

GIS REGISTRY  
Cover Sheet

March, 2010  
(RR 5367)

Source Property Information

BRRTS #: 02-68-364248  
ACTIVITY NAME: Berns, Craig Property  
PROPERTY ADDRESS: 139 E. Wisconsin Ave.  
MUNICIPALITY: Pewaukee  
PARCEL ID #: 0899987

CLOSURE DATE: Jul 11, 2011

FID #: 268332790  
DATCP #:  
COMM #:

\*WTM COORDINATES:

X: 661527 Y: 291359

\*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" form)*
- Soil Contamination > \*RCL or \*\*SSRCL (232)
  - Contamination in ROW
  - Off-Source Contamination  
*(note: for list of off-source properties see "Impacted Off-Source Property" form)*

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 unit or economic development corporation was directed to take a response action)*

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 #:  PARCEL ID #:   
ACTIVITY NAME:  WTM COORDINATES: X:  Y:

**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.)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- 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: Plat of Survey**
- 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 11 x 17 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 #:**                      **Title: Site Plan**
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #: 2**                      **Title: Site Layout Map with Estimated Extent of Soil impacts**

BRRTS #: 02-68-364248

ACTIVITY NAME: BERNIS, CRAIG PROPERTY

**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 #:**                      **Title:**

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

**Figure #:**                      **Title:**

**Figure #:**                      **Title:**

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

Tables must be no larger than 11 x 17 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

- Soil Analytical Table:** A table showing remaining soil contamination with analytical results and collection dates.  
**Note:** This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

**Table #: 1                      Title: Soil Boring Analytical Results**

- 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 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 #: 02-68-364248

ACTIVITY NAME: BERNIS, CRAIG PROPERTY

## NOTIFICATIONS

### Source Property

**Not Applicable**

- 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.

**Not Applicable**

- 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.

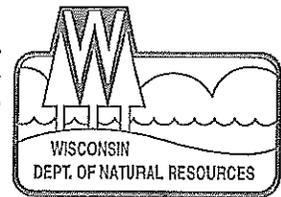
**Number of "Off-Source" Letters:**

- 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**

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
Waukesha Service Center  
141 NW Barstow St., Room 180  
Waukesha, WI 53188-3789

Scott Walker, Governor  
Cathy Stepp, Secretary  
John Hammen, Acting Regional Director  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711



July 11, 2011

Mr. John Troudt  
River Edge Parking, LLC  
P.O. Box 470  
Pewaukee, WI 53072

SUBJECT: Final Case Closure with Continuing Obligations  
Craig Berns Property, 139 E. Wisconsin Ave., Pewaukee, WI  
WDNR BRRTS Activity #: 02-68-364248  
WDNR FID #: 268332790

Dear Mr. Troudt:

On June 28, 2011, the Wisconsin Department of Natural Resources (the Department) reviewed the above referenced case for closure. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. The Department reviewed the case closure request regarding the polycyclic aromatic hydrocarbons and lead soil contamination at this site. Based on the correspondence and data provided, it appears that your case meets the closure requirements in Chapter NR 726, Wisconsin Administrative Code (Wis. Adm. Code). The Department considers this case closed and no further investigation or remediation is required at this time. However, you and future property owners must comply with certain continuing obligations as explained in this letter.

### GIS Registry

This site will be listed on the Remediation and Redevelopment Program's internet accessible GIS Registry, to provide notice of residual contamination, and of any continuing obligations. The continuing obligations for this site are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed.
- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier (cross-hatched area shown on attached Site Plan map)

All site information, including the pavement maintenance plan, is also on file at the Waukesha Service Center DNR office, at 141 NW Barstow, Waukesha, WI 53188. This letter and information that was submitted with your closure request application, including the maintenance plan, will be included on the GIS Registry, in a PDF attachment. To review the

contact with residual soil contamination that might otherwise pose a threat to human health. Soil contamination remains in the area of former monitoring wells MW-10 and MW-11 as shown on the attached Site Layout Map and Estimated Extent of Soil Impact figure, and in the information submitted to the Department. If soil in the cross-hatched area is excavated in the future, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present, the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans. The attached Pavement Cover Maintenance Plan and Inspection Log are to be kept up-to-date and on-site. Please submit the Inspection Log to the Department only upon request.

#### Prohibited Activities

The following activities are prohibited on any portion of the site where pavement and soil cover is required as shown in the cross-hatched area of the attached Site Plan figure, unless prior written approval has been obtained from the Department: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure. Upon Department approval to replace the existing barrier, the replacement barrier must be one of similar permeability, until contaminant levels no longer exceed the applicable standards.

#### Post-Closure Notification Requirements

In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to:

Ms. Victoria Stovall  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
P.O. Box 12436  
Milwaukee, WI 53212

The following DNR fact sheet, RR-819, "Continuing Obligations for Environmental Protection" has been included with this letter, to help explain a property owner's responsibility for

Mr. John Troutd  
Craig Berns Property  
BRRTS# 02-68-364248

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continuing obligations on their property. If the fact sheet is lost, you may obtain a copy at <http://dnr.wi.gov/org/aw/rr/archives/pubs/RR819.pdf>.

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. The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Greg Moll at (262) 574-2165.

Sincerely,



Frances M. Koonce  
Team Supervisor  
Remediation & Redevelopment Program

Attachments:

Figure 2 – Site Layout Map with Estimated Extent of Soil Impact  
Figure – Site Plan  
Pavement Cover Maintenance Plan and Inspection Log  
Publication RR-819, "Continuing Obligations for Environmental Protection"

cc: Gregory S. Walsh, Assured Environmental Associates, Inc., w/o attachments  
SER Case File

## **PAVEMENT COVER MAINTENANCE PLAN**

June 27, 2011

Property Located at: 139 East Wisconsin Avenue, Pewaukee, WI

WDNR BRRTS Name: Craig Berns Property (Former)

WDNR BRRTS # 02-68-364248, FID: 268332790

### **Introduction**

This document is the Maintenance Plan for a pavement cover at the above-referenced property in accordance with the requirements of the letter dated November 22, 2010 from the Wisconsin Department of Natural Resources (WDNR) to Mr. Craig Berns. The maintenance activities relate to the paved surfaces occupying the area over the soil on-site. The contaminated soil is impacted by Polynuclear Aromatic Hydrocarbons (PAHs) Diesel Range Organic Compounds (DROs) and lead. The lead impacts observed in soil samples in excess of the NR 720 Residential Residual Contaminant Level are not generally indicated at direct contact intervals except for probes P-10 and P-11 (0- to 4-feet below ground surface) or groundwater depths (in excess of 8-feet below ground surface) on the Property. The PAH impacts exceed the WDNR Guidance concentration provided in RR-519 in P-10. Soil with DRO concentrations in excess of the NR 720 DRO Generic Residual Contaminant Levels of 100 ppm were limited in extent to 2 samples submitted for laboratory analysis. The location of the paved surfaces to be maintained in accordance with this Maintenance Plan, as well as the impacted soil, is identified in the attached map (Figure 2).

### **Cover and Building Barrier Purpose**

The paved surfaces over the contaminated soil serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

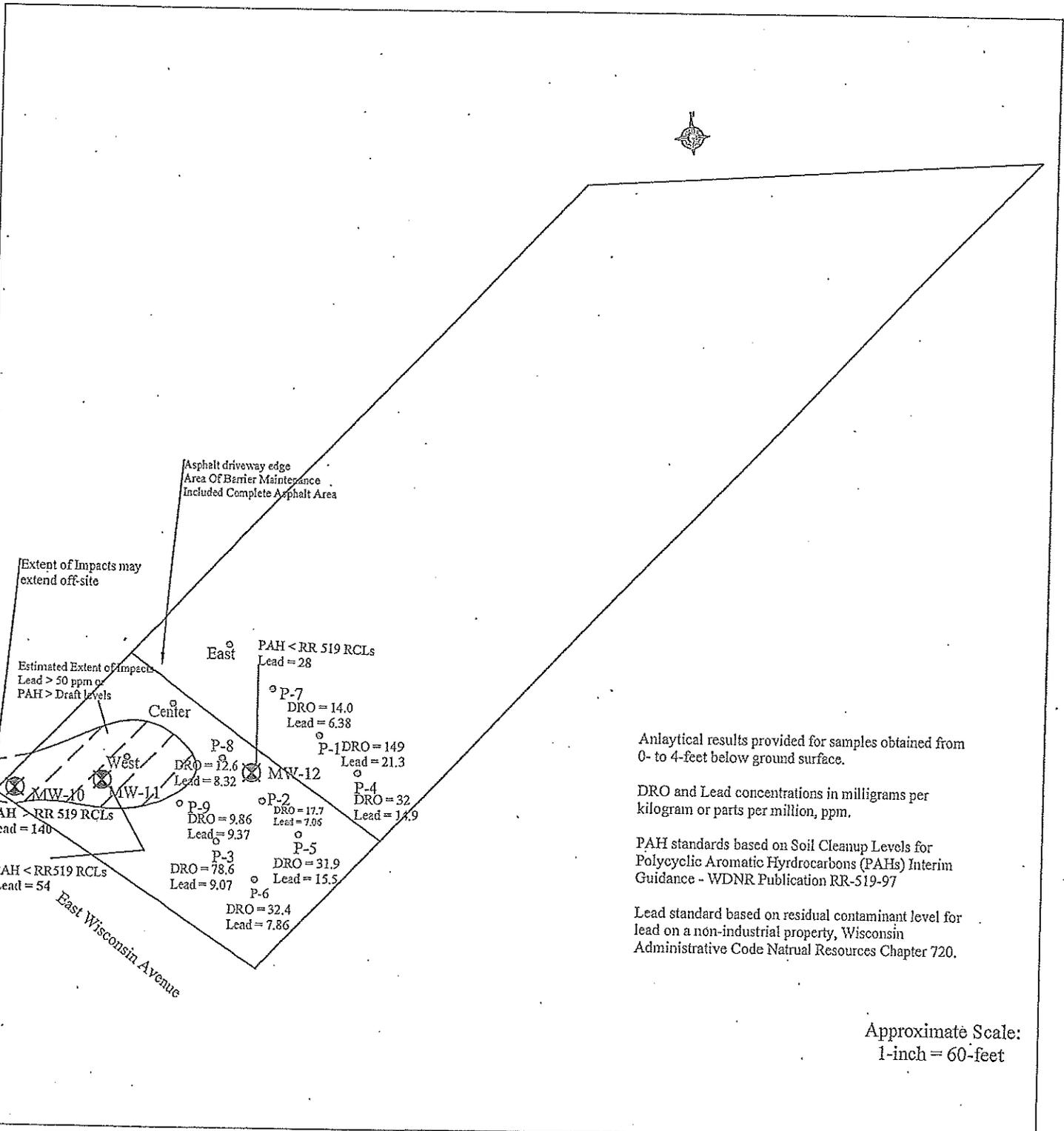
### **Annual Inspection**

The paved surfaces as depicted in Exhibit A will be inspected once a year, normally in the spring after all snow and ice is gone, for deterioration, cracks and other potential problems that can cause exposure to underlying soils. The inspections will be performed to evaluate damage due to settling, exposure to the weather, wear from traffic, increasing age and other factors. Any area where soils have become or are likely to become exposed will be documented. A log of the inspections and any repairs will be maintained by the property owner and is included as Exhibit B, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed. Once repairs are completed, they will be documented in the inspection log. The inspection log must be kept on site and made immediately available for review by the WDNR. Do not submit a copy of the log annually.

Pavement Cover Maintenance Plan  
Former Craig Berns Property  
139 East Wisconsin Avenue  
Pewaukee Wisconsin  
WDNR BRRTS # 02-68-364248, FID: 268332790  
Page 3

Assured Environmental Associates, Inc.  
14120 W. Glendale Avenue  
Brookfield, WI 53005

Wisconsin Department of Natural Resources  
Waukesha Service Center  
141 NW Barstow Street, Room 180  
Waukesha, WI 53188  
262-574-2100



**Figure 2**  
**Site Layout Map with Estimated Extent of Soil Impacts**  
**139 East Wisconsin Avenue**  
**Pewaukee, Wisconsin**

Monitoring Well Location

Geoprobe Location



Assured Environmental Associates, Inc.  
 14120 West Glendale Avenue  
 Brookfield, Wisconsin







UC2810126-002

STATE BAR OF WISCONSIN FORM 3 - 1982  
QUIT CLAIM DEED

000609 JUN 12 8

2810126  
REGISTER'S OFFICE  
WAUKESHA COUNTY, WI  
RECORDED ON

06-12-2002 9:42 AM

MICHAEL J. HASSLINGER  
REGISTER OF DEEDS

REC. FEE: 6.00  
REC. FEE-CO: 5.00  
REC. FEE-ST: 2.00  
TRAN. FEE:  
TRAN. FEE-STATE: 2  
PAGES: 2

This Deed, made between CRAIG L. BERNS AND MARY B. BERNS,  
HUSBAND AND WIFE, Grantor,  
and MKC, LLC, Grantee,  
Grantor quit claims to Grantee the following described  
real estate in County, State of Wisconsin:

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

CRAIG BERNS SALON  
145 PARK AVENUE  
PEWAUKEE WI 53072

Tax Parcel #PWV 899.985;899-987

PARCEL IDENTIFICATION NUMBER

SEE REVERSE SIDE FOR LEGAL DESCRIPTION

# FEE 77.25 (5)  
EXEMPT

Jul 13/2

Together with all appurtenant rights, title and interests.

Dated this 11<sup>th</sup> day of June, 2002. <sup>CB</sup> MB

[Signature] (SEAL)

\* CRAIG L. BERNS

\_\_\_\_\_ (SEAL)

[Signature] (SEAL)

\* MARY BETH BERNS

\_\_\_\_\_ (SEAL)

AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated this \_\_\_ day of \_\_\_\_\_, 20\_\_

ACKNOWLEDGMENT

STATE OF WISCONSIN )  
Waukesha COUNTY ) ss.

Personally came before me this 11<sup>th</sup> day  
of June, 2002 the above  
named CRAIG L. BERNS AND MARY B. BERNS,  
HUSBAND AND WIFE  
to me known to be the persons 5 who  
executed the foregoing instrument and  
acknowledge the same.

TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by - 706.06 Wis. Stats.)

[Signature]

This instrument was drafted by  
ALAN H. DEUTCH  
NEW BERLIN, WISCONSIN  
(Signatures may be authenticated or  
acknowledged. Both are not necessary.)

Notary Public, Waukesha County, WI  
My Commission expires June 20, 2004  
File No. \*

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

PARCEL I:

000010 JUN 12 0

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION NINE (9), TOWNSHIP SEVEN (7) NORTH, RANGE NINETEEN (19) EAST, IN THE VILLAGE OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT WHERE THE SOUTHEASTERLY LINE OF OAKTON AVENUE INTERSECTS THE NORTHEASTERLY LINE OF WISCONSIN AVENUE (FORMERLY MILWAUKEE STREET), IN THE VILLAGE OF PEWAUKEE; THENCE SOUTH  $38^{\circ}46'$  EAST ALONG THE NORTHEASTERLY LINE OF WISCONSIN AVENUE 395.75 FEET TO THE PLACE OF BEGINNING OF THE PARCEL HEREINAFTER DESCRIBED; THENCE CONTINUING SOUTH  $38^{\circ}46'$  EAST ALONG SAID STREET LINE 60.00 FEET TO A POINT; THENCE NORTH  $64^{\circ}54'$  EAST 488.51 FEET TO THE CENTER OF A CREEK (OUTLET TO PEWAUKEE LAKE); THENCE NORTH  $73^{\circ}32'$  WEST ALONG THE CENTER OF SAID CREEK 87.87 FEET TO A POINT; THENCE SOUTH  $64^{\circ}54'$  WEST 436.95 FEET TO THE PLACE OF BEGINNING.

TAX KEY #899.985

PARCEL II:

ALL THAT PART OF THE SOUTHWEST ONE-QUARTER ( $1/4$ ) OF SECTION NINE (9), IN TOWNSHIP SEVEN (7) NORTH, RANGE NINETEEN (19) EAST, IN THE VILLAGE OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE POINT WHERE THE SOUTHEASTERLY LINE OF OAKTON AVENUE INTERSECTS THE NORTHEASTERLY LINE OF WISCONSIN AVENUE IN THE VILLAGE OF PEWAUKEE; THENCE SOUTH  $38^{\circ}26'$  EAST ALONG THE NORTHEASTERLY LINE OF WISCONSIN AVENUE, 317.35 FEET TO THE PLACE OF BEGINNING OF THE PARCEL HEREINAFTER DESCRIBED; THENCE CONTINUING SOUTH  $38^{\circ}46'$  EAST ALONG THE NORTHEASTERLY LINE OF THE ANNA MURPHY PROPERTY; THENCE NORTH  $64^{\circ}54'$  EAST ALONG THE NORTHWESTERLY LINE OF SAID MURPHY PROPERTY, 436.95 FEET TO THE CENTER OF THE CREEK (OUTLOT TO PEWAUKEE LAKE); THENCE NORTH  $71^{\circ}34'$  WEST ALONG THE CENTER OF THE CREEK, 119.20 FEET; THENCE SOUTH  $63^{\circ}59'$  WEST, 369.10 FEET TO THE PLACE OF BEGINNING.

TAX KEY NO. PWV ~~899.985~~  
1913X1

LEGAL DESCRIPTION

MAP OF SURVEY

All that part of the Southwest 1/4 of Section 9, Township 7 North, Range 19 East, in the Village of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows, to wit:

Commencing at the point where the southeasterly line of Oakton Avenue intersects the northeasterly line of Wisconsin Avenue in the Village of Pewaukee; thence South 38° 46' East along the northeasterly line of Wisconsin Avenue, 317.35 feet to the place of beginning of the parcel hereinafter described; thence continuing South 38° 46' East along the northeasterly line of Wisconsin Avenue, 78.40 feet to the northwesterly line of the Anna Murphy property; thence North 54° 54' East along the northwesterly line of said Murphy property, 436.95 feet to the center of the creek (outlet to Pewaukee Lake); thence North 71° 34' West along the center of the creek, 119.20 feet; thence South 63° 59' West, 359.10 feet to the place of beginning.

SCALE 1"=30'

SURVEYED FOR: CRAIG BURNS

PEWAUKEE RIVER  
N 71°34'25" W 119.16

PARCEL II

100 YEAR FLOOD PLANE - 849.0

I have surveyed the above described property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements, roadways and visible encroachments.

This survey is made for the exclusive use of the present owners of the property; also those who purchase, mortgage or guarantee the title thereto, within one year from date hereof, and to them I warrant the accuracy of said survey and map.

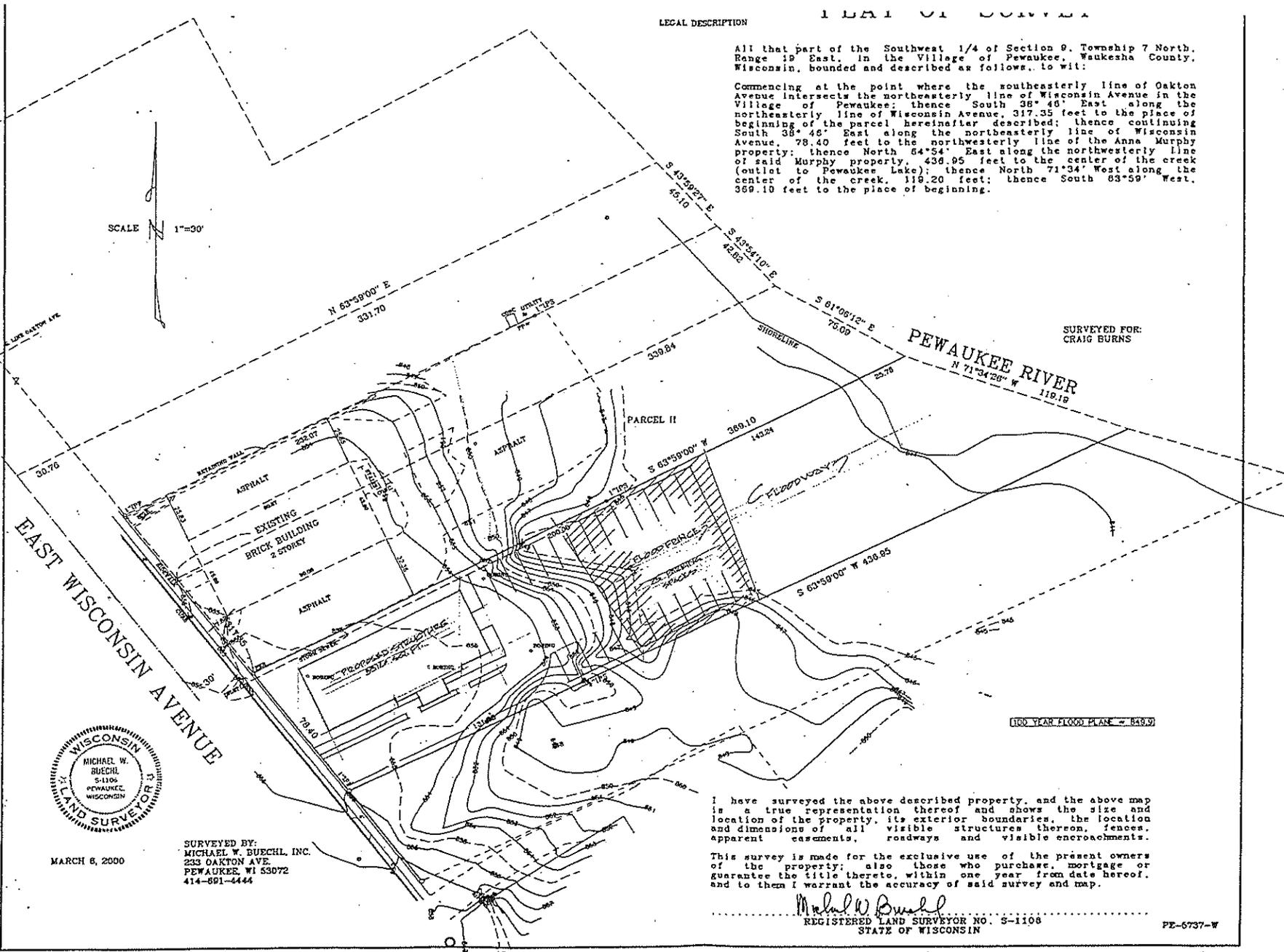
*Michael W. Buechl*  
REGISTERED LAND SURVEYOR NO. S-1108  
STATE OF WISCONSIN

PE-6737-W



MARCH 8, 2000

SURVEYED BY:  
MICHAEL W. BUECHL, INC.  
233 OAKTON AVE.  
PEWAUKEE, WI 53072  
414-891-4444



SIGNED STATEMENT BY RESPONSIBLE PARTY (REPRESENTATIVE) THAT THE LEGAL DESCRIPTION ATTACHED TO THIS STATEMENT IS COMPLETE AND ACCURATE FOR THE REFERENCED PROPERTY

As the responsible party for the property located at 139 East Wisconsin Avenue, Pewaukee, Wisconsin, I believe the legal description provided to the Wisconsin Department of Natural Resources for the case file referenced DNR BRRTS # 02-68-364248 is complete and accurate to the best of my knowledge.



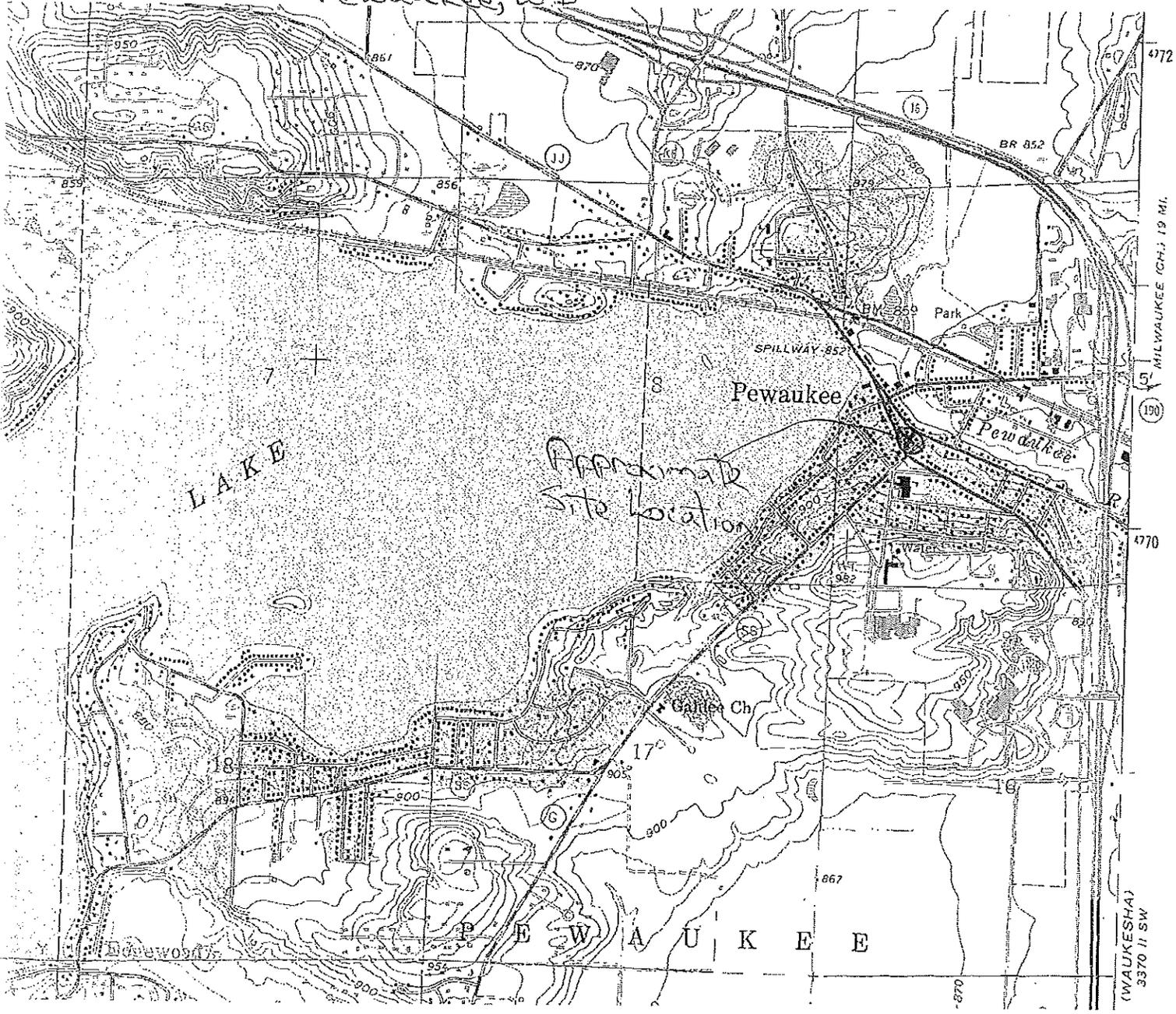
Signature

4-13-11  
Date

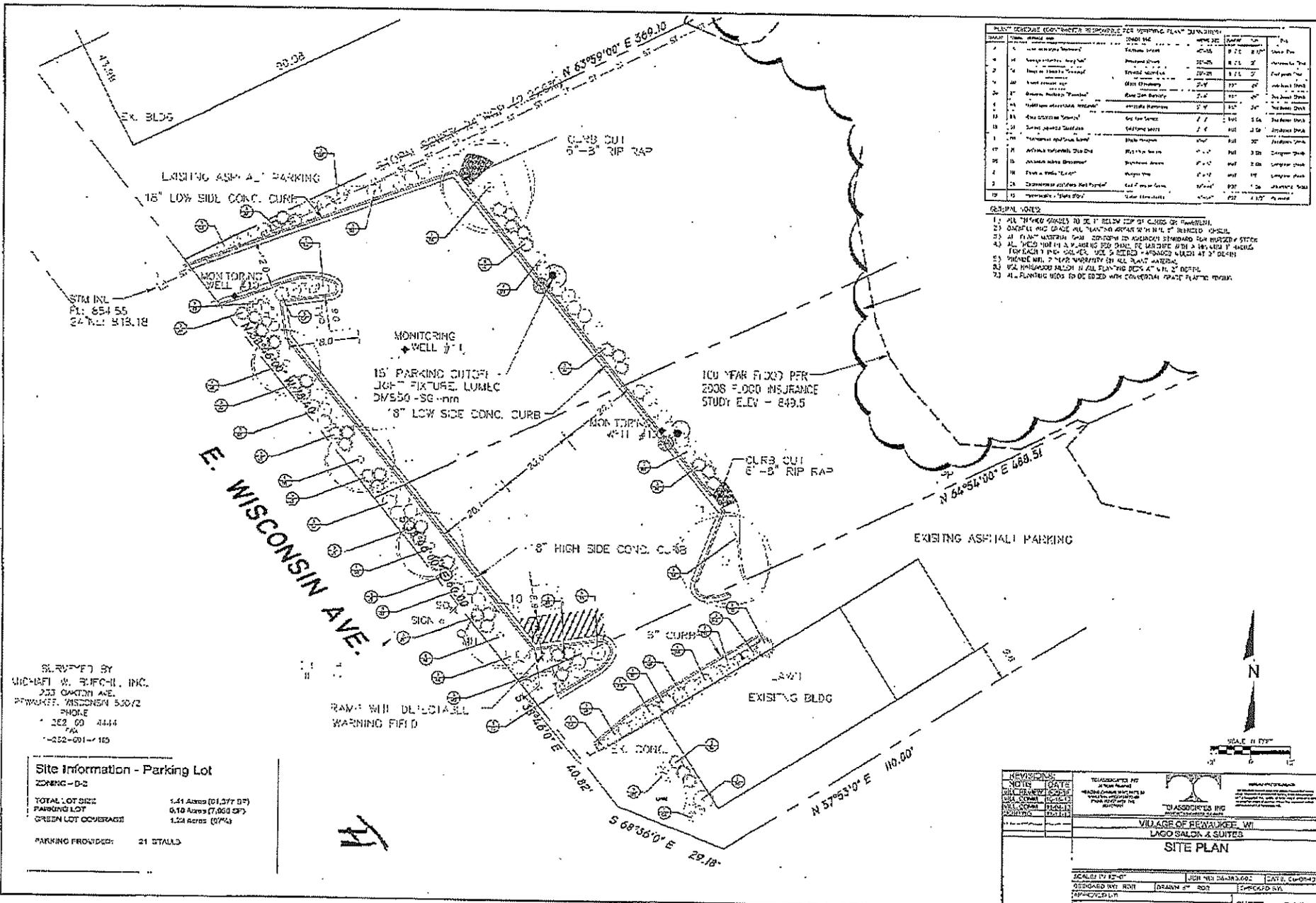
John Trout President

Printed Name and Title

Figure 1  
Site Location Map  
139 East Wisconsin Ave  
Pewaukee, WI



Hartland Quadrangle  
Scale: 1 : 24 000



NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL	REMARKS
1	15' PARKING CUTOFF	1	LINEAL FT	100.00	100.00	
2	18\"/>					

- GENERAL NOTES
1. ALL "HARD" GRADES TO BE 1" BELOW TOP OF CURB OR PAVEMENT.
  2. SLOPES AND GRADE ALL "HARD" GRADES TO BE 1" IN 10' UNLESS OTHERWISE NOTED.
  3. ALL "HARD" GRADES SHALL BE CONFORM TO ADEQUATE STANDARD FOR PAVED SURFACE.
  4. ALL "HARD" GRADES SHALL BE FINISHED TO THE SAME ELEVATION AS SHOWN BY FINISH FOR EACH 1" PER 100'. USE 5' BENCH MARKS AT ALL 1" BENCH.
  5. "HARD" GRADES SHALL BE FINISHED TO THE SAME ELEVATION AS SHOWN BY FINISH FOR EACH 1" PER 100'.
  6. ALL "HARD" GRADES SHALL BE FINISHED TO THE SAME ELEVATION AS SHOWN BY FINISH FOR EACH 1" PER 100'.
  7. ALL "HARD" GRADES TO BE FINISHED TO THE SAME ELEVATION AS SHOWN BY FINISH FOR EACH 1" PER 100'.

SURVEYED BY  
 MICHAEL W. BURCH, INC.  
 233 OAKTON AVE.  
 PRIMAVERA, WISCONSIN 53072  
 PHONE  
 262 60 4444  
 FAX  
 262-691-110

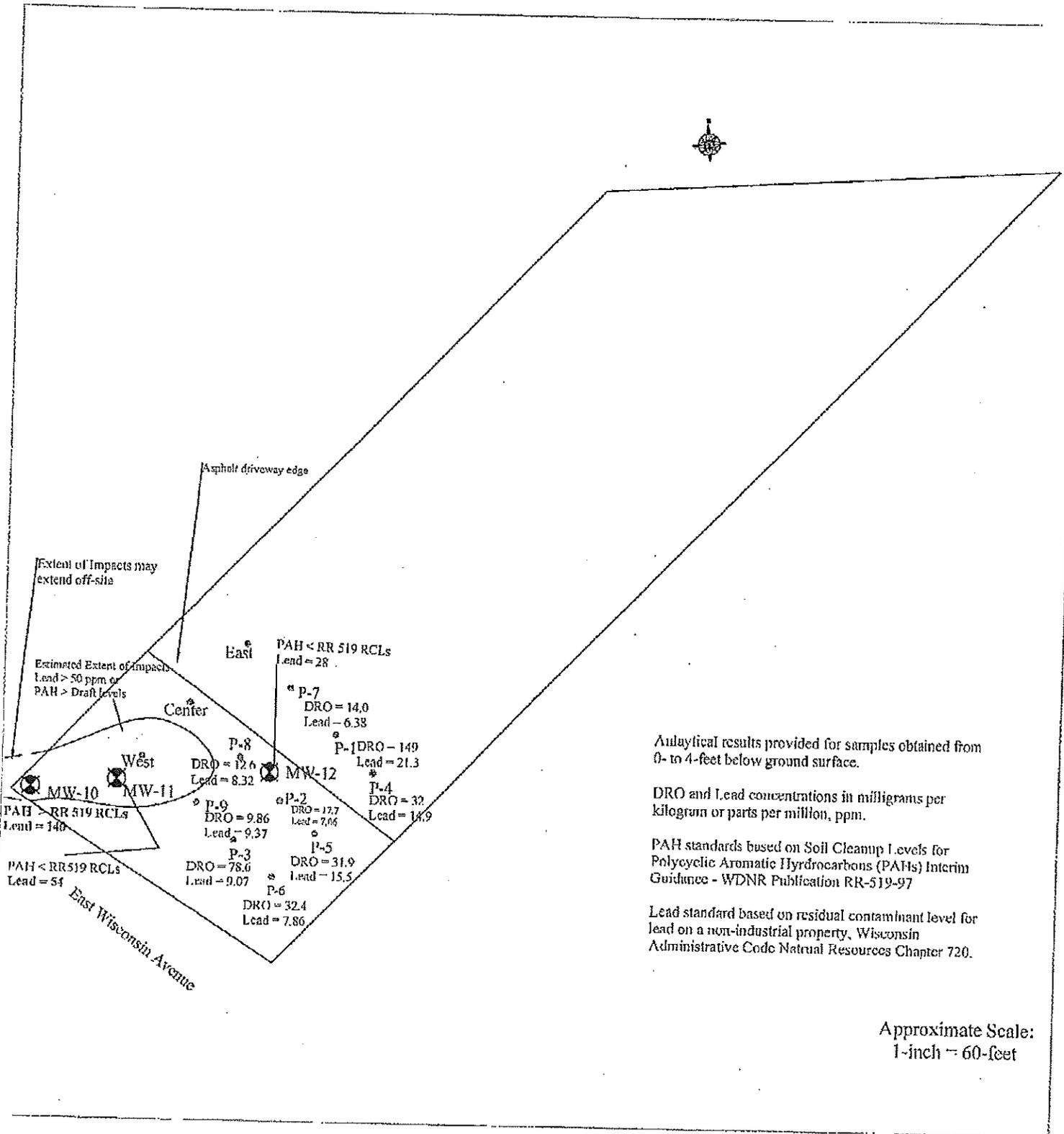
Site Information - Parking Lot  
 ZONING - D-2  
 TOTAL LOT SIZE 1.41 Acres (61,377 SF)  
 PARKING LOT 0.10 Acres (4,360 SF)  
 GREEN LOT COVERAGE 1.24 Acres (53,714 SF)  
 PARKING PROVIDER: 21 STALLS

REVISIONS:	DATE:	BY:	DESCRIPTION:

DESIGNED BY: RWH  
 DRAWN BY: RWH  
 CHECKED BY: RWH

VILLAGE OF PRIMAVERA, WI  
 LAGO SAILON A SUITES  
 SITE PLAN

SHEET C-10



**Figure 2**  
**Site Layout Map with Estimated Extent of Soil Impacts**  
**139 East Wisconsin Avenue**  
**Pewaukee, Wisconsin**

Monitoring Well Location   
 Geoprobe Location 



Assured Environmental Associates, Inc.  
 14120 West Glendale Avenue  
 Brookfield, Wisconsin

**Table 1**  
**Soil Boring Analytical Results<sup>1</sup>**  
**Mr. Craig Berns Property**  
**139 East Wisconsin Avenue, Pewaukee, Wisconsin**

Sample Location (Depth Interval)	DRO	Lead
East (6'-8') <sup>1</sup>	NA	21.3
West (6'-8')	19.7	1370
Center (6'-8')	13.6	66.8
P-1 (0'-4')	149	21.3
P-1 (4'-8')	24.8	10.4
P-1 (8'-12')	19.0	16.9
P-2 (0'-4')	17.7	7.06
P-2 (4'-8')	18.8	170
P-2 (8'-12')	15.3	4.86
P-3 (0'-4')	78.6	9.07
P-3 (4'-8')	11.4	7.75
P-4 (0'-4')	32	14.9
P-4 (4'-8')	6.83	54.3
P-5 (0'-4')	31.9	15.5
P-5 (4'-8')	21.8	89.8
P-5 (8'-12')	5.85	4.43
P-6 (0'-4')	32.4	7.86
P-6 (4'-8')	6.45	23.6
P-6 (8'-12')	6.15	3.15
P-7 (0'-4')	14.0	6.38
P-7 (4'-8')	46.8	23.7
P-7 (8'-12')	126	25.9
P-8 (0'-4')	12.6	8.32
P-8 (4'-8')	18.1	47.4
P-8 (8'-12')	7.37	10.9
P-9 (0'-4')	9.86	9.37
P-9 (4'-8')	15.0	302

1 Sampling completed 6/18/2002 or earlier; DRO concentrations in excess of 100 ppm are in bold. Lead concentrations above 50 ppm are in bold.

2 GRO results from samples from West, and Center were reported to be below the laboratory detection limits.

Table I  
 Craig Berns Property  
 Soil Analytical Results  
 139 East Wisconsin Avenue  
 Pewaukee, Wisconsin

Parameter	Standard		P10	P11	P12
	RR 519 Direct Contact	RR 519 Ground water	Value	Value	Value
Lead	Footnote	Footnote	<b>140</b>	54	28
Anthracene	5000	3000	0.045	<0.039	<0.040
Acenaphthene	18	0.7	<0.041	<0.039	<0.040
Acenaphthylene	900	38	<b>0.021 J</b>	<0.039	<0.040
Benzo(a)anthracene	0.088	360	<b>0.3</b>	<0.039	<0.040
Benzo(a)pyrene	0.0088	48	<b>0.29</b>	<0.039	<0.040
Benzo(b)fluoranthene	0.88	38	0.65	<0.039	0.015 J
Benzo(g,h,i)perylene	1.8	6800	0.072	<0.039	<0.040
Benzo(k)fluoranthene	0.88	870	0.69	<0.039	0.015 J
Chrysene	8.8	37	0.31	<0.039	<0.040
Dibenz(a,h)anthracene	0.088	38	<b>0.022 J</b>	<0.039	<0.040
Fluoranthene	600	500	0.68	<0.039	0.013 J
Fluorene	600	100	0.014 J	<0.039	<0.040
Indeno(1,2,3-cd)pyrene	0.088	680	0.084	<0.039	<0.040
Naphthalene	20	0.4	<0.041	<0.039	<0.040
Phenanthrene	18	1.8	0.22	<0.039	<0.040
Pyrene	500	8700	0.48	<0.039	<0.040

Sampling completed on 7/28/10. Sampling depth: 0- to 4-feet below ground surface.

All concentrations in mg/ kg or parts per million, ppm

Concentration in bold exceeds RR 519 Direct Contact Standards for PAH compounds or the NR 720 Standard for lead.

The NR 720 RCL for lead is 50 ppm for non-industrial land use and 500 ppm for industrial land use.

April 25, 2011

Mr. David White  
Director of Public Works/Village Engineer  
Village of Pewaukee  
235 Hickory Street  
Pewaukee, WI 53072

Re: Notification of Residual Soil Contamination in the Right of Way  
139 East Wisconsin Avenue, Pewaukee, Wisconsin

Dear Mr. White:

As a requirement of the Wisconsin Department of Natural Resources (WDNR) I am providing this letter to provide written notification of the presence of residual soil contamination in the right of way near our property at 139 East Wisconsin Avenue based on the results of soil sampling near the property line. Further information can be obtained from the WDNR and referencing the Bureau of Remediation and Redevelopment Tracking System (BRRTS) number 03-68-364248.

Sincerely,

John Troudt, President  
River Edge Parking LLC

**Gregory Walsh**

---

**From:** John Troudt [jtroudt@surfprep.com]  
**Sent:** Wednesday, May 04, 2011 3:36 PM  
**To:** aea@wi.rr.com  
**Subject:** : Notice of Residual Soil Contamination

Greg I think this is OK for the acknowledgement from the Village. I should also be getting the other one from my neighbor to the north

Thanks

John Troudt

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**From:** Paul Boening [pboening@villageofpewaukee.com]  
**Sent:** Wednesday, May 04, 2011 3:35 PM  
**To:** John Troudt  
**Subject:** Notice of Residual Soil Contamination

Dear Mr. Troudt:

Thank you for delivering a copy of the "Notice of Residual Soil Contamination - Craig Berns Property" to Village Hall yesterday. Please accept this message as an acknowledgement of our receipt of the notice.

Sincerely,

Paul Boening, WCMC - Deputy Clerk  
Village of Pewaukee  
235 Hickory Street  
Pewaukee, WI 53072  
Ph: (262) 691-5660 Fax: (262) 691-5664  
<http://www.villageofpewaukee.us><<http://www.villageofpewaukee.us/>>