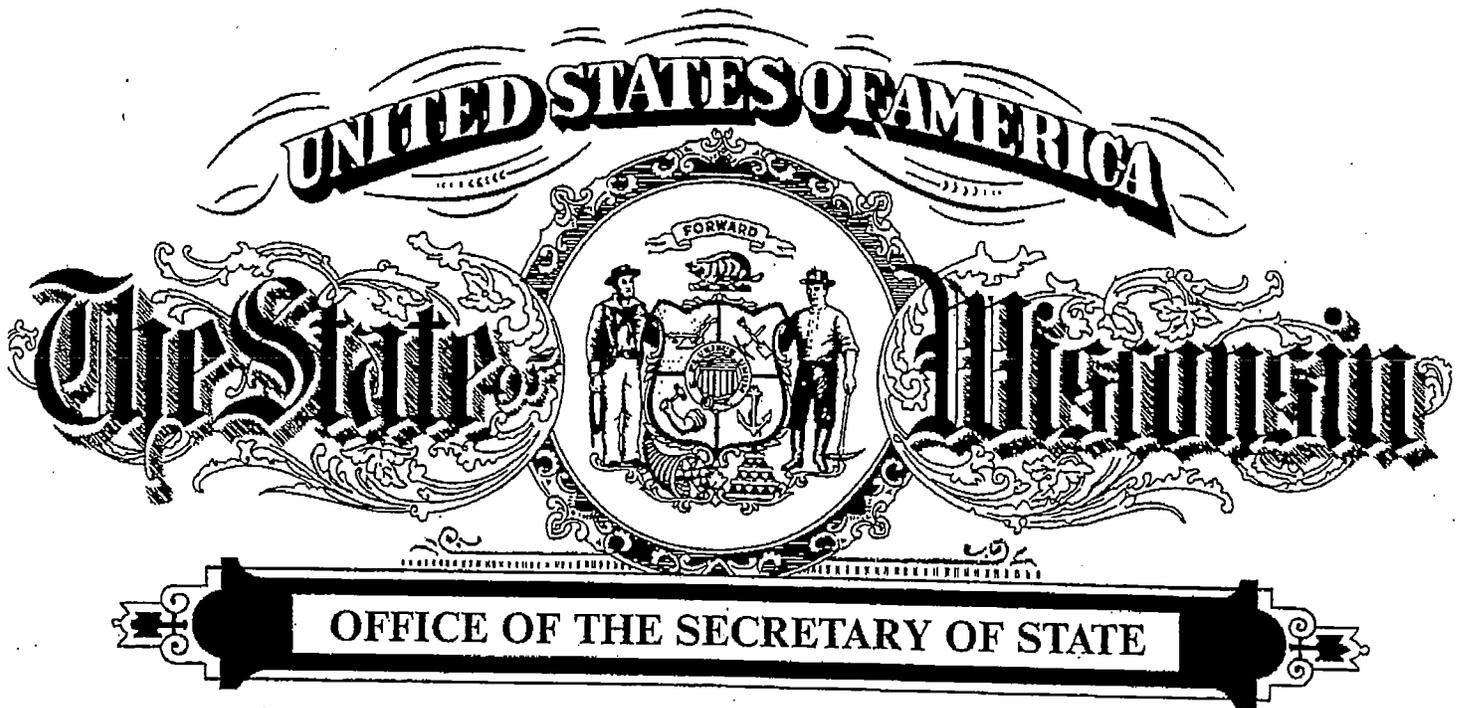
1. That portion thereof heretofore conveyed to H.J. Lay Lumber Co. as described by deed recorded in the Washington County Registry in Volume 382 of Records on page 151, as Document No. 270790.
2. That portion thereof heretofore conveyed to Francis E. Winn and Pauline E. Winn, his wife as described by deed recorded in the Washington County Registry in Volume 382 of Records on page 464, as Document No. 271008.
3. That portion thereof heretofore conveyed to West Bend Elevator, Inc. as described by deed recorded in the Washington County Registry in Volume 383 of Records on page 449, as Document No. 271462.
4. That portion thereof heretofore conveyed to West Bend Malt & Grain Co., Inc. as described by deed recorded in the Washington County Registry in Volume 383 of Records on page 457, as Document No. 271465.
5. That portion thereof heretofore conveyed to Gehl Bros. Manufacturing Company as described by deed recorded in the Washington County Registry in Volume 384 of Records on page 261, as Document No. 271795.
6. That portion thereof heretofore conveyed to Plymouth Oil, Inc. as described by deed recorded in the Washington County Registry in Volume 388 of Records on page 10, as Document No. 273497.
7. That portion thereof heretofore conveyed to Brittingham & Hixon Lumber Co. as described by deed recorded in the Washington County Registry in Volume 389 of Records on page 662, as Document No. 274337.
8. That portion thereof heretofore conveyed to Plymouth Oil, Inc. as described by deed recorded in the Washington County Registry in Volume 402 of Records on page 350, as Document No. 280000.
9. That portion thereof heretofore conveyed to M.O. Welby as described by deed recorded in the Washington County Registry in Volume 420 of Records on page 290, as Document No. 287847.

Legal Description Certification
Former Gundrum Brothers Facility – West Bend, Wisconsin



Mr. John Capelle
Executive Director
West Bend Redevelopment Authority

"I certify that the attached legal description for the Former Gundrum Brothers Facility is, to the best of my knowledge, complete and accurate."



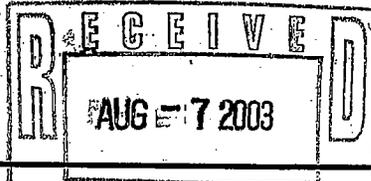
Misc Deed

12039

From Canadian National Railroad
Wisconsin Central Ltd
Brown, Calumet, Fond du Lac, Forest, Kewaunee, Langlade, Outagamie, Washington, Waupaca Counties

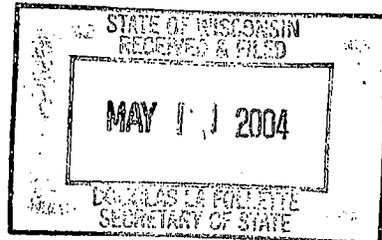
11 Quit Claim Deeds

Filed May 11, 2004

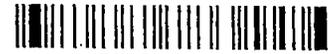


Certified Copy of deed from CNN Railroad to the State of Wisconsin (Department of Natural Resources) former railroad grade in WASHINGTON County.

Original document is filed with the Department of Financial Institutions.



DOC#: 1008269



Recorded
AUG. 05, 2003 AT 10:00AM
SHARON A. MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$47.00
Fee Exempt 77.25-(3)

47-19

Karl Hansen - LF/4
Department of Natural Resources
Box 7921
Madison, WI 53707

United States of America

State of Wisconsin

DEPARTMENT OF FINANCIAL INSTITUTIONS

Greetings:

I, RAY ALLEN, Deputy Administrator, Division of Corporate and Consumer Services, Department of Financial Institutions, do hereby certify that the annexed copy has been compared with the document on file with the Department of Financial Institutions, Division of Corporate and Consumer Services, railroad records, and that the same is a true copy thereof; and that I am the legal custodian of said document, and that this certification is in due form.

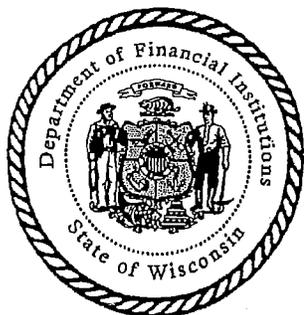
Type of Document: QuitClaim Deed

Recording Date: July 8, 2003

Recorded in Vol. 59 Of Railroad Mortgage on page 84 - 118.

FEE
#77.25 (3)
EXEMPT

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department on July 11, 2003.



A handwritten signature in black ink, appearing to read "Ray Allen".

Ray Allen, Deputy Administrator
Department of Financial Institutions

BY: Handwritten initials "RA" in black ink.

Effective July 1, 1996, the Department of Financial Institutions assumed the functions previously performed by the Corporations Division of the Secretary of State and is the successor custodian of corporate records formerly held by the Secretary of State.

79 84

QUITCLAIM DEED

For TEN (\$10.00) and other valuable consideration, Wisconsin Central Ltd. ("Grantor"), an Illinois corporation on behalf of itself and as successor-in-interest to Fox Valley & Western Ltd., and with an office located at 17641 Ashland Avenue, Homewood, Illinois 60430-1345, hereby grants, conveys and quitclaims to the State of Wisconsin, Department of Natural Resources, a Wisconsin state agency ("Grantee"), with mailing address of P.O. Box 7921, 101 S. Webster St., Madison, WI 53707, all its right, title and interest in and to the lands, as more fully described on the attached Exhibit A (the "Property") , for interim use as a recreational trail as authorized by the National Trails Systems Act, 16 USC 1247 (d) . GRANTOR DISCLAIMS THAT THE PROPERTY IS SUITABLE FOR USE AS A TRAIL.

JUL 10 2003 10:22 AM
 # G
 206796
 dollars

JUL 10 2003 10:22 AM	MISCELLANEOUS7800	\$7,800.00
206796	MISCELLANEOUS8	\$8.00
JUL 10 2003 10:22 AM	MISCELLANEOUS90	\$90.00
Return to: Karl E. Hansen - LF/4 Box 7921 Madison, WI 53707		

This conveyance includes all trestles, bridges and culverts installed on, in or attached to the Property.

Grantor shall reserve for itself, its successors and assigns its remaining trackage and an exclusive easement for its right-of-way over and across the land on which remaining trackage is now located on the Property, with the right to use, operate over and maintain the tracks together with all reasonable right of access across the Property herein conveyed in order to repair and maintain said tracks and to remove the tracks and appurtenances at its sole discretion for so long as required for railroad purposes. It is understood that until use of the trackage is abandoned by Grantor, Grantor shall assume all cost, risk and expense in the maintenance of said trackage and shall indemnify and hold Grantee harmless from and against all claims, demands, or suits arising out of Grantor's use of said trackage, including, but not limited to injury or deaths, for so long as said trackage shall be used by Grantor.

Grantee covenants and agrees with Grantor, its successors and assigns that Grantee, its successors and assigns will not occupy, use or construct, install or place or permit the construction, installation or placement of any structure or facility (including trail facilities) on, under or across the premises covered by the reserved easement without written consent from Grantor, its successors or assigns and will not use or permit the use of any of its property in a manner which may interfere with the use of the said reserved easement. This covenant shall run with the land and be binding upon the Grantee, its successors and assigns for so long as required for railroad purposes. Without limiting the generality of the foregoing, Grantee, its successors and assigns agree that it will not interfere with the drainage of the property covered by the reserved easement.

This conveyance, in whole or in part, is subject to being deeded back at the fair market value of the Property so deeded back if it is determined that any part should be reactivated for rail service and the Surface Transportation Board (or its successor), if required, approves such reactivation or exempts Grantor therefrom. In the event this conveyance, in whole or in part, is reactivated and to be deeded back, fair market value of the Property shall be determined by a full narrative appraisal meeting the Uniform Standards of Professional Appraisal Practice (USPAP) done by an appraiser agreed upon by the Grantor and Grantee. This conveyance being subject to reactivation for rail service, Grantee, its successors and assigns, are restricted from a) materially changing the grade or topography of the property, b) constructing and installing or removing and any permanent improvement which violates American Railway Engineering Association ("AREA") (or its successors) published practices and procedures or would make such reactivation impracticable or c) allowing the installation of any facility, above or below grade, that do not conform to AREA standards or clearances for railroads. Nothing herein contained is intended to prohibit Grantee from improving the Property as a recreational and/or bicycle trail. This restriction shall be included in any conveyance(s) to a third party(s) of any portion of the Property.

To the extent provided by law, Grantee, its successors and assigns, shall assume full responsibility for the management of, any legal liability arising out of the use of, and the payment of any taxes that may be levied or assessed against the Property. Upon reactivation, the Grantee's responsibility(s) under this provision shall cease.

In Witness Whereof, Wisconsin Central Ltd. has caused this Quitclaim Deed, upon authorization, to be executed by RICHARD N. McFADYEN, its DIRECTOR REAL ESTATE, and to be duly attested to by JANET H. GILBERT, its ASSISTANT SECRETARY, as of JUNE 25, 2003.

Wisconsin Central Ltd.

By [Signature]
Name RICHARD N. McFADYEN
Title SR. MGR REAL ESTATE

ATTESTED:

[Signature]
Name JANET GILBERT
Title Ass't Secretary

State of Illinois)

)

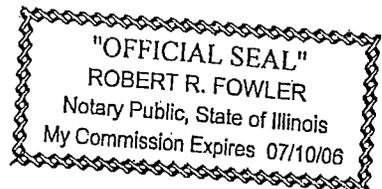
County of Cook)

Before me, a notary public in and for the above county in the state aforesaid personally appeared RICHARD N. McFADYEN and JANET H. GILBERT who acknowledged that they are respectively, the DIRECTOR REALESTATE and ASS'T SECRETARY of the Wisconsin Central Ltd., as such, being duly authorized so to do, they executed the foregoing quitclaim deed on behalf of that corporation for the purposes therein contained. Given under my hand and notarial seal this 25th day of June, 2003.

This instrument drafted by:
Michael Barron
CN
455 North Cityfront Plaza Drive
Chicago, IL 60611-5317

[Signature]
Notary Public

Commission Expires: 7-10-06



Luxemburg to Kewaunee, WI

Exhibit "A" (Page 1 of 5)

All that portion of the Wisconsin Central Ltd.'s (formerly Fox Valley & Western Ltd.) Luxemburg to Kewaunee, Wisconsin Branch Line right of way and property between Railroad Mile Posts 18.9 to 35.6, now discontinued, varying in width on each side of the Wisconsin Central Ltd.'s Main Track centerline, as formerly located upon, over and across the following described real estate in Kewaunee County, Wisconsin:

Township 24 North, Range 23 East

Sections 21, 22, 15, 14, 23, 24 and 25; Also,

Township 24 North, Range 24 East

Sections 30, 31, 32, 29, 28, 33 and 34; Also,

Township 23 North, Range 24 East

Sections 3, 10, 11, 14, 13 and 12; Also,

Township 23 North, Range 25 East

Section 7: the Northwest Quarter of the Southwest Quarter;

Section 18: the North Half of the Northwest Quarter; the North Half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter; the West Half of the Southeast Quarter; and that part of the Southeast Quarter of the Southeast Quarter LESS AND EXCEPT that portion in the Southeast Quarter of the Southeast Quarter of said Section 18 lying easterly of the easterly line of W. Water Street, at Kewaunee, County of Kewaunee, Wisconsin, as per the recorded plat thereof.

The grant within the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of said Section 7 and the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 18 shall be a trail use easement only; subject to all terms and conditions of this deed and the National Trails Systems Act.

Greenleaf to Hilbert, WI

Exhibit "A" (Page 2 of 5)

All that portion of the Wisconsin Central Ltd.'s Greenleaf to Hilbert, Wisconsin Branch Line right of way and property between Railroad Mile Posts 183.0 to 170.4, now discontinued, varying in width on each side of the Wisconsin Central Ltd.'s Main Track centerline, as formerly located upon, over and across the following described real estate in Brown and Calumet Counties, Wisconsin:

Brown County

Township 21 North, Range 20 East

Sections 5, 8, 17, 20, 29, 30 and 31; Also,

Calumet County

Township 20 North, Range 20 East

Sections 5, 8, 17, 18, 19, 30 and 31; Also,

Township 19 North, Range 20 East

Section 6.

Eden to West Bend, WI

Exhibit "A" (Page 3 of 5)

All that portion of the Wisconsin Central Ltd.'s (formerly Fox Valley & Western Ltd.) Eden to West Bend, Wisconsin Branch Line right of way and property between Railroad Mile Posts 139.06 to 114.42, now discontinued, varying in width on each side of the Wisconsin Central Ltd.'s Main Track centerline, as formerly located upon, over and across the following described real estate in Fond du Lac and Washington Counties, Wisconsin:

Fond du Lac County

Township 14 North, Range 18 East

Sections 8, 9, 16, 15, 22, 27, 26 and 35; Also,

Township 13 North, Range 18 East

Sections 2, 11, 12, 13 and 24; Also,

Township 13 North, Range 19 East

Sections 19, 30, 31 and 32; Also,

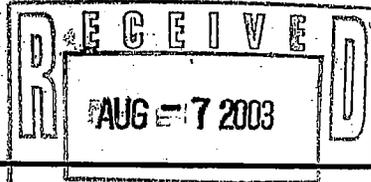
Washington County

Township 12 North, Range 19 East

Sections 5, 4, 9, 10, 15, 22, 27, 34 and 35; Also,

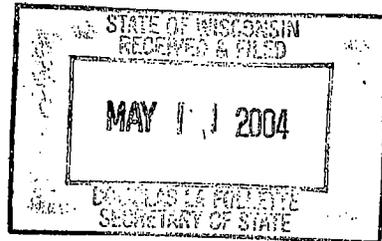
Township 11 North, Range 19 East

Sections 2, 1, 12, 11, 14, 13, 24 and 25; LESS AND EXCEPT that part lying easterly and westerly of a line drawn parallel with and 50 feet easterly and westerly of said Main Track centerline, located in said Sections 11, 14 and 13, Township 11 North, Range 19 East, and the Depot Building as presently located within the City of West Bend together with the right of access to remove same.



Certified Copy of deed from CNN Railroad to the State of Wisconsin (Department of Natural Resources) former railroad grade in WASHINGTON County.

Original document is filed with the Department of Financial Institutions.



DOC#: 1008269



Recorded
AUG. 05, 2003 AT 10:00AM
SHARON A. MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$47.00
Fee Exempt 77.25-(3)

47-19

Karl Hansen - LF/4
Department of Natural Resources
Box 7921
Madison, WI 53707

United States of America

State of Wisconsin

DEPARTMENT OF FINANCIAL INSTITUTIONS

Greetings:

I, RAY ALLEN, Deputy Administrator, Division of Corporate and Consumer Services, Department of Financial Institutions, do hereby certify that the annexed copy has been compared with the document on file with the Department of Financial Institutions, Division of Corporate and Consumer Services, railroad records, and that the same is a true copy thereof; and that I am the legal custodian of said document, and that this certification is in due form.

Type of Document: QuitClaim Deed

Recording Date: July 8, 2003

Recorded in Vol. 59 Of Railroad Mortgage on page 84 - 118.

FEE
#77:25 (3)
EXEMPT

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department on July 11, 2003.



A handwritten signature in black ink, appearing to read "Ray Allen".

Ray Allen, Deputy Administrator
Department of Financial Institutions

BY: Handwritten initials "RA" in black ink.

Effective July 1, 1996, the Department of Financial Institutions assumed the functions previously performed by the Corporations Division of the Secretary of State and is the successor custodian of corporate records formerly held by the Secretary of State.

QUITCLAIM DEED

For TEN (\$10.00) and other valuable consideration, Wisconsin Central Ltd. ("Grantor"), an Illinois corporation on behalf of itself and as successor-in-interest to Fox Valley & Western Ltd., and with an office located at 17641 Ashland Avenue, Homewood, Illinois 60430-1345, hereby grants, conveys and quitclaims to the State of Wisconsin, Department of Natural Resources, a Wisconsin state agency ("Grantee"), with mailing address of P.O. Box 7921, 101 S. Webster St., Madison, WI 53707, all its right, title and interest in and to the lands, as more fully described on the attached Exhibit A (the "Property") , for interim use as a recreational trail as authorized by the National Trails Systems Act, 16 USC 1247 (d) . GRANTOR DISCLAIMS THAT THE PROPERTY IS SUITABLE FOR USE AS A TRAIL.

JUL 10 2003 10:22 AM
6
206796
dollars

JUL 10 2003 10:22 AM
MISCELLANEOUS7800 \$7,800.00
206796 MISCELLANEOUS8 \$8.00

JUL 10 2003 10:22 AM

MISCELLANEOUS90 \$90.00

Return to: Karl E. Hansen - LF/4
Box 7921
Madison, WI 53707

This conveyance includes all trestles, bridges and culverts installed on, in or attached to the Property.

Grantor shall reserve for itself, its successors and assigns its remaining trackage and an exclusive easement for its right-of-way over and across the land on which remaining trackage is now located on the Property, with the right to use, operate over and maintain the tracks together with all reasonable right of access across the Property herein conveyed in order to repair and maintain said tracks and to remove the tracks and appurtenances at its sole discretion for so long as required for railroad purposes. It is understood that until use of the trackage is abandoned by Grantor, Grantor shall assume all cost, risk and expense in the maintenance of said trackage and shall indemnify and hold Grantee harmless from and against all claims, demands, or suits arising out of Grantor's use of said trackage, including, but not limited to injury or deaths, for so long as said trackage shall be used by Grantor.

Grantee covenants and agrees with Grantor, its successors and assigns that Grantee, its successors and assigns will not occupy, use or construct, install or place or permit the construction, installation or placement of any structure or facility (including trail facilities) on, under or across the premises covered by the reserved easement without written consent from Grantor, its successors or assigns and will not use or permit the use of any of its property in a manner which may interfere with the use of the said reserved easement. This covenant shall run with the land and be binding upon the Grantee, its successors and assigns for so long as required for railroad purposes. Without limiting the generality of the foregoing, Grantee, its successors and assigns agree that it will not interfere with the drainage of the property covered by the reserved easement.

This conveyance, in whole or in part, is subject to being deeded back at the fair market value of the Property so deeded back if it is determined that any part should be reactivated for rail service and the Surface Transportation Board (or its successor), if required, approves such reactivation or exempts Grantor therefrom. In the event this conveyance, in whole or in part, is reactivated and to be deeded back, fair market value of the Property shall be determined by a full narrative appraisal meeting the Uniform Standards of Professional Appraisal Practice (USPAP) done by an appraiser agreed upon by the Grantor and Grantee. This conveyance being subject to reactivation for rail service, Grantee, its successors and assigns, are restricted from a) materially changing the grade or topography of the property, b) constructing and installing or removing and any permanent improvement which violates American Railway Engineering Association ("AREA") (or its successors) published practices and procedures or would make such reactivation impracticable or c) allowing the installation of any facility, above or below grade, that do not conform to AREA standards or clearances for railroads. Nothing herein contained is intended to prohibit Grantee from improving the Property as a recreational and/or bicycle trail. This restriction shall be included in any conveyance(s) to a third party(s) of any portion of the Property.

To the extent provided by law, Grantee, its successors and assigns, shall assume full responsibility for the management of, any legal liability arising out of the use of, and the payment of any taxes that may be levied or assessed against the Property. Upon reactivation, the Grantee's responsibility(s) under this provision shall cease.

Luxemburg to Kewaunee, WI

Exhibit "A" (Page 1 of 5)

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Township 24 North, Range 24 East

Sections 30, 31, 32, 29, 28, 33 and 34; Also,

Township 23 North, Range 24 East

Sections 3, 10, 11, 14, 13 and 12; Also,

Township 23 North, Range 25 East

Section 7: the Northwest Quarter of the Southwest Quarter;

Section 18: the North Half of the Northwest Quarter; the North Half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter; the West Half of the Southeast Quarter; and that part of the Southeast Quarter of the Southeast Quarter LESS AND EXCEPT that portion in the Southeast Quarter of the Southeast Quarter of said Section 18 lying easterly of the easterly line of W. Water Street, at Kewaunee, County of Kewaunee, Wisconsin, as per the recorded plat thereof.

The grant within the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of said Section 7 and the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 18 shall be a trail use easement only; subject to all terms and conditions of this deed and the National Trails Systems Act.

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Exhibit "A" (Page 2 of 5)

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Township 21 North, Range 20 East

Sections 5, 8, 17, 20, 29, 30 and 31; Also,

Calumet County

Township 20 North, Range 20 East

Sections 5, 8, 17, 18, 19, 30 and 31; Also,

Township 19 North, Range 20 East

Section 6.

Eden to West Bend, WI

Exhibit "A" (Page 3 of 5)

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Fond du Lac County

Township 14 North, Range 18 East

Sections 8, 9, 16, 15, 22, 27, 26 and 35; Also,

Township 13 North, Range 18 East

Sections 2, 11, 12, 13 and 24; Also,

Township 13 North, Range 19 East

Sections 19, 30, 31 and 32; Also,

Washington County

Township 12 North, Range 19 East

Sections 5, 4, 9, 10, 15, 22, 27, 34 and 35; Also,

Township 11 North, Range 19 East

Sections 2, 1, 12, 11, 14, 13, 24 and 25; LESS AND EXCEPT that part lying easterly and westerly of a line drawn parallel with and 50 feet easterly and westerly of said Main Track centerline, located in said Sections 11, 14 and 13, Township 11 North, Range 19 East, and the Depot Building as presently located within the City of West Bend together with the right of access to remove same.

EISENBAHN STATE TRAIL CORRIDOR PARCEL Between Washington St. & Water St.

That part of Lots 1, 2, 3, 4, 5, 6, 11, 12 & 13 of Block 1 of "Mayers Addition to the Village (now City) of West Bend, and part of the NE ¼ of the NE ¼ of Section 14, and part of the NW ¼ of the NW ¼ and the SW ¼ of the NW ¼ of Section 13, all in Township 11 North, Range 19 East, City of West Bend, Washington County, Wisconsin, which is bounded and described as follows:

The entire width of the 100 foot wide Eisenbahn State Trail Corridor, (former mainline railroad ROW), bounded on the north by the south right of way line of Washington Street and on the south by the north right of way line of Water Street.

December 6, 2006

Drafted by:
Richard G. Kleinmann, R.L.S.
City Surveyor
City of West Bend
Engineering Department



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

April 23, 2008

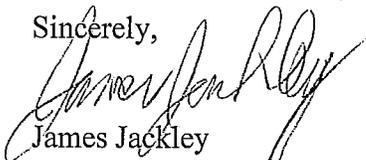
Ms. Victoria Stovall
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King Jr. Drive
Milwaukee, WI 53212

Dear Ms. Stovall,

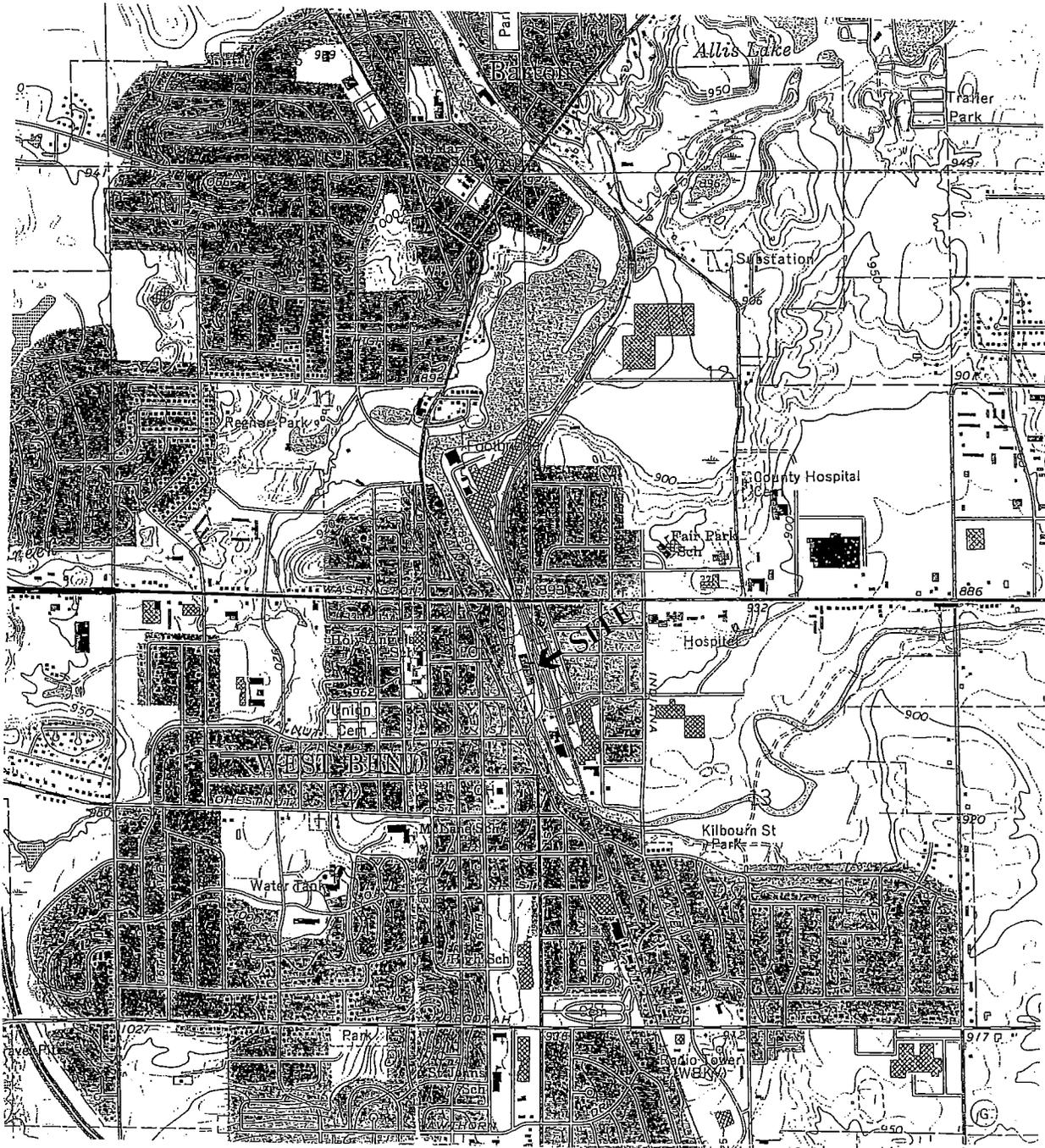
As the Real Estate Specialist for the Southeast Region of the Wisconsin Department of Natural Resources, I certify that the legal descriptions contained within the enclosed deeds are complete and accurate. The descriptions cover our entire corridor from West Bend to Kewaskum. The property in question is located south of Highway 33 and north of Water Street within the described corridor.

If you have further questions, you may contact me at 414-263-8616.

Sincerely,



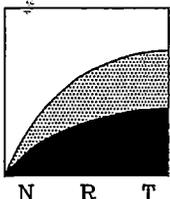
James Jackley
Real Estate Specialist



SOURCE: USGS 7.5 MINUTE QUADRANGLE,
 WEST BEND. DATED 1959.
 PHOTOREVISED 1994.



SCALE IN FEET
 CONTOUR INTERVAL 10 FEET

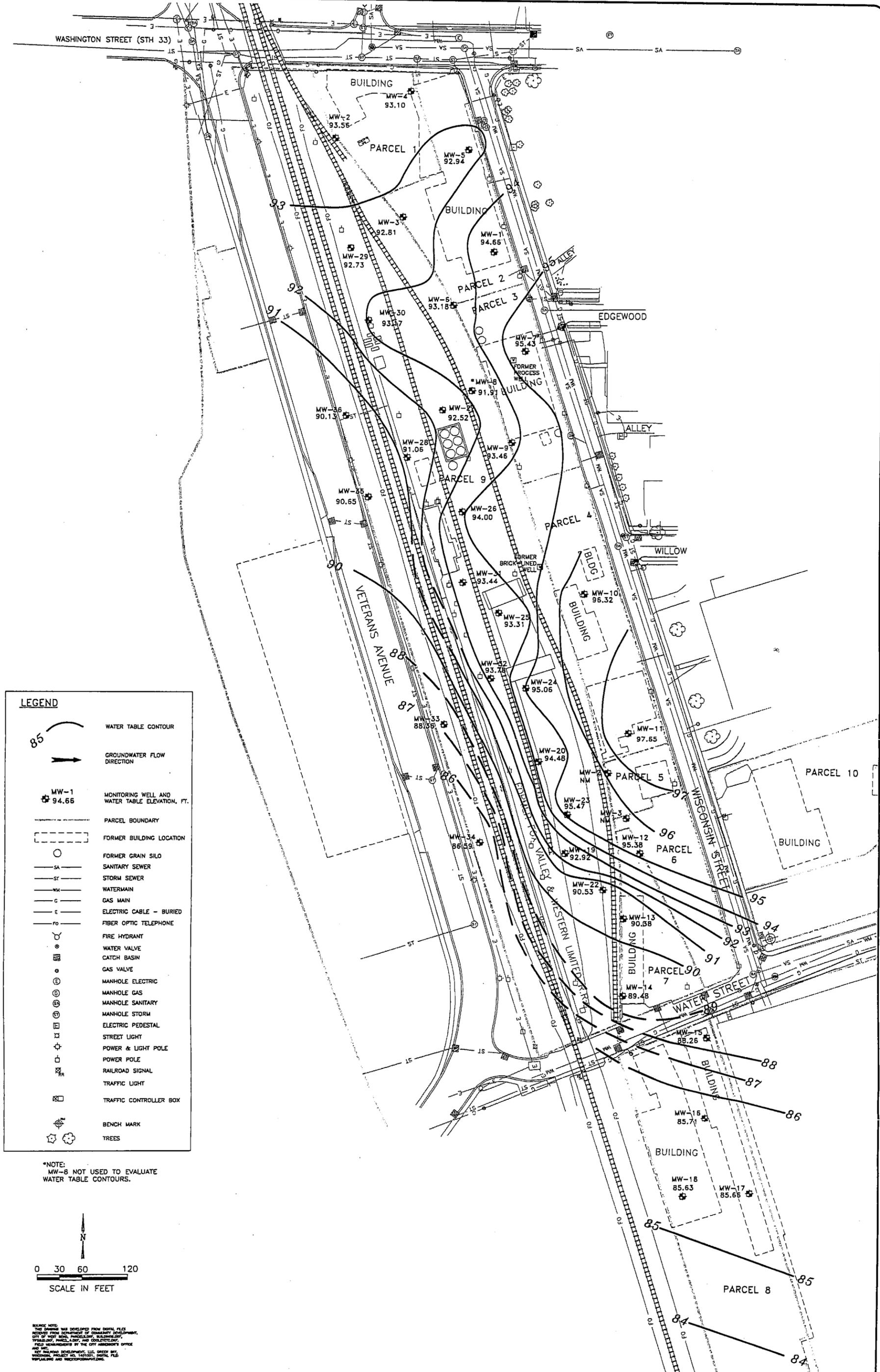


Natural
 Resource
 Technology

SITE LOCATION MAP
 CITY OF WEST BEND TIF DISTRICT #5
 PARCEL 9
 WEST BEND, WISCONSIN

DRAWN BY: TAS APPROVED BY: KJM DATE: 09/10/04

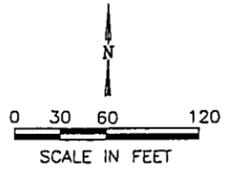
PROJECT NO.
 1450
 DRAWING NO.
 1450-161-A90
 FIGURE NO.
 1



LEGEND

- WATER TABLE CONTOUR
- GROUNDWATER FLOW DIRECTION
- MONITORING WELL AND WATER TABLE ELEVATION, FT.
- PARCEL BOUNDARY
- FORMER BUILDING LOCATION
- FORMER GRAIN SILO
- SANITARY SEWER
- STORM SEWER
- WATERMAIN
- GAS MAIN
- ELECTRIC CABLE - BURIED
- FIBER OPTIC TELEPHONE
- FIRE HYDRANT
- WATER VALVE
- CATCH BASIN
- GAS VALVE
- MANHOLE ELECTRIC
- MANHOLE GAS
- MANHOLE SANITARY
- MANHOLE STORM
- ELECTRIC PEDESTAL
- STREET LIGHT
- POWER & LIGHT POLE
- POWER POLE
- RAILROAD SIGNAL
- TRAFFIC LIGHT
- TRAFFIC CONTROLLER BOX
- BENCH MARK
- TREES

*NOTE:
MW-8 NOT USED TO EVALUATE
WATER TABLE CONTOURS.



SOURCE NOTE:
THIS DRAWING WAS DEVELOPED FROM DIGITAL FILES
RECEIVED FROM DEPARTMENT OF COMMUNITY DEVELOPMENT,
CITY OF WEST BEND, PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9,
10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,
24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36,
AND 37.
KEY: NATHAN DEVELOPMENT, LLC, GREEN BAY,
WISCONSIN, PROJECT NO. 1450/16.1, DIGITAL FILE
WTPARCEL10.DWG AND WTPARCEL10.DWG.

Natural
Resource
Technology

WATER TABLE CONTOURS
APRIL 6, 2004
CITY OF WEST BEND TIF DISTRICT #5
WEST BEND, WISCONSIN
CAD FILE: 1450/16.1/PARCELS 1-4/1450-161-14-D01.DWG
REFERENCE FILES:

PROJECT NO.
1450/16.1/1-4
DRAWN BY:
TAS 04/30/04
CHECKED BY:
BGH 04/30/04
APPROVED BY:
KMJ 04/30/04
SHEET NO.
1

**Table 3. Nitrate-Nitrite & Ammonia Groundwater Data Summary
Various Parcels, West Bend TIF Districts #5 & #9, West Bend, WI**

Parcel	Well	Sample Date	N-Nitrate + Nitrite (mg/L)	N-Ammonia (mg/L)
Wisconsin Groundwater Quality Standards (NR 140)				
Preventive Action Limit (PAL)			<u>2.0</u>	ns
Enforcement Standard (ES)			10	ns
Parcel #3	MW-8	03/04/04	<u>2.6</u>	<0.10
		07/29/04	20	<0.10
		02/03/05	<u>19</u>	<0.10
		02/04/07	40	<0.20
		04/06/07	15	16
	MW-9	03/04/04	<u>7.6</u>	<0.10
		07/29/04	38	<0.10
		02/03/05	14	<0.10
		02/04/07	14	<0.10
		04/06/07	<u>8.6</u>	<0.20
Parcel #4	MW-10	03/04/04	1.3	<0.10
	MW-11	03/04/04	0.096	<0.10
Parcel #9	MW-20	03/04/04	0.060	16
		07/29/04	0.035	<0.10
		02/03/05	<0.024	<0.10
		04/06/07	<0.10	<0.20
	MW-24	03/04/04	37	0.86
		07/29/04	42	1.1
	damaged well	02/03/05	--	--
	MW-25	03/04/04	<u>3.7</u>	<0.10
	MW-26	03/04/04	<u>8.1</u>	<0.10
		07/29/04	<u>7.9</u>	<0.10
		02/03/05	<u>6.0</u>	<0.10
		04/06/07	<u>2.6</u>	<0.10
	MW-27	03/04/04	51	<0.10
		07/29/04	48	0.84
		02/03/05	<u>14</u>	<0.10
		02/04/07	<u>12</u>	<0.10
		04/06/07	15	<0.20
	MW-28	03/04/04	120	<0.10
		07/29/04	120	<0.10
		02/03/05	110	<0.10
02/04/07		27	<0.10	
MW-30	03/04/04	<u>7.0</u>	<0.10	
MW-31	03/04/04	<u>8.0</u>	<0.10	
MW-32	03/04/04	110	3.0	
	07/29/04	110	49	
	02/03/05	74	28	

**Table 3. Nitrate-Nitrite & Ammonia Groundwater Data Summary
Various Parcels, West Bend TIF Districts #5 & #9, West Bend, WI**

Parcel	Well	Sample Date	N-Nitrate + Nitrite (mg/L)	N-Ammonia (mg/L)
Wisconsin Groundwater Quality Standards (NR 140)				
Preventive Action Limit (PAL)			<u>2.0</u>	ns
Enforcement Standard (ES)			10	ns
Parcel #9	MW-33	03/04/04	<u>25</u>	<0.10
		03/19/04	<u>25</u>	0.27
		07/29/04	<u>31</u>	0.18
		02/03/05	<u>37</u>	<0.10
		01/30/07	<u>14</u>	<0.20
	MW-34	03/19/04	1.9	0.28
	MW-35	03/19/04	<u>18</u>	0.42
		07/29/04	<u>8.2</u>	1.9
	buried well	02/03/05	--	--
	MW-36	03/19/04	<u>20</u>	<0.10
		07/29/04	<u>15</u>	<0.10
		02/03/05	<u>6.7</u>	<0.10
		02/04/07	<u>2.1</u>	<0.10
	Former Fields Furniture Site	MW-40	07/29/04	<u>18</u>
02/03/05			<u>21</u>	<0.10
04/06/07			0.18	<0.20
MW-41		07/29/04	1.7	<0.10
		02/03/05	0.73	<0.10
		01/30/07**	1.6	<0.20
		02/04/07	<u>8.1</u>	<0.10
		04/06/07	1.6	5.4
Fields SB-1		03/19/04	<u>2.1</u>	0.48
Fields SB-2		03/19/04	0.74	<0.10
		07/29/04	0.41	<0.10
		02/03/05	1.0	<0.10
		04/06/07	<u>2.6</u>	<0.50
Fields SB-3	03/19/04	0.19	0.21	
Fields SB-6	03/19/04	0.52	0.74	
	02/03/05	0.037	0.96	

[O-RJC/C-SAG 070904]

Notes:

- 1) Concentrations that attain or exceed an NR 140 ES are bold/underlined.
 - 2) Concentrations that attain or exceed an NR 140 PAL are italicized/underlined.
 - 3) --: Sample not collected
- mg/L: Milligrams per liter.
 <0.10: Analyte was not detected above limit of detection shown.
 ns: Standard has not been established.
 **: Sample is identified as "MW-40 (SOUTH)" on the laboratory analytical report.
 Correct well identification is MW-41.

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: 04/23/2008

FILE REF: FID# 267113220
BRRTS# 02-67-539428

TO: File

FROM: Dave Volkert



SUBJECT: Rails to Trails, Railroad ROW between Washington and Water Streets, West Bend, WI

Monitoring wells MW-40 and MW-41 installed by Natural Resources Technology, Inc. were accidentally transposed on all maps prior to September 21, 2007. In the past MW-40 was identified being south of MW-41. Please refer to the attached letter written by Natural Resources Technology, Inc. MW-40 is in reality north of MW-41.

Also monitoring well MW-A as identified in the February 26, 2007 letter from Moraine Environmental, Inc. to Melissa Cook with the Department of Natural Resources, was installed by Moraine as a replacement to monitoring well MW-32, which was removed during the remediation of nitrogen contaminated soil by Moraine Environmental. The location of MW-A was never surveyed. MW-A was installed in the vicinity of MW-32 in the backfill of the former remedial excavation. It was installed to determine groundwater quality results in the area of MW-32 after the nitrogen contaminated soil was removed.



1241 Bellevue Street, Suite 9
Green Bay, WI 54302
920-469-2436, Fax: 920-469-8827

Analytical Report Number: 880566

Client: MORaine ENVIRONMENTAL, INC.

Lab Contact: Laurie Woelfel

Project Name: RAILS TO TRAILS

Project Number: 3183

Lab Sample Number	Field ID	Matrix	Collection Date
880566-001	MW-A	WATER	01/30/07
880566-002	MW-33	WATER	01/30/07
880566-003	MW-40 (SOUTH)	WATER	01/30/07

MW-32 Replacement well

I certify that the data contained in this Final Report has been generated and reviewed in accordance with approved methods and Laboratory Standard Operating Procedure. Exceptions, if any, are discussed in the accompanying sample comments. Release of this final report is authorized by Laboratory management, as is verified by the following signature. This report shall not be reproduced, except in full, without the written consent of Pace Analytical Services, Inc. The sample results relate only to the analytes of interest tested.

Approval Signature Laurie Woelfel

Date 2/9/07

Client : MORAINÉ ENVIRONMENTAL, INC.

Project Name : RAILS TO TRAILS

Project Number : 3183

Field ID : MW-A MW 32 Replacement Well

Matrix Type : WATER

Collection Date : 01/30/07

Report Date : 02/09/07

Lab Sample Number : 880566-001

INORGANICS

Test	Result	LOD	LOQ	EQL	Dil.	Units	Code	Anl Date	Prep Method	Anl Method
Nitrogen, Ammonia	0.61	0.20	0.65		1	mg/L	Q	02/06/07	EPA 350.1	EPA 350.1
Nitrogen, Ammonium	0.65	0.21	0.69		1.06	mg/L	Q	02/06/07	EPA 350.1	EPA 350.1
Nitrogen, NO3 + NO2	7.1	0.56	1.9		5	mg/L		02/08/07	EPA 353.2	EPA 353.2

Client : MORaine ENVIRONMENTAL, INC.
Project Name : RAILS TO TRAILS
Project Number : 3183
Field ID : MW-33

Matrix Type : WATER
Collection Date : 01/30/07
Report Date : 02/09/07
Lab Sample Number : 880566-002

INORGANICS

Test	Result	LOD	LOQ	EQL	Dil.	Units	Code	Anl Date	Prep Method	Anl Method
Nitrogen, Ammonia	0.28	0.20	0.65		1	mg/L	Q	02/06/07	EPA 350.1	EPA 350.1
Nitrogen, Ammonium	0.30	0.21	0.69		1.06	mg/L	Q	02/06/07	EPA 350.1	EPA 350.1
Nitrogen, NO3 + NO2	14	1.1	3.7		10	mg/L		02/08/07	EPA 353.2	EPA 353.2

Client : MORaine ENVIRONMENTAL, INC.

Project Name : RAILS TO TRAILS

Project Number : 3183

Field ID : MW-40 (SOUTH)

Matrix Type : WATER

Collection Date : 01/30/07

Report Date : 02/09/07

Lab Sample Number : 880566-003

INORGANICS

Test	Result	LOD	LOQ	EQL	Dil.	Units	Code	Anl Date	Prep Method	Anl Method
Nitrogen, Ammonia	< 0.20	0.20	0.65		1	mg/L		02/06/07	EPA 350.1	EPA 350.1
Nitrogen, Ammonium	< 0.21	0.21	0.69		1.06	mg/L		02/06/07	EPA 350.1	EPA 350.1
Nitrogen, NO3 + NO2	1.6	0.11	0.37		1	mg/L		02/08/07	EPA 353.2	EPA 353.2

Impacted Off-Source Property Information

Form 4400-246 (R 3/08)

This fillable form is intended to provide a list of information that must be submitted for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request (Section H). 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 #:

02-67-547260

ACTIVITY NAME:

GUNDRUM BROGUNDRUM BROS FARM SUPPLY INC-

ID	Off-Source Property Address	Parcel Number	WTM X	WTM Y
A	150 Veterans Ave, West Bend, WI 53095	1119-141-0014	667228	329512
B				
C				
D				
E				
F				
G				
H				
I				



WEST BEND REDEVELOPMENT AUTHORITY

September 5, 2008

RE: Notification of Right-of-Way Groundwater Contamination
Former Gundrum Brothers Farm Supply, Inc., 210 Wisconsin Street
(Veterans Avenue between W. Washington Street and Water Street), West Bend, WI
BRRTS # 02-67-547260

Dear Ms. Reuteman:

The West Bend Redevelopment Authority (RDA) has obtained site closure from the Department of Agriculture, Trade and Consumer Protection (DATCP) for the former Gundrum Brothers Farm Supply, Inc., which was referenced by the street address of 210 Wisconsin Street and was located along Veterans Avenue between W. Washington Street and Water Street in the City of West Bend. Case closure for the site was granted by DATCP in a letter dated August 12, 2008.

This letter has been prepared to formally notify the City of West Bend and its departments, specifically Engineering and Public Works, that residual groundwater impacts may be present in the Veterans Avenue right-of-way near the former Gundrum Brothers facility. The most recent groundwater sampling event performed at monitoring well MW-33, located adjacent to the east side of Veterans Avenue, (Figure 1) in April 2007 indicated that nitrate + nitrate was detected above the WDNR's chapter NR 140 groundwater enforcement standard (ES). The RDA installed monitoring well MW-33 and related monitoring wells as part of its assessment of TIF District #5.

The DATCP project manager for this site can be contacted at the following address:

Mr. Richard C. Graham, PG
Environmental Quality Section
Wisconsin Department of Agriculture, Trade and Consumer Protection
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911
Telephone: (608)224-4502

If you have any questions or require any additional information, please feel free to contact me.

Sincerely Yours,

John B. Capelle
Executive Director

DOC#: 1049666



Recorded
MAY 21, 2004 AT 12:45PM
SHARON A. MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$15.00

AWARD OF DAMAGES

By Redevelopment Authority of the City of West Bend

LPA 3033 (PT1659) 99

This award of damages is made pursuant to a relocation order of the Redevelopment Authority of the City of West Bend dated July 9, 2003 in the office of the County Clerk of Washington County, for the improvement of Riverfront (Tax Incremental Finance District #9) Redevelopment Plan Project Area in Washington County.

The Redevelopment Authority of the City of West Bend, having determined it necessary to acquire for the purpose set forth in and in accordance with said relocation order, has directed its Agent to acquire, in the name of the Redevelopment Authority of the City of West Bend, a parcel of real estate and/or rights therein as set forth, in and to which the following persons have an interest: Steven N. Picus and Steven N. Picus, trustee of the Leonard A. Picus Revocable Living Trust dated December 5, 1997; M & I Marshall & Ilsley Bank; US Small Business Administration; Fields Furniture, lessee; Family Center of Washington County, lessee; Pointer Marketing, Inc., lessee; Abundant Life Church Bookstore, lessee; Abundant Life Church, lessee.

The interest acquired by this award is Fee Simple.
Legal description is attached thereto and made a part thereof.

Said parcel of real estate and/or interests therein will be occupied by the Redevelopment Authority of the City of West Bend or its agents on September 30, 2004. The Redevelopment Authority of the City of West Bend, having complied with all jurisdictional requirements pursuant to law, makes this award of damages to the above persons having an interest in said parcel of real estate, in the sum of One Million Eight Hundred Eighty Five Thousand and NO/100 Dollars (\$1,885,000.00), for the acquisition of said parcel of real estate and interests therein as set forth.

Fee Exempt (2)(f)

This space is reserved for recording data

Return to
HNTB Corporation
Attn: Ted J. Torcivia
11414 West Park Place
Suite 300
Milwaukee, WI 53224

153

Parcel Identification Number/Tax Key Number

1119-141-0014

Redevelopment Authority of the City of West Bend

(Acquiring Agency)

J. Torcivia
(Official)

Director of Community Development
(Title)

May 21, 2004
(Date)

EXHIBIT 'A'

Fidelity National Title

Commitment Number: MTX 1099

**SCHEDULE C
PROPERTY DESCRIPTION**

The land referred to in this Commitment is described as follows:

PARCEL I:

That part of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section Thirteen (13) and that part of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Fourteen (14), Township Eleven (11) North of Range Nineteen (19) East, also being parts of lots Six (6), Seven (7), Eight (8), Nine (9) and Ten (10), Block One (1) and part of East River Street (said East River Street now vacated), in "Mayer's Addition," to the Village (now city) of West Bend, Washington County, Wisconsin, described as follows:

Commencing at the northeast corner of said Section 14; thence North 89 degrees 57 minutes 22 seconds West along the section line, 216.90 feet; thence South 17 degrees 57 minutes 34 seconds East along the centerline of Island Avenue, 680.60 feet; thence South 72 degrees 02 minutes 26 seconds West, 40.00 feet to the point of beginning; thence South 17 degrees 57 minutes 34 seconds East along the westerly right-of-way line of said Island Avenue, 410.20 feet; thence South 72 degrees 07 minutes 00 seconds West along the building line, 44.25 feet; thence South 17 degrees 55 minutes 00 seconds East along the building overhang line, 12.00 feet; thence South 72 degrees 07 minutes 00 seconds West along the building overhang line, 78.10 feet; thence North 17 degrees 55 minutes 00 seconds West along the building line, 422.20 feet; thence North 72 degrees 07 minutes 00 seconds East along the building line, 43.80 feet; thence North 17 degrees 55 minutes 00 seconds West along the building overhang line, 12.00 feet; thence North 72 degrees 07 minutes 00 seconds East along the building overhang line, 34.30 feet; thence South 17 degrees 55 minutes 00 seconds East along the building overhang line, 12.00 feet; thence North 72 degrees 07 minutes 00 seconds East along the building line, 43.95 feet to the point of beginning.

PARCEL II:

A non-exclusive easement for the benefit of Parcel I as created by Declaration of Easements recorded in the Washington County Registry in Volume 764 of Records on pages 1-5, as Document No. 441312 and subsequently assigned by Assignment of Easement Rights recorded in the Washington County Registry in Volume 919 of Records on pages 510-514, as Document No. 502578, and further assigned by Assignment of Easement Rights recorded in the Washington County Registry in Volume 1422 of Records, on page 670 as Document No. 666198, over and across the following real estate:

That part of the NW 1/4 of the NW 1/4 of Section 13 and that part of the NE 1/4 of the NE 1/4 of Section 14-11-19 East, also being parts of Lots 6, 7, 8, 9 and 10, Block 1 and part of East River Street (said East River Street now vacated), in "Mayer's Addition" to the Village (now city) of West Bend; Washington County, Wisconsin, described as follows:

Commencing at the northeast corner of said Section 14; thence North 89 degrees 57 minutes 22 seconds West along the section line, 216.90 feet; thence South 17 degrees 57 minutes 34 seconds East along the centerline of Island Avenue, 680.60 feet; thence South 72 degrees 02 minutes 26 seconds West, 40.00 feet to the point of beginning; thence South 72 degrees 07 minutes 00 seconds West, 122.05 feet; thence South 17 degrees 55 minutes 00 seconds East, 410.20 feet; thence North 72 degrees 07 minutes 00 seconds East, 122.35 feet; thence South 17 degrees 57 minutes 34 seconds East along the westerly right-of-way line of Island Avenue, 30.00 feet; thence South 72 degrees 07 minutes 00 seconds West, 152.35 feet; thence North 17 degrees 55

OFF-SOURCE
A
PROPERTY

004 14:59 FAX 414 359 2314

HNTB CORPORATION

004

DOC# 1049666

Fidelity National Title

Commitment Number: MTX 1099

SCHEDULE C
(Continued)

minutes 00 seconds West, 409.64 feet; thence North 4 degrees 59 minutes 11 seconds West, 62.13 feet; thence North 72 degrees 07 minutes 00 seconds East, 138.15 feet; thence South 17 degrees 57 minutes 34 seconds East along the westerly right-of-way line of said Island Avenue, 30.00 feet to the point of beginning.

Property Address: 150 Veterans Ave., West Bend, WI 53095

Tax Key No. 1119 141 0014

Legal Description Certification
Former Fields Furniture Property – West Bend, Wisconsin



Mr. John Capelle
Executive Director
West Bend Redevelopment Authority

“I certify that the attached legal description for the Former Fields Furniture Property is, to the best of my knowledge, complete and accurate.”