

**GIS REGISTRY**  
**Cover Sheet**

August 2011  
(RR-5367)

**Source Property Information**

CLOSURE DATE:

**BRRTS #:**

**ACTIVITY NAME:**

**PROPERTY ADDRESS:**

**MUNICIPALITY:**

**PARCEL ID #:**

**FID #:**

**DATCP #:**

**PECFA#:**

**\*WTM COORDINATES:**

**WTM COORDINATES REPRESENT:**

X:  Y:

*\* Coordinates are in  
WTM83, NAD83 (1991)*

Approximate Center Of Contaminant Source

Approximate Source Parcel Center

**Please check as appropriate:** (BRRTS Action Code)

**Contaminated Media:**

Groundwater Contamination > ES (236)

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

Contamination in ROW

Contamination in ROW

Off-Source Contamination

Off-Source Contamination

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

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

**Land Use Controls:**

N/A (Not Applicable)

Cover or Barrier (222)

Soil: maintain industrial zoning (220)

*(note: maintenance plan for  
groundwater or direct contact)*

*(note: soil contamination concentrations  
between non-industrial and industrial levels)*

Vapor Mitigation (226)

Structural Impediment (224)

Maintain Liability Exemption (230)

Site Specific Condition (228)

*(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 #: 02-68-552746 (No Dashes) PARCEL ID #: WAKC 1353424  
ACTIVITY NAME: Cretex Concrete Products Midwest- Lot 1 & Outlot 1 WTM COORDINATES: X: 663684 Y: 280060

**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 #: NA Title: Certified Survey Map 10488**
- 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 #: 2 Title: Site Layout**
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.  
**Figure #: 3 Title: Soil Contamination Map**

BRRTS #: 02-68-552746

ACTIVITY NAME: Cretex Concrete Products Midwest- Lot 1 & Outlot 1

**MAPS (continued)**

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

**Figure #: 4 Title: Cross Section A-A'**

**Figure #: 5 Title: Geological Cross-Section**

**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: Summary of Soil Sample 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 #: 02-68-552746

ACTIVITY NAME: Cretex Concrete Products Midwest- Lot 1 & Outlot 1

**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.*

**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:**

**Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

**Number of "Governmental Unit/Right-Of-Way Owner" Letters:**

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
Waukesha Service Center  
141 NW Barstow St  
Waukesha WI 53188

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 262-574-2100  
FAX 262-574-2128  
TTY Access via relay - 711



November 15, 2011

Mr. Michael Allan  
Wal-Mart Real Estate Business Trust  
2001 Southeast 10<sup>th</sup> Avenue  
Bentonville, AR 72716

Subject: Final Case Closure  
Former Cretex Concrete Products Midwest, Inc., Lot 1 and Outlot 1  
2000-2002 S. West Avenue, Waukesha, WI  
FID# 268354570, BRRTS# 02-68-552746

Dear Mr. Allan:

On September 30, 2011, the Wisconsin Department of Natural Resources (the Department) received the revised case closure request that was prepared by Professional Service Industries, Inc. (PSI) for the case at the above referenced property. The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases.

The Department reviewed the case closure request regarding the Polycyclic Aromatic Hydrocarbon (PAH) contamination at this site. Based on the correspondence and data provided, it appears that your case meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time. However, you and future property owners must comply with certain continuing obligations as explained in this letter.

#### GIS Registry

This site will be listed on the Remediation and Redevelopment Program's internet accessible GIS Registry, to provide notice of residual contamination, and of the 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.

All site information, including the maintenance plan, is also on file at the Southeast Regional DNR office, at 141 NW Barstow Street in Waukesha, WI. 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 sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If the property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4) (w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at <http://dnr.wi.gov/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

### Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. You must pass on both the information about these continuing obligations and the maintenance plan to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with attached maintenance plans are met.

### Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the pavement, building foundation and soil cover that currently exist at the site shall be maintained in compliance with the attached maintenance plan in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

Soil contamination remains at the site based on the information submitted to the Department of Natural Resources. If soil at the site 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.

### Prohibited Activities

The following activities are prohibited on any portion of the property where pavement, a building foundation or soil cover are required, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 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.

#### Chapter NR 140, Wis. Adm. Code Exemption

Recent groundwater monitoring data at this site indicates that for benzo(a)pyrene, benzo(b)fluoranthene and chrysene at monitoring well MW-3, lead and arsenic at MW-1, MW-2, MW-3 and MW-4, and tetrachloroethene in MW-2, contaminant levels exceed the NR 140 Preventive Action Limit (PAL) but are below the Enforcement Standard (ES). The Department may grant an exemption to a PAL for a substance of public health concern; other than nitrate, pursuant to s. NR 140.28(2)(b), Wis. Adm. Code, if all of the following criteria are met:

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

Based on the information you provided, the Department believes that these criteria have been or will be met because a remedial excavation has occurred and the site is capped. Therefore, pursuant to s. NR 140.28, Wis. Adm. Code, an exemption to the PAL is granted for benzo(a)pyrene, benzo(b)fluoranthene and chrysene at monitoring well MW-3, lead and arsenic at MW-1, MW-2, MW-3 and MW-4, and tetrachloroethene in MW-2. Please keep this letter, because it serves as your exemption.

#### 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 the Department's Milwaukee office at 2300 N. Dr. Martin Luther King Jr. Drive, Milwaukee, WI 53212, to the attention of Regional RR Program Associate.

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 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>.

Mr. Michael Allan

November 15, 2011

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 letter, please contact me at the letterhead address or (262) 574-2166.

Sincerely,

A handwritten signature in black ink, appearing to read "D. G. Volkert", with a long horizontal flourish extending to the right.

David G. Volkert, P.G.  
Hydrogeologist  
Bureau for Remediation & Redevelopment

Attachments

- Maintenance Plan
- RR 819

cc: Scott Prill, Reinhart, et al  
Kerry Hardin, R.A. Smith National, Inc.  
Matthew Dahlem, PSI  
Bill Phelps DG/5 w/o attachments  
SER File

## **BUILDING/CAP AND SOIL COVER BARRIER MAINTENANCE PLAN**

September 29, 2011

### **Property Located at:**

2000-2002 South West Avenue  
Waukesha, Wisconsin  
WDNR FID #: 268354570  
WDNR BRRTS #: 02-68-552746

### **Legal Description:**

Tax Key No.: WAKC1353424

Lot one (1) and Outlot one (1) of Certified Survey Map No. 10488, recorded December 21, 2007 in the office of the Register of Deeds for Waukesha County, Wisconsin as Document Number 3534066; being part of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , and the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 15, Township 6 North, Range 19 East in the City of Waukesha, Waukesha County, Wisconsin.

Lot 1 is the Wal-Mart store and parking lot/drive-way/landscaped islands-lawn areas. Outlot 1 is the location of the storm-water pond. Lot 2 is the land for outlots that will be available for commercial development. Lot 2 has been covered with vegetation to prevent erosion until the property is developed and a permanent cap can be installed.

### **Introduction**

This document is the Maintenance Plan for a building/cap and soil cover barrier on Lot 1 and Outlot 1 at the above-referenced property in accordance with the requirements of NR 724.13(2), Wisconsin Administrative Code (WAC). The maintenance activities relate to the existing 184,000± square foot Wal-Mart Supercenter structure and concrete/asphalt pavement and landscaped areas that are occupying the area over the contaminated soil and groundwater on-site.

More site-specific information about this property may be found in:

- The case file in the Wisconsin Department of Natural Resources (WDNR) Southeast Region regional office
- Bureau of Remediation and Redevelopment Tracking System (BRRTS) on the Web (WDNR's internet based data base of contaminated sites): <http://botw.dnr.state.wi.us/botw/SetUpBasicSearchForm.do>
- Geographic Information System (GIS) Registry PDF file for further information on the nature and extent of contamination: <http://dnrmaps.wisconsin.gov/imf/imfApplyTheme.jsp?index=1>; and
- The WDNR project manager for Waukesha County.

## **Description of Contamination**

Soil contaminated by diesel range organics (DRO) and certain polycyclic aromatic hydrocarbons (PAHs) may be located at a depth of 0-2 feet below ground surface (bgs) at SP-3, SP-5, SP-8, and SP-14 in the northwest portion of the property. The source of the contamination is fill previously placed on the property. Additionally, approximately 1,505.52 tons of soil was removed from this area in July 2010 for off-site licensed landfill disposal. Groundwater contaminated by certain volatile organic compounds (VOCs), Resource Conservation and Recovery Act (RCRA) metals, and PAHs is located at a depth of 6-17 feet bgs at groundwater monitoring wells MW-1 through MW-4 at concentrations exceeding the Wisconsin Preventative Action Limits (PALs). The extent of the soil contamination is shown in the attached map (Exhibit A) and has not been fully defined; thus, the entire property has been capped.

## **Description of the Building/Cap and Soil Cover Barrier**

The building/cap and soil cover barrier consists of the 184,000± square foot Wal-Mart Supercenter structure and concrete/asphalt covered parking lots and driveways that are occupying the area over the contaminated soil and groundwater on-site. The location of the building footprint/paved surface to be maintained in accordance with this Maintenance Plan is identified in the attached map (Exhibit B).

Twelve inches of topsoil was placed in the landscaped islands/planting beds/lawn areas on Lot 1. For the storm-water pond (Outlot 1), Wal-Mart placed 12-inches of topsoil outside the 100-year water level within the pond. Two feet of clay was placed below the water level of the pond. The topsoil on Lot 1 and Outlot 1 was vegetated with seeding and sod to prevent erosion and deterioration. In the areas not vegetated, the topsoil was covered by approximately 2.5-inches of bark/wood-chips, which is thick enough to prevent erosion and will be replaced as needed as it deteriorates.

Lot 2 was covered by sod for stabilization purposes until the outlots are planned for development. At that time, the developer of the outlots will work with the WDNR to determine the soil cover in the area to be developed.

## **Cover and Building Barrier Purpose**

The building/paved surfaces/ landscaped islands-lawn areas over the contaminated soil will serve as a barrier to prevent direct human contact with residual soil contamination that might otherwise pose a threat to human health. The building and paved surfaces also act as an infiltration barrier to minimize future soil-to-groundwater contamination migration that would violate the groundwater standards in ch. NR 140, WAC. Based on the current and future use of the property, the barrier should function as intended unless disturbed.

## **Annual Inspection**

The building/paved surfaces/landscaped islands-lawn areas overlying the contaminated soil 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 by the property owner or their designated representative. 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 impacted 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 C, Cap Inspection Log. The log will include recommendations for necessary repair of any areas where underlying soils are exposed and where infiltration from the surface will not be effectively minimized. Once repairs are completed, they will be documented in the inspection log. A copy of the inspection log will be kept at the address of the property owner and available for submittal or inspection by WDNR representatives upon their request.

## **Maintenance Activities**

If problems are noted during the annual inspections or at any other time during the year, repairs will be scheduled as soon as practical. Repairs can include patching and filling or larger resurfacing or construction operations. In the event that necessary maintenance activities expose the underlying soil, the owner must inform maintenance workers of the direct contact exposure hazard and provide them with appropriate personal protection equipment ("PPE"). The owner must also sample any soil that is excavated from the site prior to disposal to ascertain if contamination remains. The soil must be treated, stored and disposed of by the owner in accordance with applicable local, state and federal law.

In the event the building/paved surfaces/landscaped islands-lawn areas overlying the contaminated soil is removed or replaced, the replacement barrier must be equally impervious. Any replacement barrier will be subject to the same maintenance and inspection guidelines as outlined in this Maintenance Plan unless indicated otherwise by the WDNR or its successor.

The property owner, in order to maintain the integrity of the building/paved surfaces/landscaped islands-lawn areas, will maintain a copy of this Maintenance Plan on-site and make it available to all interested parties (i.e. on-site employees, contractors, future property owners, etc.) for viewing.

## **Prohibition of Activities and Notification of DNR Prior to Actions Affecting a Cover or Cap**

The following activities are prohibited on any portion of the property where pavement, a building foundation, soil cover, engineered cap or other barrier is required as shown on the attached map, unless prior written approval has been obtained from the WDNR: 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; or 6) construction or placement of a building or other structure.

**Amendment or Withdrawal of Maintenance Plan**

This Maintenance Plan can be amended or withdrawn by the property owner and its successors with the written approval of WDNR.

**Contact Information  
(as of September 2011)**

**Site Owner and Operator:** Wal-Mart Real Estate Business Trust  
Mr. David Cox  
2001 SE 10<sup>th</sup> Avenue  
Bentonville, Arkansas 72716  
(479) 273-4846

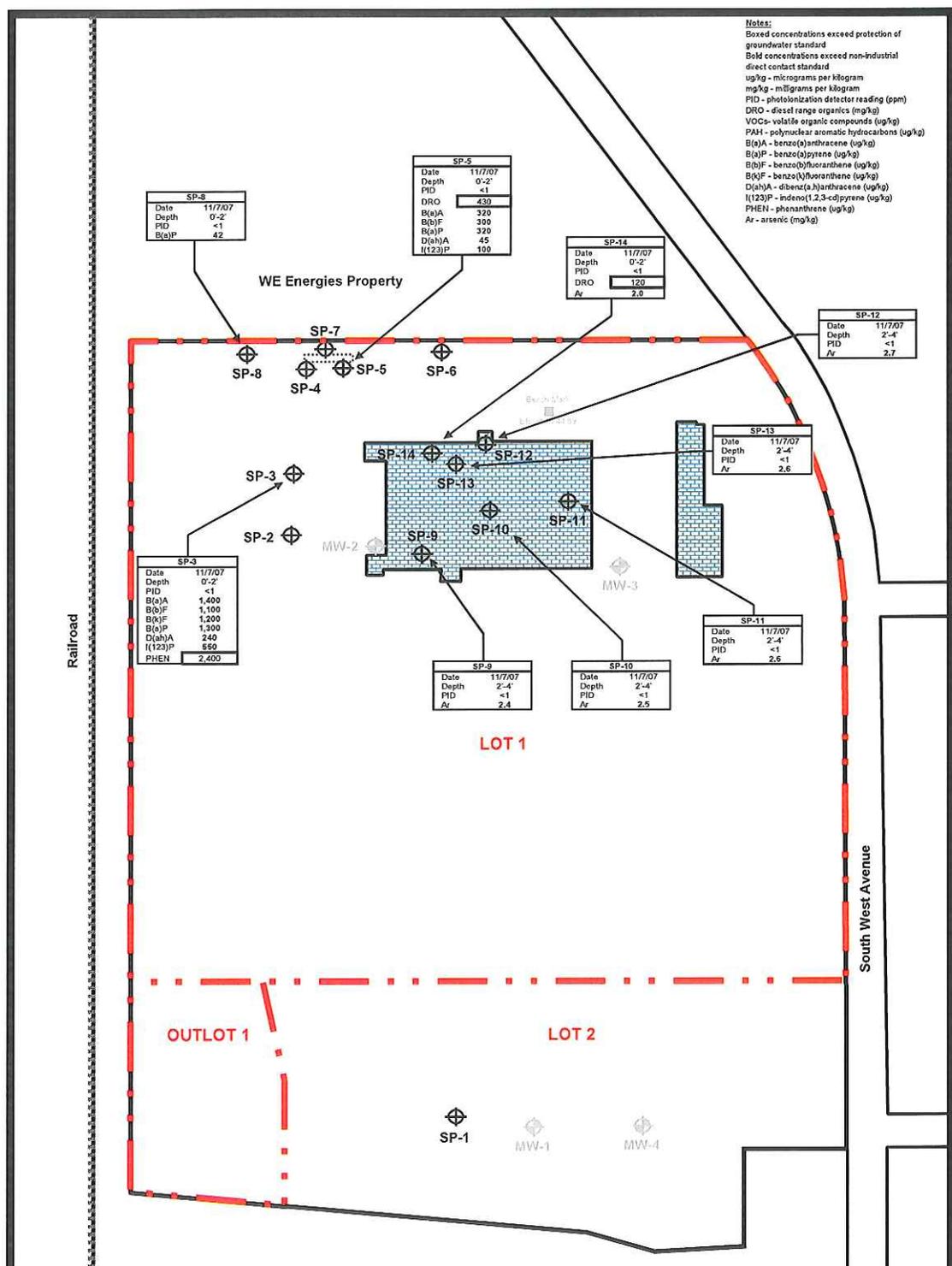
**Local Contact:** R. A. Smith National, Inc.  
Ms. Kerry Hardin, PE  
16745 West Bluemound Road  
Brookfield, Wisconsin 53005-5938  
(262) 781-1000

**Consultant:** Professional Service Industries, Inc.  
W237 N2878 Woodgate Road  
Suite 2  
Pewaukee, Wisconsin 53072  
(262) 347-0898

**WDNR:** Mr. Dave Volkert  
Hydrogeologist  
Southeast Region Remediation and Redevelopment  
Program  
Wisconsin Department of Natural Resources  
141 NW Barstow St, Room 180  
Waukesha WI 53188  
(262) 574-2166

**EXHIBIT A**

**Notes:**  
 Boxed concentrations exceed protection of groundwater standard  
 Bold concentrations exceed non-industrial direct contact standard  
 ug/kg - micrograms per kilogram  
 mg/kg - milligrams per kilogram  
 PID - photoionization detector reading (ppm)  
 DRO - diesel range organics (mg/kg)  
 VOCs - volatile organic compounds (ug/kg)  
 PAH - polynuclear aromatic hydrocarbons (ug/kg)  
 B(a)A - benzo(a)anthracene (ug/kg)  
 B(a)P - benzo(a)pyrene (ug/kg)  
 B(b)F - benzo(b)fluoranthene (ug/kg)  
 B(k)F - benzo(k)fluoranthene (ug/kg)  
 D(a)A - dibenz(a,h)anthracene (ug/kg)  
 I(123)P - indeno(1,2,3-cd)pyrene (ug/kg)  
 PHEN - phenanthrene (ug/kg)  
 Ar - arsenic (mg/kg)



SP-8	
Date	11/7/07
Depth	0'-2'
PID	<1
B(a)P	42

SP-5	
Date	11/7/07
Depth	0'-2'
PID	<1
DRO	430
B(a)A	320
B(b)F	300
B(a)P	320
D(a)A	45
I(123)P	100

SP-14	
Date	11/7/07
Depth	0'-2'
PID	<1
DRO	120
Ar	2.0

SP-12	
Date	11/7/07
Depth	2'-4'
PID	<1
Ar	2.7

SP-3	
Date	11/7/07
Depth	0'-2'
PID	<1
B(a)A	1,400
B(b)F	1,100
B(a)P	1,200
B(b)P	1,300
D(a)A	240
I(123)P	850
PHEN	2,400

SP-9	
Date	11/7/07
Depth	2'-4'
PID	<1
Ar	2.4

SP-10	
Date	11/7/07
Depth	2'-4'
PID	<1
Ar	2.5

SP-13	
Date	11/7/07
Depth	2'-4'
PID	<1
Ar	2.6

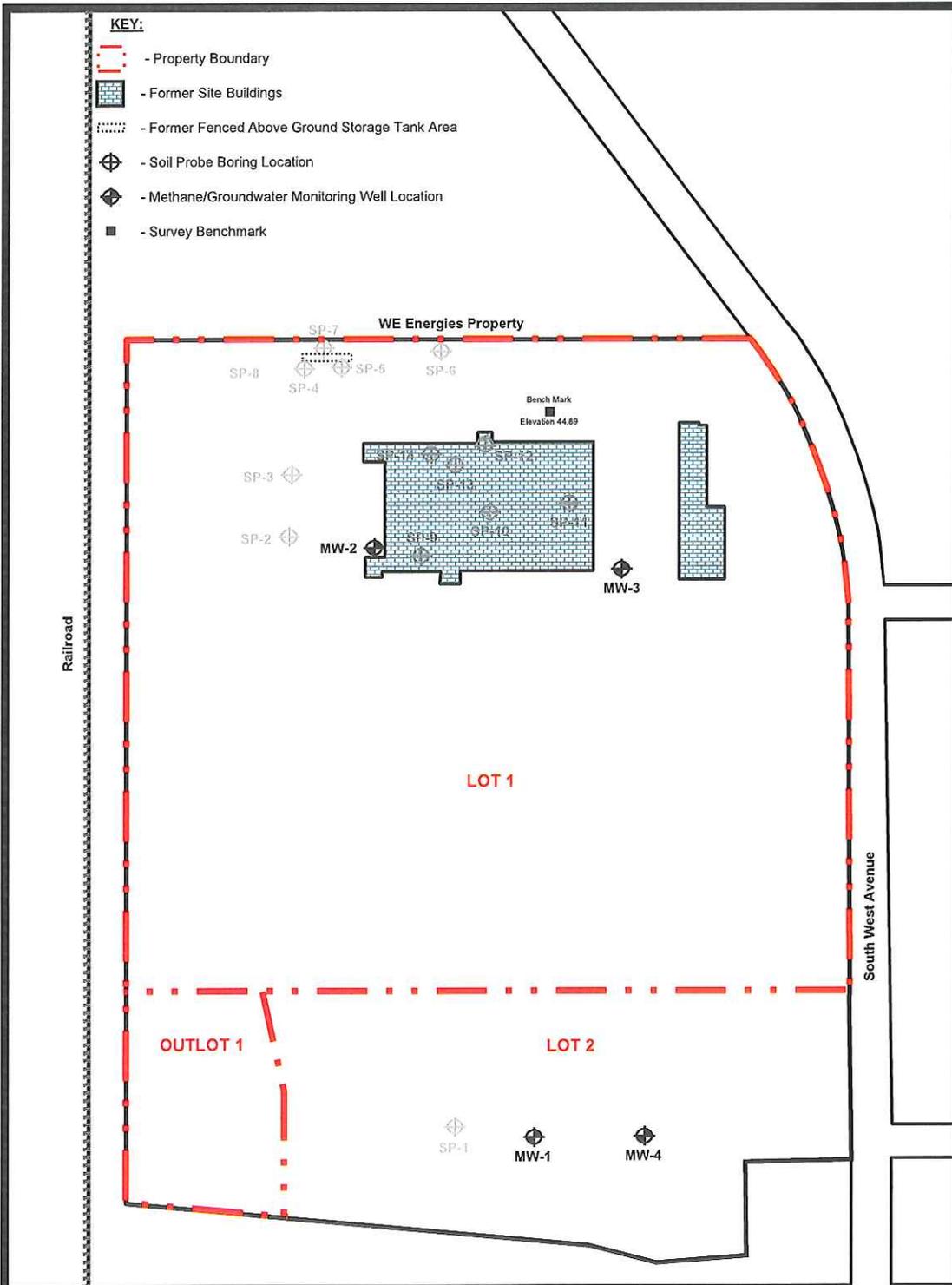
SP-11	
Date	11/7/07
Depth	2'-4'
PID	<1
Ar	2.6

- KEY:**
- Property Boundary
  - Former Site Buildings
  - Former Fenced Above Ground Storage Tank Area
  - Soil Probe Boring Location
  - Methane/Groundwater Monitoring Well Location
  - Survey Benchmark

	Environmental Services W237 N2876 Woodgate Rd., Ste. 2 Pewaukee, Wisconsin 53072 (262) 347-0898 Fax (262) 347-2256	Wal-Mart Supercenter 1635-05 Waukesha, Wisconsin <b>Exhibit A</b> Soil Contamination Map	PSI Project Number: D054113	
			Scale: 1" = 240' Date: 1/19/2011	

**KEY:**

-  - Property Boundary
-  - Former Site Buildings
-  - Former Fenced Above Ground Storage Tank Area
-  - Soil Probe Boring Location
-  - Methane/Groundwater Monitoring Well Location
-  - Survey Benchmark



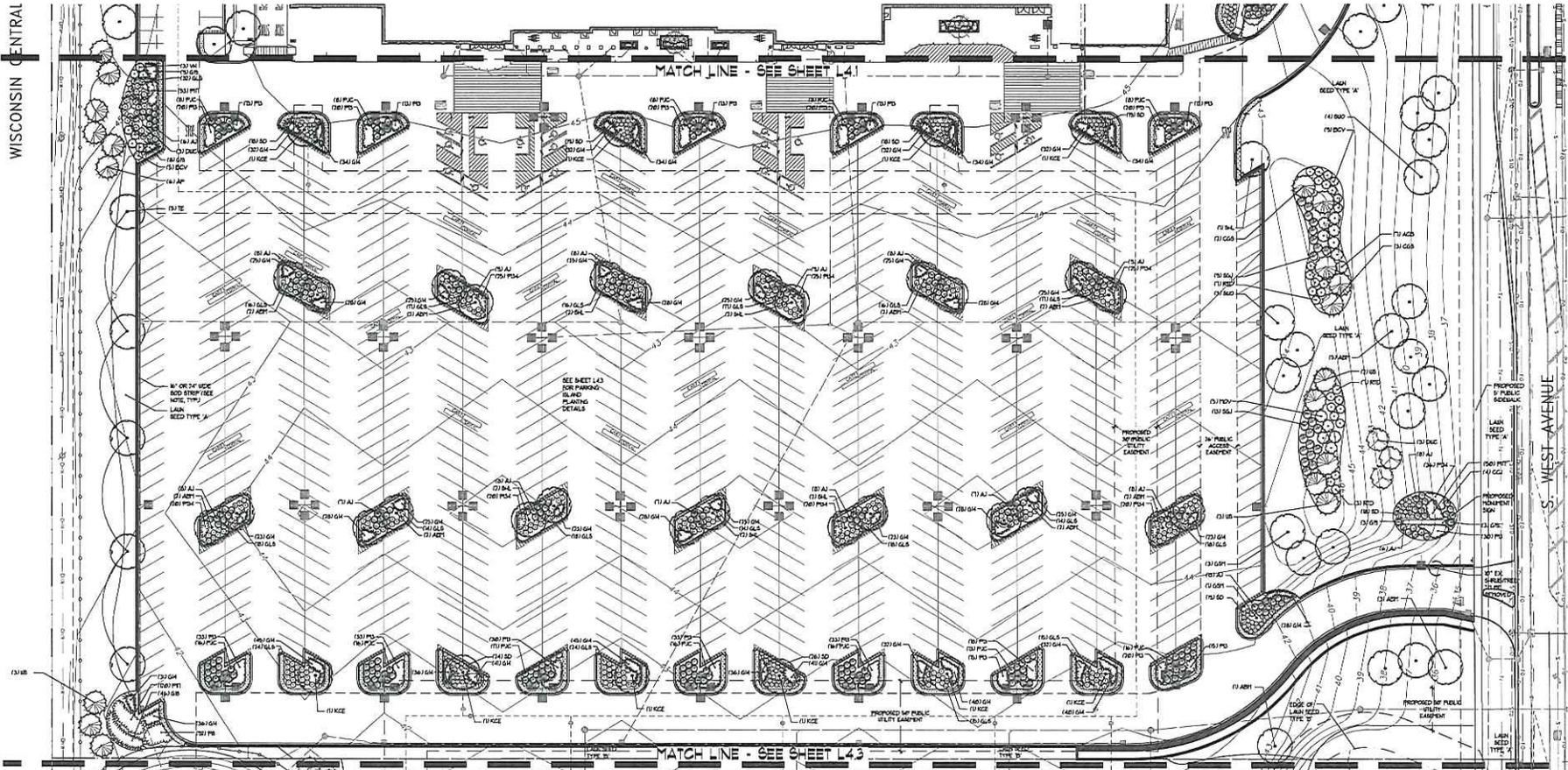
**Notes:**  
The groundwater sample analytical results indicated there were no Enforcement Standard exceedances in the three most recent rounds of groundwater sampling

	Environmental Services W237 N2878 Woodgate Rd., Ste. 2 Pewaukee, Wisconsin 53072 (262) 347-0898 Fax (262) 347-2256	Wal-Mart Supercenter 1635-05 Waukesha, Wisconsin	PSI Project Number: 0054113	
	Exhibit A Groundwater Map		Scale: 1" = 240' Date: 1/19/2011	

**EXHIBIT B**







PLANT MATERIAL SCHEDULE - THIS SHEET

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
181	26	AMERICAN BLUE MAPLE	ACER FRATERNUS 'REAL BLUE'	3/4"	BB	FALL COLORING ACORN
182	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
183	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
184	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
185	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
186	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
187	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
188	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
189	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
190	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
191	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
192	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
193	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
194	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
195	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
196	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
197	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
198	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
199	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
200	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
199	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
200	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
201	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
202	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
203	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
204	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
205	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
206	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
207	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
208	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
209	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
210	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
211	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
212	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
213	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
214	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
215	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
216	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
217	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
218	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
219	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
220	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
221	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
222	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

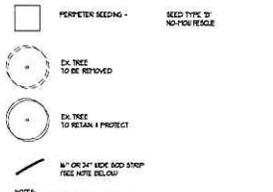
SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
223	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
224	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
225	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
226	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
227	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
228	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
229	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN
230	4	RED BUD	FRAXINUS ROXBURGHII	3/4"	BB	FALL COLORING ACORN

LEGEND



NOTES:  
1. ALL PLANTING BEDS WILL RECEIVE 3" OF SHREDED HARDWOOD BARK FELD.  
2. 6" SIDE STRIP IS REQUIRED BEHIND ALL CONCRETE CURBS/WALKERS. THESE STRIPS SHALL BE ESTABLISHED ADJACENT TO CONCRETE CURBS/WALKERS. STRIP IS 6" OR 3" DEPENDENT ON AVAILABILITY SIDE STRIP IS REQUIRED.



ALL INFORMATION CONTAINED ON THIS SHEET IS THE PROPERTY OF R.A. SMITH NATIONAL. THE POSSESSION, DISTRIBUTION, REPRODUCTION, AND USE OF ALL OR ANY PART OF THIS INFORMATION IS RESTRICTED AS SET FORTH IN THE CONTRACTUAL TERMS AND CONDITIONS ESTABLISHED BETWEEN R.A. SMITH NATIONAL AND THEIR CLIENT FOR THIS PROJECT. REPRODUCTION OR USE OF ANY PART BY ANY PERSON WITHOUT THE PERMISSION OF R.A. SMITH NATIONAL IS PROHIBITED.  
© COPYRIGHT 2008  
R.A. SMITH NATIONAL  
16745 WEST BLUEWOOD ROAD, SUITE 200  
BROOKFIELD, WI 53005

THE LOCATIONS OF EXISTING UTILITY INSTALLATIONS AS SHOWN ON THIS PLAN ARE APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITY INSTALLATIONS WITHIN THE PROJECT AREA THAT ARE NOT SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTENCE AND LOCATION OF ALL UNDERGROUND UTILITIES.

R.A. SMITH NATIONAL ASSUMES NO RESPONSIBILITY FOR DAMAGES, LIABILITY OR COSTS RESULTING FROM CHANGES OR ALTERATIONS MADE TO THIS PLAN WITHOUT THE EXPRESSED WRITTEN CONSENT OF R.A. SMITH NATIONAL.

DESCRIPTION  
DATE

**R.A. Smith National**  
Beyond Surveying  
and Engineering  
16745 W. Bluewood Road, Brookfield, WI 53005-9114  
262.791.0000 FAX 262.791.0001 www.ra-smith.com

WALMART #1635-05  
CITY OF WAUKESHA, WI  
LANDSCAPE PLAN  
CENTRAL

© COPYRIGHT 2008  
R.A. SMITH NATIONAL, INC.  
DATE: 09-20-09  
SCALE: 1" = 30'  
JOB NO: 3569745  
PROJECT MANAGER:  
KERRY C. HADWIN, P.E.  
DESIGNED BY: ALS  
CHECKED BY: CHS  
SHEET NUMBER  
L4.2

**EXHIBIT C**



000105 DEC 18 8



WC3615331-005

WARRANTY DEED

DOCUMENT NO.

This Deed, made between HWY 59 WEST LIMITED PARTNERSHIP, a Wisconsin limited partnership ("Grantor"), and WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust ("Grantee").

WITNESSETH, that the said Grantor, for valuable consideration conveys to Grantee the following described real estate in Waukesha County, State of Wisconsin:

See Exhibit A for legal description of the real estate conveyed (the "Property").

Together with all and singular hereditaments and appurtenances thereunto belonging.

This is not homestead property.

And the Grantor warrants that the title is good, indefeasible in fee simple and free and clear of liens and encumbrances except for those items listed on Exhibit B and will warrant and defend the same.

Dated as of the 10 day of December, 2008.

HWY 59 WEST LIMITED PARTNERSHIP, a Wisconsin limited partnership

By: HWY 59 WEST (GP), INC., a Wisconsin corporation  
Its: General Partner

By: [Signature]  
Name:  
Its: Robert A. Patch, President

[authentication/acknowledgment located on following page]

Drafted by: Joseph M. Judge, Esq.

3615331

REGISTER'S OFFICE  
WAUKESHA COUNTY, WI  
RECORDED ON

12-18-2008 10:48 AM

MICHAEL J. HASSLINGER  
REGISTER OF DEEDS

REC. FEE: 12.00  
REC. FEE-CO: 5.00  
REC. FEE-ST: 2.00  
TRAN. FEE: 4950.00  
TRAN. FEE-STAT: 19800.00  
PAGES: 5

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS  
Waukesha, WI / Store No. 1635-05  
Joseph M. Judge, Esq.  
Davda, Mann, Mulcahy & Sadler,  
PLC  
39533 Woodward Avenue  
Suite 200  
Bloomfield Hills, MI 48304-5103

WAKC 1353424 & WAKC  
1353425

Parcel Identification Number

7/15

TRANSFER  
\$24,750.00  
FEE

000106 DEC 18 8

**AUTHENTICATION** (Signatures may be authenticated or acknowledged. Both are not necessary.)

Signature(s) Robert A. Betch

Authenticated this 10<sup>th</sup> day of December, 2008.

[Signature]  
Signature

Robert McCools  
Type or Print Name

TITLE: MEMBER OF STATE BAR OF WISCONSIN  
(if not, \_\_\_\_\_ authorized by §7606.06, Wis. Stats.)

**ACKNOWLEDGMENT**

STATE OF WISCONSIN

\_\_\_\_\_ COUNTY

Personally came before me this \_\_\_\_\_ day of December, 2008 the above-named \_\_\_\_\_, to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name

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

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

000107 DEC 18 2007

EXHIBIT A

Lots one (1) and two (2) and Outlot one (1) of Certified Survey Map No. 10488, recorded December 21, 2007 in the office of the Register of Deeds for Waukesha County, Wisconsin as Document Number 3534066; being part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

**EXHIBIT B**

**Permitted Exceptions**

1. Special taxes or assessments not yet due and payable.
2. Thirty (30) foot utility easement affecting the Property as shown on the recorded plat of Sunset Heights Subdivision. The easement interest held by the City of Waukesha in the thirty (30) foot utility easement was transferred to the State of Wisconsin, Department of Transportation pursuant to Quit Claim Deed recorded March 24, 1997 in Reel 2406, Image 448 as Document Number 2199186.
3. Utility easement granted to Wisconsin Electric Power Company and conditions as set forth in instrument recorded December 17, 1957 in Volume 759, Page 252 as Document Number 470642.
4. Obligations as set forth in Warranty Deed recorded February 5, 1964 in Volume 971, Page 108 as Document Number 604446.
5. Utility easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company and conditions as set forth in instrument recorded May 22, 1964 as Document Number 611151 and as shown on Certified Survey Map No. 10488, recorded December 21, 2007 as Document Number 3534066.
6. Apparent easement for overhead electric line running along the westerly boundary of the Property as disclosed on ALTA/ACSM Land Title Survey prepared by National Survey & Engineering, Eric R. Sturm, R.L.S. dated December 13, 2007 as Survey No. 163753-DAW.
7. Waukesha County Preliminary Floodway Area affecting the Property as shown on ALTA/ACSM Land Title Survey prepared by National Survey & Engineering, Eric R. Sturm, R.L.S. dated December 13, 2007 as Survey No. 163753-DAW.
8. Rights of the public, if any, in that portion of the Premises which lies below the normal highwater mark of the tributary of Pebble Creek, which crosses the southern boundary of Lot 2 of Certified Survey Map No. 10488.
9. The following matters as shown on Certified Survey Map No. 10488, recorded December 21, 2007 as Document No. 3534066:
  - (a) Shoreland Jurisdiction Line.
  - (b) Access Easement over Lot 1 for the benefit of Lot 2 and granted to the City of Waukesha for access to drainage easement (Outlot 1).
  - (c) 30' Public Utility Easement (Doc. No. 2199186).
  - (d) Outlot 1 is a drainage easement for the benefit of Lots 1 and 2.
  - (e) Ordinary highwater line of tributary to Pebble Creek.

000109 DEC 18 8

- (f) Zone A2 per REMA Map Community Panel Number 550-491-0006B effective Sept. 2, 1982.
- (g) NOTE: Outlot 1 shall be owned and maintained by Lot 1. Outlot 1 is drainage easement for benefit of Lots 1 and 2 and access easement granted to City of Waukesha.
- (h) Public utility easement granted to City of Waukesha.
- (i) Temporary 10' sidewalk slope easement granted to the City of Waukesha along street frontage of all lots. Said easement to be released upon completion of walk construction.
- (j) Notes as set forth on sheets 3 and 4 of 9.
- (k) Public utility easement granted to Waukesha Water Utility.
- (l) Wetlands as flagged by Natural Resource Consulting, August 2007.
- (m) Drainage easement granted to the City of Waukesha.



WC3534066-009

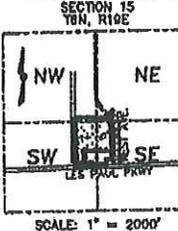
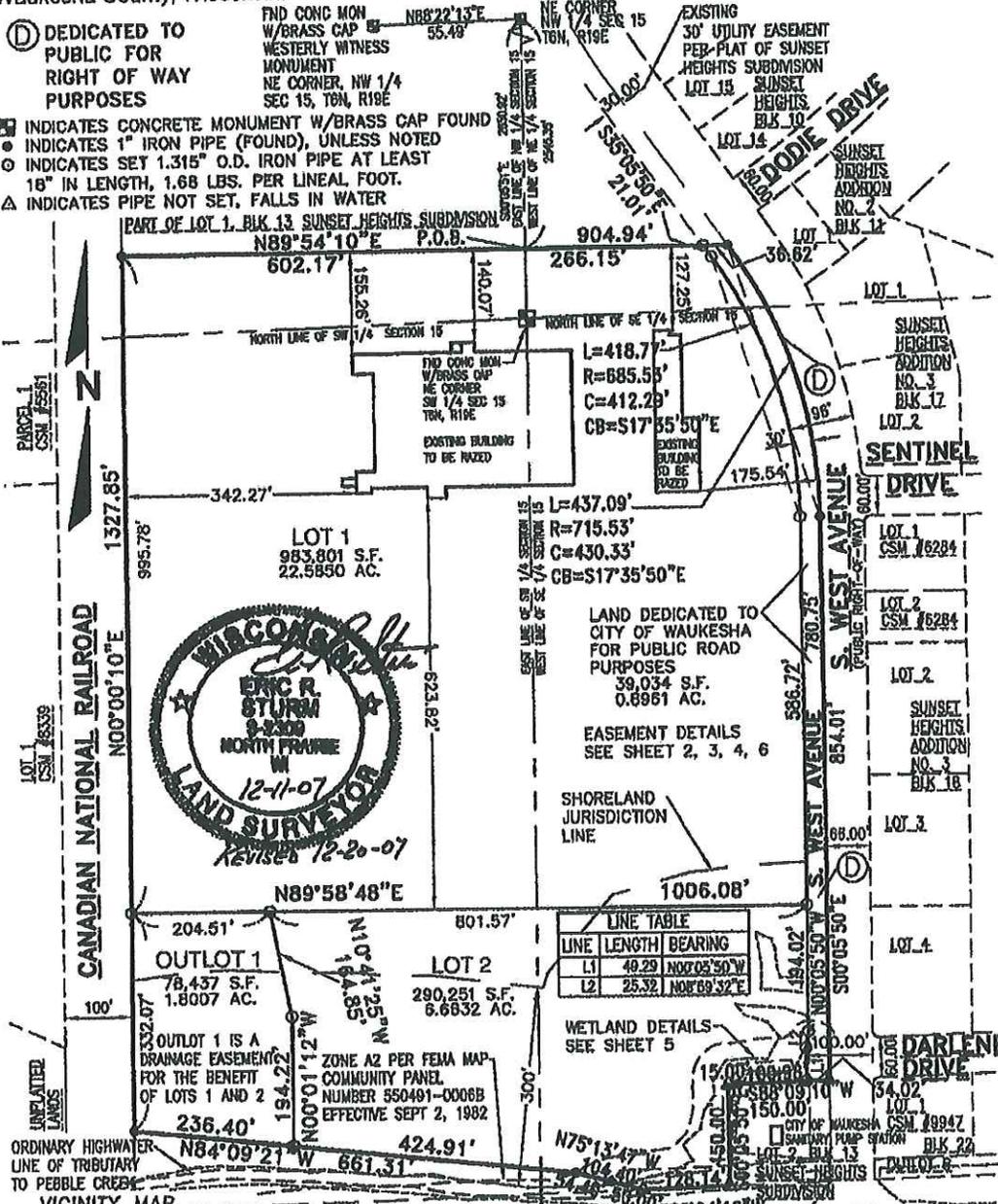
3534066

CERTIFIED SURVEY MAP NO. 10488

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

Ⓧ DEDICATED TO PUBLIC FOR RIGHT OF WAY PURPOSES

- Ⓛ INDICATES CONCRETE MONUMENT W/BRASS CAP FOUND
- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 16" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
- △ INDICATES PIPE NOT SET, FALLS IN WATER



ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE EAST LINE OF THE NW 1/4 OF SECTION 15 HAS A BEARING OF S00°05'51"E



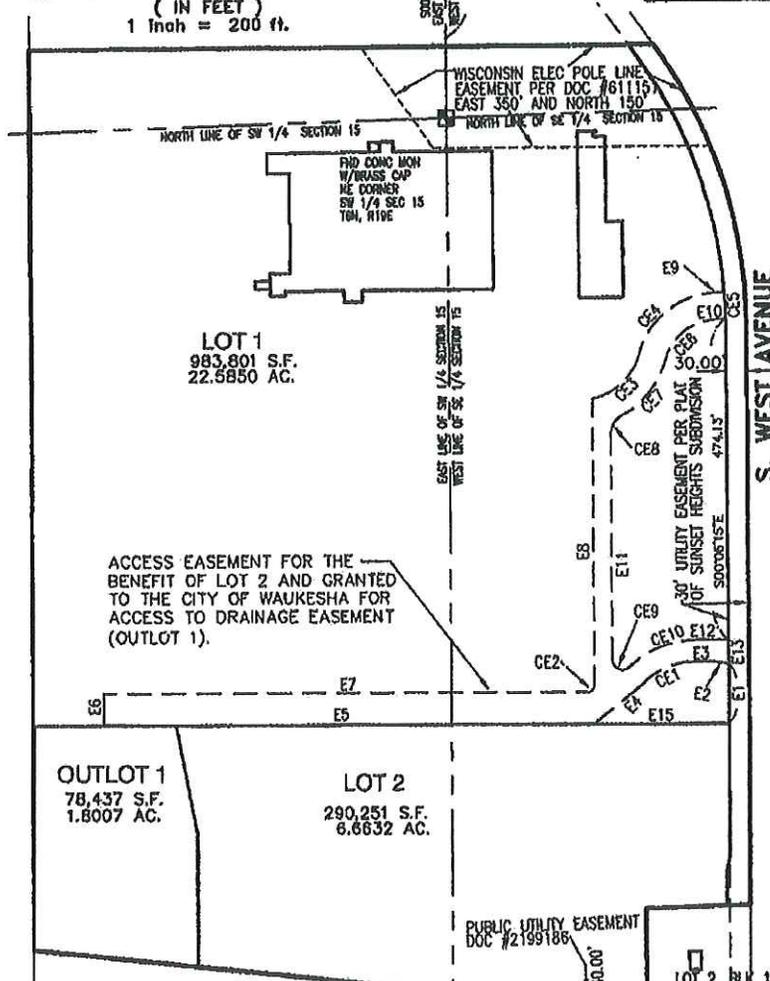
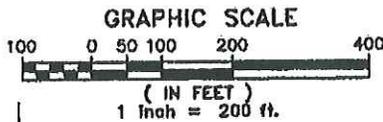
**National Survey & Engineering**  
 A Division of R.A. Smith & Associates Inc  
 362-781-1000  
 Fax 262-797-7373  
 16745 W. Bluemound Road  
 Suite 200  
 Brookfield, WI 53005-5938  
 www.nsaec.com  
 S: 51n373.dwg  
 CS100.dwg/CS1011LJH  
 SHEET 1 OF 9 SHEETS

**CERTIFIED SURVEY MAP NO. 10483**  
**ACCESS EASEMENT DETAIL SHEET**

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

FND CONC MON  
W/BRASS CAP  
WESTERLY WITNESS  
MONUMENT  
NE CORNER, NW 1/4  
SEC 15, T6N, R19E

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
CE1	90.31	109.50	47°15'20"	67.77	S85°12'07"W
CE2	14.92	9.50	89°39'55"	13.43	H44°58'46"E
CE3	99.93	90.50	83°18'06"	74.53	H45°40'53"E
CE4	163.26	119.50	73°28'58"	142.97	H50°47'19"E
CE5	39.01	685.93	3°16'36"	39.00	N02°28'12"W
CE6	103.24	80.80	73°28'58"	86.31	S80°47'19"W
CE7	107.70	128.80	47°38'56"	104.62	S37°52'18"W
CE8	31.78	29.30	61°42'58"	30.26	S30°50'17"W
CE9	33.84	14.60	133°44'08"	28.67	S88°53'28"E
CE10	108.89	140.50	43°35'17"	104.33	N88°02'08"E



LINE	LENGTH	BEARING
E1	86.18	N00°04'30"W
E2	21.87	N78°51'37"W
E3	24.95	S89°48'47"W
E4	86.70	S50°38'13"W
E5	710.14	S89°38'48"W
E6	46.49	N00°01'12"W
E7	700.68	N89°58'44"E
E8	421.58	N00°01'11"W
E9	12.63	N87°31'48"E
E10	12.63	N87°31'48"E
E11	332.83	S00°01'11"E
E12	46.44	S89°48'47"W
E13	35.29	S00°05'50"E
E14	102.03	S89°38'48"W
E15	193.90	S89°38'48"W



NOTE: OUTLOT 1 SHALL BE OWNED AND MAINTAINED BY LOT 1. OUTLOT 1 IS DRAINAGE EASEMENT FOR BENEFIT OF LOTS 1 AND 2 AND ACCESS EASEMENT GRANTED TO THE CITY OF WAUKESHA

LES PAUL PKWY STL 59

**National Survey & Engineering**  
A Division of R.A. Smith & Associates, Inc.

262-781-1000  
Fax 262-797-7373  
16745 W. Bluemound Road  
Suite 200  
Brookfield, WI 53005-5938  
www.nse.com

S 5163751.dwg  
CS100.dwg/CS102L2H  
SHEET 2 OF 9 SHEETS

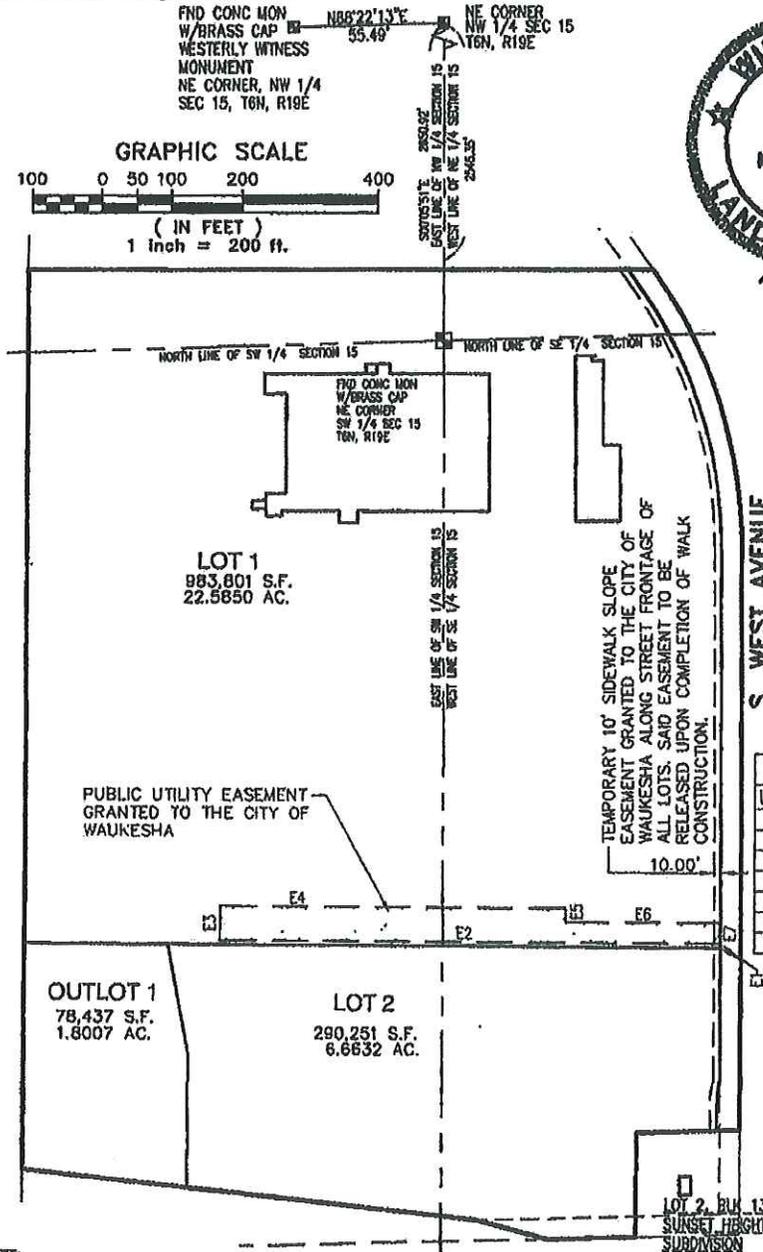
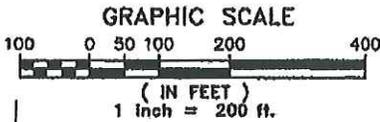
88

**CERTIFIED SURVEY MAP NO. 10488**

**CITY OF WAUKESHA UTILITY EASEMENT DETAIL SHEET**

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

FND CONC MON  
W/BRASS CAP  
WESTERLY WITNESS  
MONUMENT  
NE CORNER, NW 1/4  
SEC 15, T6N, R19E



LINE TABLE		
LINE	LENGTH	BEARING
E1	5.51	N00°05'50"W
E2	727.43	S89°58'48"W
E3	50.00	N00°01'12"W
E4	503.08	N89°58'48"E
E5	20.00	S00°01'12"E
E6	224.33	N89°58'48"E
E7	30.00	S00°05'50"E

- NOTES:**
1. A TEMPORARY 10' WIDE SLOPE EASEMENT SHALL BE IN EFFECT ALONG THE STREET FRONTAGE OF ALL LOTS. SAID EASEMENT NOT TO BE PERMANENTLY IMPROVED AND TO BE IN EFFECT UNTIL SIDEWALK IS INSTALLED.
  2. NO BUILDING OR FENCE SHALL BE CONSTRUCTED IN SANITARY SEWER, STORM SEWER, DRAINAGE AND WATER MAIN EASEMENTS. NO TREES OR SHRUBS WHICH WOULD GROW TO MORE THAN 4' IN HEIGHT SHALL BE PLANTED WITHIN SAID EASEMENT WITHOUT APPROVAL OF THE CITY OF WAUKESHA ENGINEERING DEPARTMENT AND THE WAUKESHA WATER UTILITY.
  3. IN THE EVENT THE WATER UTILITY FINDS IT NECESSARY TO DISTURB THE PREMISES IN THE COURSE OF ITS DUTIES AND RESPONSIBILITIES (UTILITY REPAIRS, IF NECESSARY), THE UTILITY AGREES TO RESTORE THE PREMISES OF THE GRANOR, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH DISTURBANCE. HOWEVER, NOT INCLUDING THE REPLACEMENT OF PAVEMENT, TREES, SHRUBBERY AND OTHER ITEMS EXISTING ON OR WITHIN THE DESCRIBED EASEMENT.
  4. GRADE CHANGES WITHIN THE PERMANENT WATER MAIN EASEMENTS WHICH EXCEED 18" (ONE FOOT) SHALL NOT BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE WAUKESHA WATER UTILITY.

**LES PAUL PKWY STL 59**

**National Survey & Engineering**  
A Division of R.A. Smith & Associates Inc.

262-781-1000  
Fax 262-797-7373  
16745 W. Bluemound Road  
Suite 200  
Brookfield, WI 53005-5938  
www.nsae.com  
S: 5163753.dwg  
CS100.dwg C: S101L2H  
SHEET 3 OF 9 SHEETS

**CERTIFIED SURVEY MAP NO. 10488**  
**WAUKESHA WATER UTILITY EASEMENT DETAIL SHEET**

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

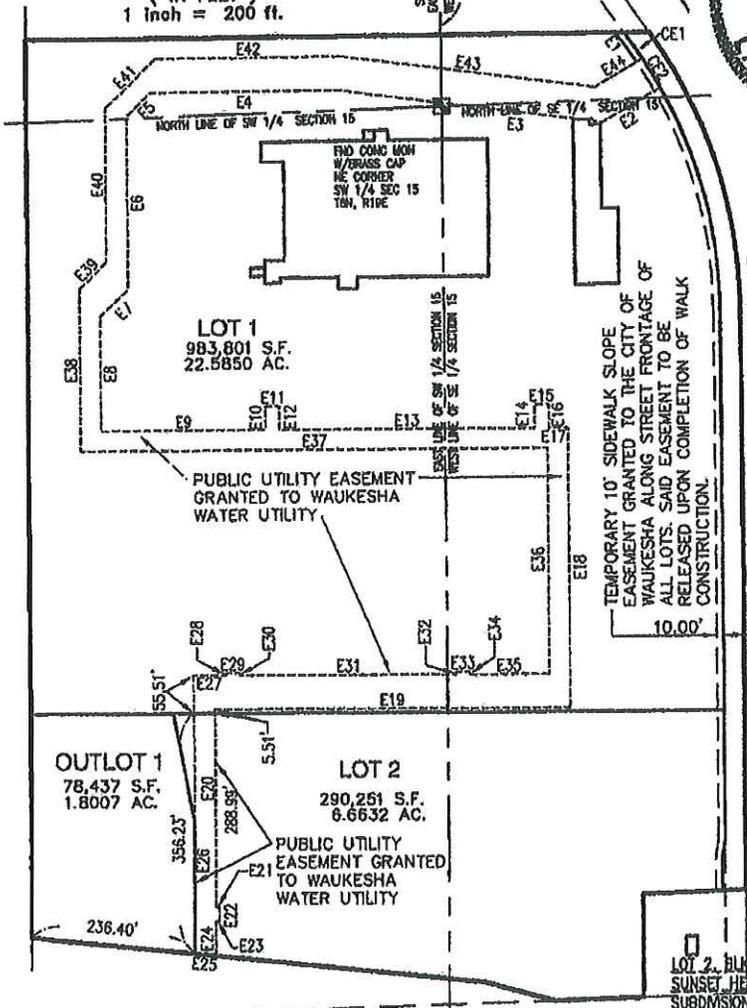
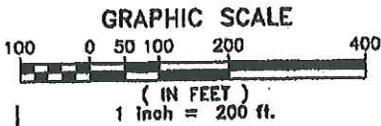
FIND CONC MON  
W/BRASS CAP  
WESTERLY WITNESS  
MONUMENT  
NE CORNER, NW 1/4  
SEC 15, T6N, R19E

N88°22'13"E  
55.49'

NE CORNER  
NW 1/4 SEC 15  
T6N, R19E

NE CORNER  
SW 1/4 SEC 15  
T6N, R19E

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
CE1	28.00	685.53	2°10'51"	28.00	S34°00'25"E
CE2	50.01	685.53	4°10'48"	50.00	S37°49'38"E



LINE	LENGTH	BEARING
E1	21.01	N35°09'50"W
E2	98.33	S59°31'03"W
E3	387.28	N82°28'52"W
E4	273.10	N90°00'00"W
E5	49.29	S45°00'00"E
E6	286.95	S00°00'00"E
E7	55.61	S45°00'00"W
E8	170.57	S00°00'00"E
E9	236.81	N89°58'48"E
E10	34.86	N00°01'12"W
E11	20.00	N89°58'48"E
E12	34.86	S00°01'12"E
E13	372.47	N89°58'48"E
E14	35.00	N00°01'12"E
E15	28.00	N89°58'48"E
E16	35.00	S00°01'12"E
E17	27.53	N89°58'48"E
E18	410.28	S00°01'12"E
E19	516.67	S89°58'48"W
E20	204.50	S00°01'12"E
E21	5.00	N89°58'48"E
E22	20.00	S00°01'12"E
E23	5.00	S89°58'48"W
E24	60.32	S00°01'12"E
E25	30.16	N84°08'21"W
E26	411.73	N00°01'12"W
E27	45.63	N89°58'48"E
E28	3.49	N00°01'12"W
E29	20.00	N89°58'48"E
E30	3.49	S00°01'12"E
E31	316.01	N89°58'48"E
E32	3.49	N00°01'12"W
E33	20.00	N89°58'48"E
E34	3.49	S00°01'12"E
E35	115.03	N89°58'48"E
E36	330.28	N00°01'12"W
E37	676.83	S89°58'48"W
E38	241.29	N00°00'00"E
E39	55.61	N45°00'00"E
E40	227.67	N00°00'00"E
E41	102.42	N45°00'00"E
E42	268.83	S80°00'00"E
E43	373.32	S82°24'52"E
E44	80.80	N69°31'03"E

- NOTES:**
1. A TEMPORARY 10' WIDE SLOPE EASEMENT SHALL BE IN EFFECT ALONG THE STREET FRONTAGE OF ALL LOTS, SAID EASEMENT NOT TO BE PERMANENTLY APPROVED AND TO BE IN EFFECT UNTIL SIDEWALK IS INSTALLED.
  2. NO BUILDING OR FENCE SHALL BE CONSTRUCTED IN SANITARY SEWER, STORM SEWER, DRAINAGE AND WATER MAIN EASEMENTS. NO TREES OR BUSHES WHICH WOULD GROW TO MORE THAN 4' IN HEIGHT SHALL BE PLANTED WITHIN SAID EASEMENT WITHOUT APPROVAL OF THE CITY OF WAUKESHA ENGINEERING DEPARTMENT AND THE WAUKESHA WATER UTILITY.
  3. IN THE EVENT THE WATER UTILITY FINDS IT NECESSARY TO DISTURB THE PREMISES IN THE EXERCISE OF ITS DUTIES AND RESPONSIBILITIES (FAIRLY REPAIRS, IF NECESSARY), THE UTILITY AGREES TO RESTORE THE PREMISES OF THE GRANTEE, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH DISTURBANCE, HOWEVER, NOT INCLUDING THE REPLACEMENT OF PAVEMENT, TREES, SHRUBBERY AND OTHER ITEMS EXISTING ON OR WITHIN THE DISTURBED EASEMENT.
  4. GRADE CHANGES WITHIN THE FOREGOING WATER MAIN EASEMENTS WHICH EXCEED 12" (ONE FOOT) SHALL NOT BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE WAUKESHA WATER UTILITY.

**LES PAUL PKWY STL 59**

**National Survey & Engineering**

A Division of R.A. Smith & Associates, Inc.

262-781-1000  
 Fax 262-797-7733  
 16745 W. Bluemound Road  
 Suite 200  
 Brookfield, WI 53005-5938  
 www.nsaec.com

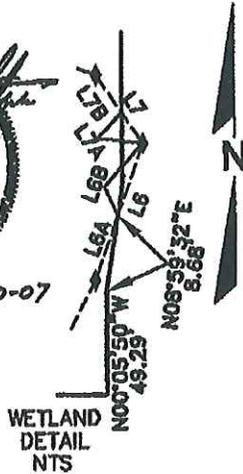
S: 314753.dwg  
 CS100.dwg,CS104L2H

SHEET 4 OF 9 SHEETS

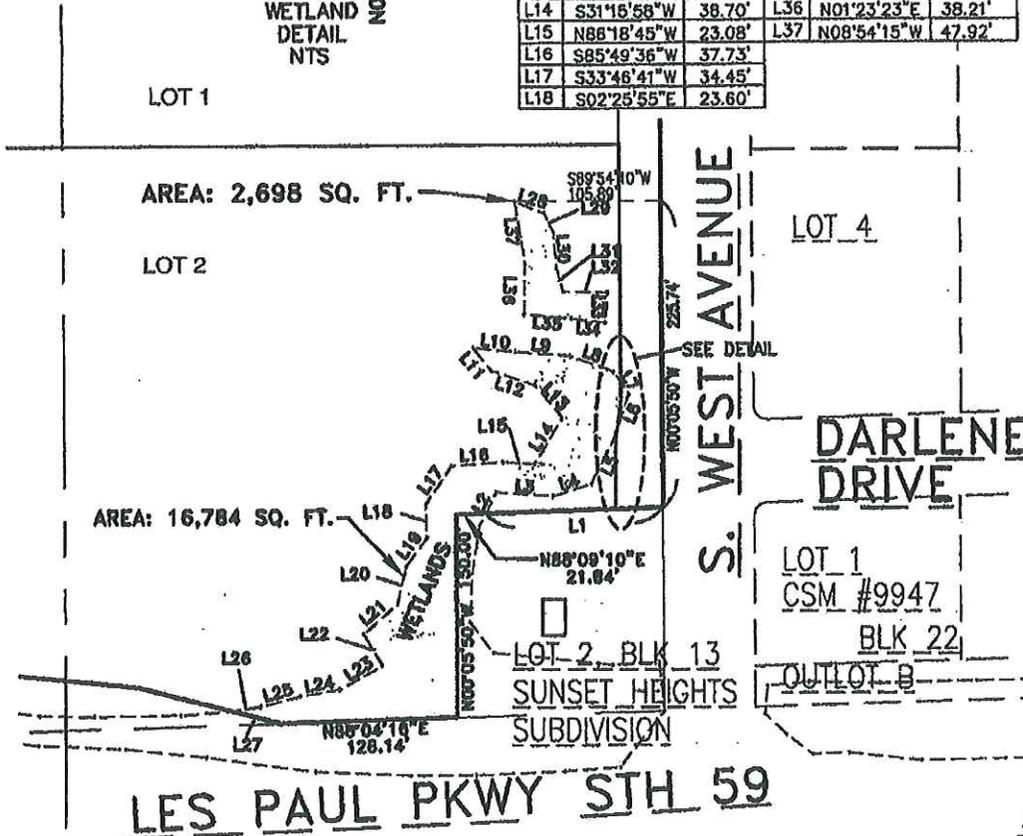
**CERTIFIED SURVEY MAP NO. 10488**

**WETLAND DETAIL SHEET**

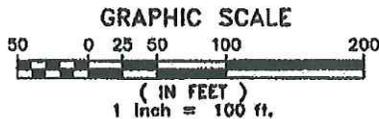
Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.



LINE TABLE FOR WETLANDS					
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S88°09'10"W	128.16'	L19	S35°03'44"W	26.21'
L2	N27°19'47"E	16.91'	L20	S13°16'43"W	27.77'
L3	S88°12'11"E	41.02'	L21	S47°09'36"W	33.71'
L4	N72°34'19"E	29.21'	L22	S30°29'58"E	26.93'
L5	N28°48'26"E	35.11'	L23	S80°29'06"W	35.73'
L6	N19°15'52"E	35.62'	L24	S80°08'55"W	28.08'
L6A	N19°15'52"E	0.01'	L25	S75°03'44"W	29.64'
L6B	N19°15'52"E	26.61'	L26	S80°58'31"W	21.30'
L7	N34°13'13"W	19.96'	L27	S75°13'47"E	36.84'
L7A	N34°13'13"W	11.04'	L28	S68°49'05"E	23.69'
L7B	N34°13'13"W	8.92'	L29	S23°15'38"E	16.29'
L8	N70°08'33"W	33.32'	L30	S04°49'38"E	27.03'
L9	N85°17'09"W	39.91'	L31	S18°16'11"E	17.67'
L10	N85°00'40"W	30.89'	L32	S88°34'44"E	32.06'
L11	S38°22'07"E	21.05'	L33	S03°59'30"W	22.96'
L12	S71°28'00"E	33.51'	L34	N82°32'17"W	25.04'
L13	S39°50'09"E	30.72'	L35	N84°41'25"W	34.42'
L14	S31°15'58"W	38.70'	L36	N01°23'23"E	38.21'
L15	N86°18'45"W	23.08'	L37	N08°54'15"W	47.92'
L16	S85°49'36"W	37.73'			
L17	S33°46'41"W	34.45'			
L18	S02°25'55"E	23.60'			



WETLANDS AS FLAGGED BY NATURAL RESOURCE CONSULTING AUGUST 2007



**National Survey & Engineering**

A Division of R.A. Smith & Associates, Inc.

262-781-1000  
 Fax 262-797-7373  
 16745 W. Bluemound Road  
 Suite 200  
 Brookfield, WI 53005-5935  
 www.nsae.com

S: 3163751.dwg  
 C:\100\dwg\CS1051.H  
 SHEET 5 OF 9 SHEETS

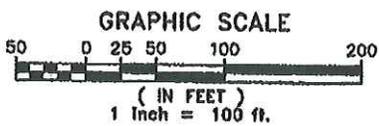
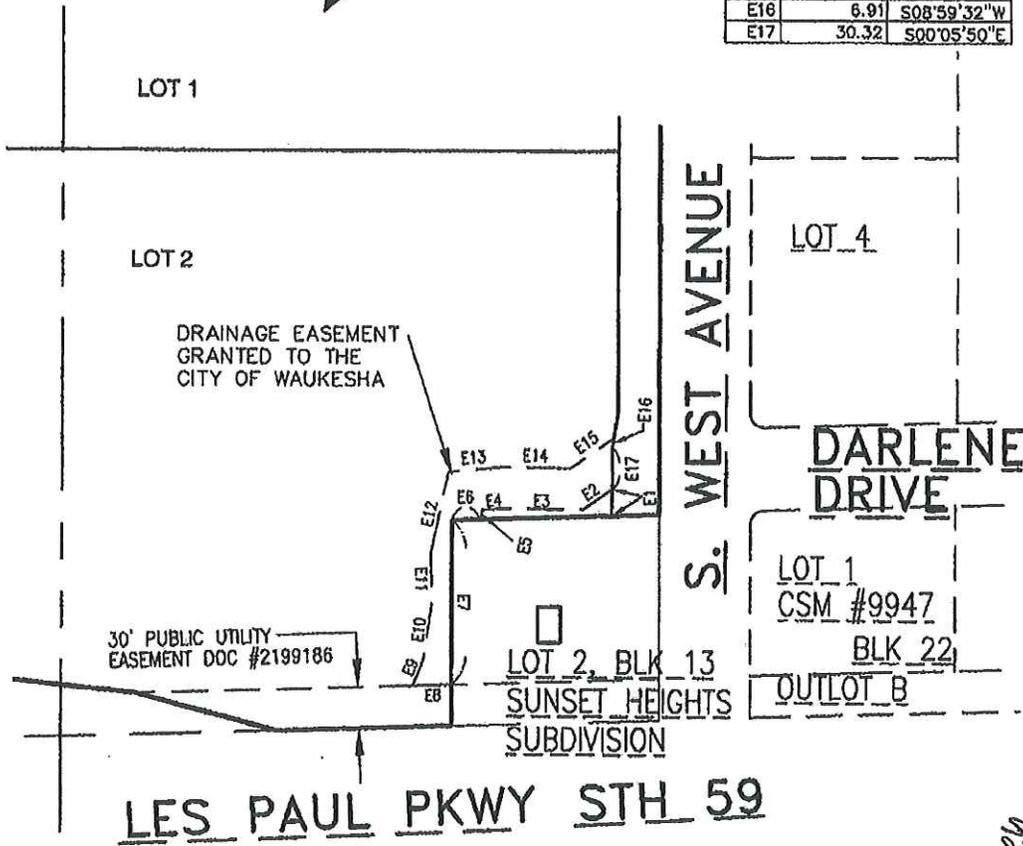
**CERTIFIED SURVEY MAP NO. 104688**

**DRAINAGE EASEMENT DETAIL SHEET**

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 8 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.



LINE TABLE		
LINE	LENGTH	BEARING
E1	18.07	N00°05'50"W
E2	25.60	S55°24'53"W
E3	58.07	N89°31'25"W
E4	14.87	S84°43'10"W
E5	6.78	S11°56'50"W
E6	20.55	S88°09'10"W
E7	119.98	S00°05'50"E
E8	28.17	S88°04'18"W
E9	21.53	N21°18'38"E
E10	42.33	N07°44'44"E
E11	34.67	N01°38'00"W
E12	60.72	N11°56'50"E
E13	38.49	N84°43'10"E
E14	50.10	S89°31'25"E
E15	38.06	N55°24'53"E
E16	6.91	S08°39'32"W
E17	30.32	S00°05'50"E



**National Survey & Engineering**  
 263-781-1000  
 Fax 262-797-7373  
 16745 W. Bluemound Road  
 Suite 200  
 Brookfield, WI 53005-5438  
 www.nsnce.com  
 A Division of R.A. Smith & Associates Inc.  
 S 5103753.dwg  
 CS100.dwg/CS10nL.H  
 SHEET 8 OF 9 SHEETS

CERTIFIED SURVEY MAP NO. 10488

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN    }  
                                  :SS  
WAUKESHA COUNTY     }

I, ERIC R. STURM, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided, mapped and dedicated a division of part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4, Southeast 1/4, Southwest 1/4, and Northwest 1/4 of Section 15, Township 6 North, Range 19 East, in the City of Waukesha, Waukesha county, Wisconsin, bounded and described as follows:

Commencing at the Westerly witness monument to the Northeast corner of the Northwest 1/4 of Section 15; thence North 88°22'13" East along the North line of said 1/4 section 55.49 feet to the Northeast corner of said Northwest 1/4 section; thence South 00°05'51" East along the East line of said Northwest 1/4 section 2545.35 feet to the Point of Beginning of lands to be described: thence North 89°54'10" East 302.77 feet to a point on the West line of South West avenue; thence Southeasterly 437.09 feet along said West line and the arc of a curve whose center lies to the Southwest, whose radius is 715.53 feet, and whose chord bears South 17°35'50" East 430.33 feet to a point; thence South 00°05'50" East along said West line 854.01 feet to a point; thence South 88°09'10" West 150.00 feet to a point; thence South 00°05'50" East 150.00 feet to a point on the North line of Les Paul Parkway (STH 59); thence South 88°04'16" West along said North line 128.14 feet to a point; thence North 75°13'47" West along said North line 104.40 feet to a point; thence North 84°09'21" West along said North line 661.31 feet to a point on the East line of the Wisconsin Central Limited Railroad right of way; thence North 00°00'10" East along said East line 1327.85 feet to a point; thence North 89°54'10" East 602.17 feet to the point of beginning.

Said lands contain 1,391,523 square feet, or 31.9450 acres.  
Net area(less right-of-way dedication) 1,352,489 square feet, or 31.0489 acres.

THAT I have made such survey, land division, map and dedication by the order and direction of HWY 59 WEST LIMITED PARTNERSHIP, owner.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the Land Division and Ordinances of the City of Waukesha in surveying, dividing and mapping the same.

DATE DECEMBER 11, 2007  (SEAL)  
REVISED  
DATE DECEMBER 20, 2007 ERIC R. STURM, REGISTERED LAND SURVEYOR S-2309

60

CERTIFIED SURVEY MAP NO. 10486

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 15, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

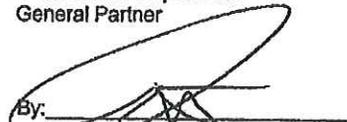
HWY 59 WEST LIMITED PARTNERSHIP, a private limited company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said private limited company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the City of Waukesha.

HWY 59 WEST LIMITED PARTNERSHIP, as owner, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval or objection: City of Waukesha.

IN WITNESS WHEREOF, HWY 59 WEST LIMITED PARTNERSHIP, has caused these presents to be signed by the hand of ROBERT A. PATCH, the President of HWY 59 WEST (GP), INC., a Wisconsin corporation, its GENERAL PARTNER, on this 21 day of December, 2007

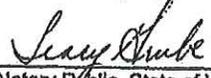
HWY 59 WEST LIMITED PARTNERSHIP  
a Wisconsin Limited Partnership

By: HWY 59 WEST (GP), INC.,  
a Wisconsin corporation  
Its: General Partner

By:   
ROBERT A. PATCH  
President

STATE OF WISCONSIN    )  
                                  )SS  
WAUKESHA COUNTY     )

PERSONALLY came before me this 21 day of December, 2007  
ROBERT A. PATCH, President of HWY 59 WEST (GP), INC., the General Partner and on behalf of HWY 59 WEST LIMITED PARTNERSHIP, to me known to be the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said entities, by their authority.

  
(SEAL)  
Notary Public, State of Wisconsin  
My commission expires \_\_\_\_\_  
My commission is permanent \_\_\_\_\_



Sheet 8 of 9 Sheets

CERTIFIED SURVEY MAP NO. 10486

Part of Lot 1, Block 13, in Sunset Heights Subdivision, being a part of the Northeast 1/4 of the Southwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4, and the Northwest 1/4 of the Southeast 1/4 of Section 16, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of Waukesha on this 14<sup>th</sup> day of November, 2007.

Larry Nelson  
CHAIRPERSON

VOG-100 PAGES 87.95  
3534066

REGISTER'S OFFICE  
WAUKESHA COUNTY, WI  
RECORDED ON  
12-21-2007 2:31 PM  
MICHAEL J. HASBLINGER  
REGISTER OF DEEDS

REC. FEE: 20.00  
REC. FEE-CD: 5.00  
REC. FEE-ST: 2.00  
TRAN. FEE:  
TRAN. FEE-STATE:  
PAGES: 9

Doug Koehler  
~~SECRETARY~~  
DOUG KOEHLER  
PLANNER

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of Waukesha in accordance with the Resolution adopted on this 20th day of November, 2007.

Thomas C. Hill  
CITY CLERK

Larry Nelson  
MAYOR



95

**STATEMENT**

**Property Located at:**

2000 South West Avenue  
Waukesha, Wisconsin  
WDNR FID #: 268354570  
WDNR BRRTS #: 02-68-552746

Tax Key No.: WAKC1353424  
Parcel Identification No.: 291-1353-347-0000

I believe the legal description noted below for Lot 1 and Outlot 1 accurately describes the property known as Lot 1 and Outlot 1 (BRRTS # 02-68-552746). There is a separate case (BRRTS # 02-68-554922) for Lot 2.

**Legal Description:**

LOT 1 & OUTLOT 1 CSM NO 10488 (V100 CSM P87) REDIV PT LOT 1 BLK 13  
SUNSET HEIGHTS SUB PT SW¼, NW¼, NE¼ & SE¼ SEC 15 T6N R19E  
24.38 AC DOC NO 3533979

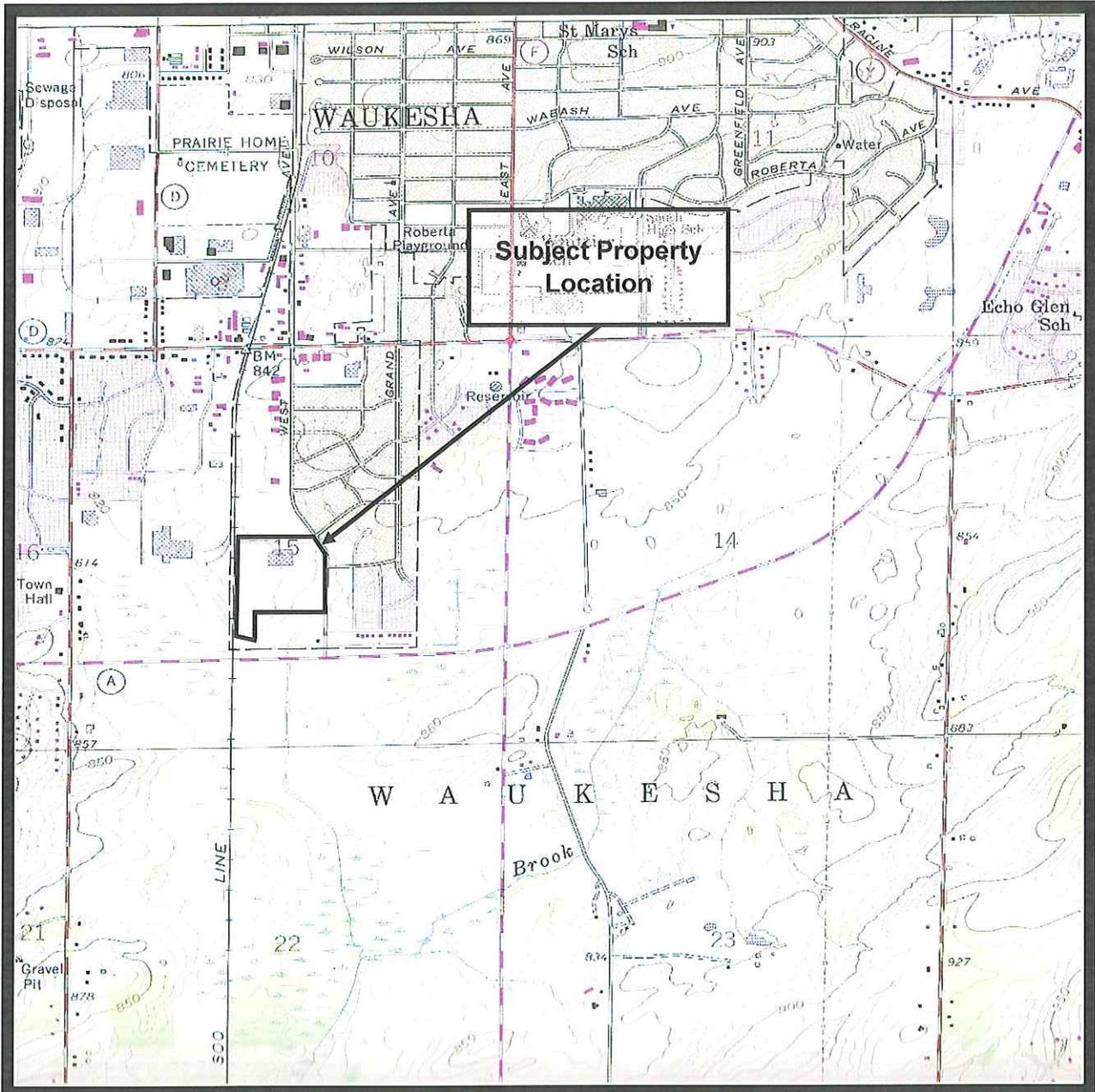


\_\_\_\_\_  
Signature of Responsible Party

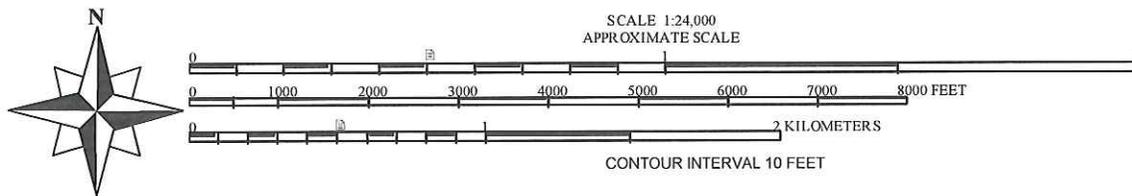
D.S. COX

Printed Name of Responsible Party

SR DESIGN MANAGER, WALMART STORES INC.  
Company and Position of Responsible Party



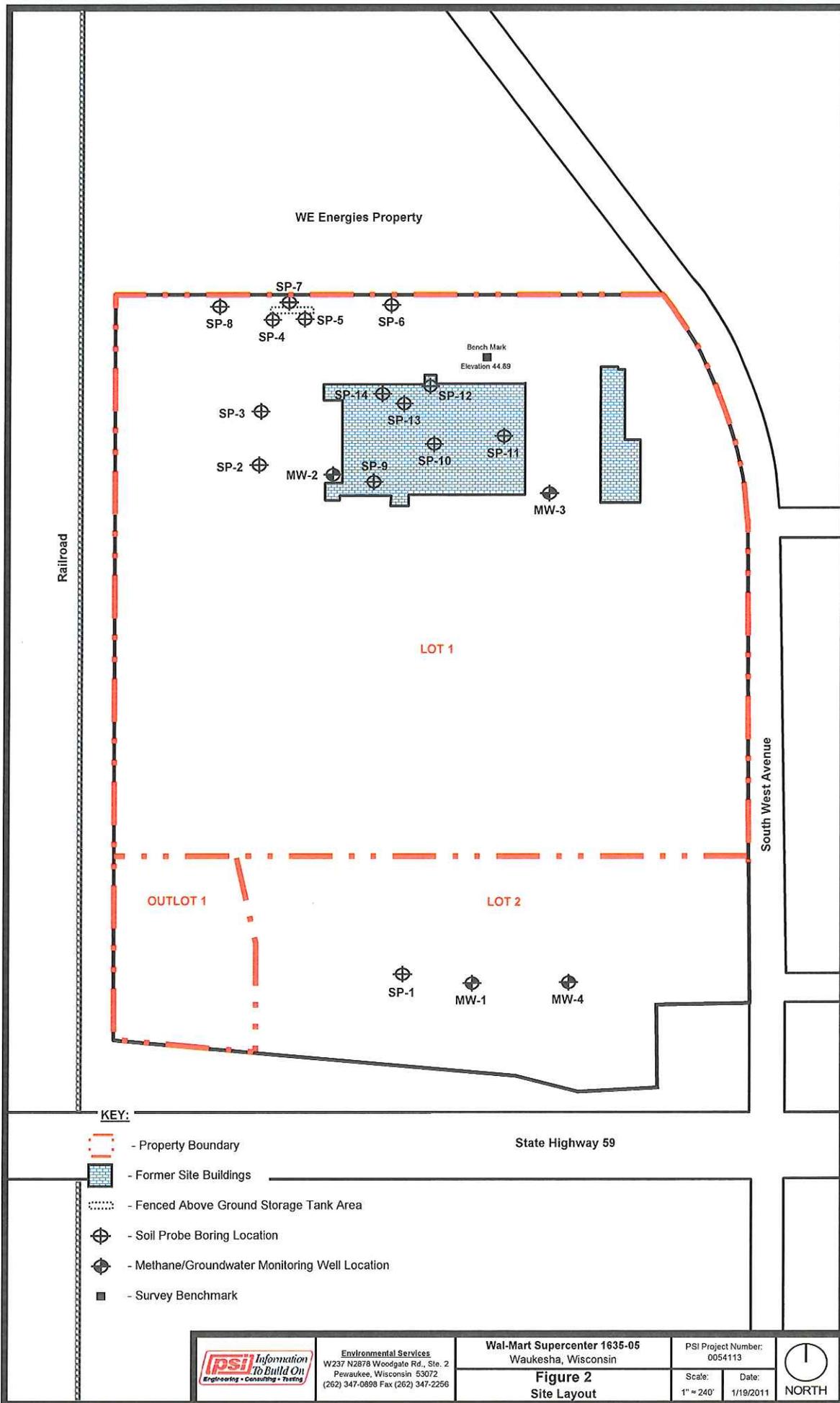
Source: United States Geological Survey, Muskego, Wisconsin, 7.5-Minute Topographic Maps, 1959, photorevised 1971 and 1976.



**Waukesha, Waukesha County, Wisconsin**

Part of the Northeast ¼ of the Southwest ¼, the Southeast ¼ of the Northwest ¼, the Southwest ¼ of the Northeast ¼, and the Northwest ¼ of the Southeast ¼ of Section 15, Township 6 North, Range 19 East

	Environmental Services W237 N2878 Woodgate Rd., Ste. 2 Pewaukee, Wisconsin 53072 (262) 347-0898 Fax (262) 347-2256	<b>Wal-Mart Supercenter 1635-05</b> Waukesha, WI	DATE: 1/19/2011	PROJECT #: 0054113
	<b>Site Location Map</b>		<b>Figure 1</b>	



WE Energies Property

Railroad

South West Avenue

State Highway 59

LOT 1

OUTLOT 1

LOT 2

**KEY:**

-  - Property Boundary
-  - Former Site Buildings
-  - Fenced Above Ground Storage Tank Area
-  - Soil Probe Boring Location
-  - Methane/Groundwater Monitoring Well Location
-  - Survey Benchmark



Environmental Services  
 W237 N2878 Woodgate Rd., Ste. 2  
 Pewaukee, Wisconsin 53072  
 (262) 347-0898 Fax (262) 347-2256

Wal-Mart Supercenter 1635-05  
 Waukesha, Wisconsin

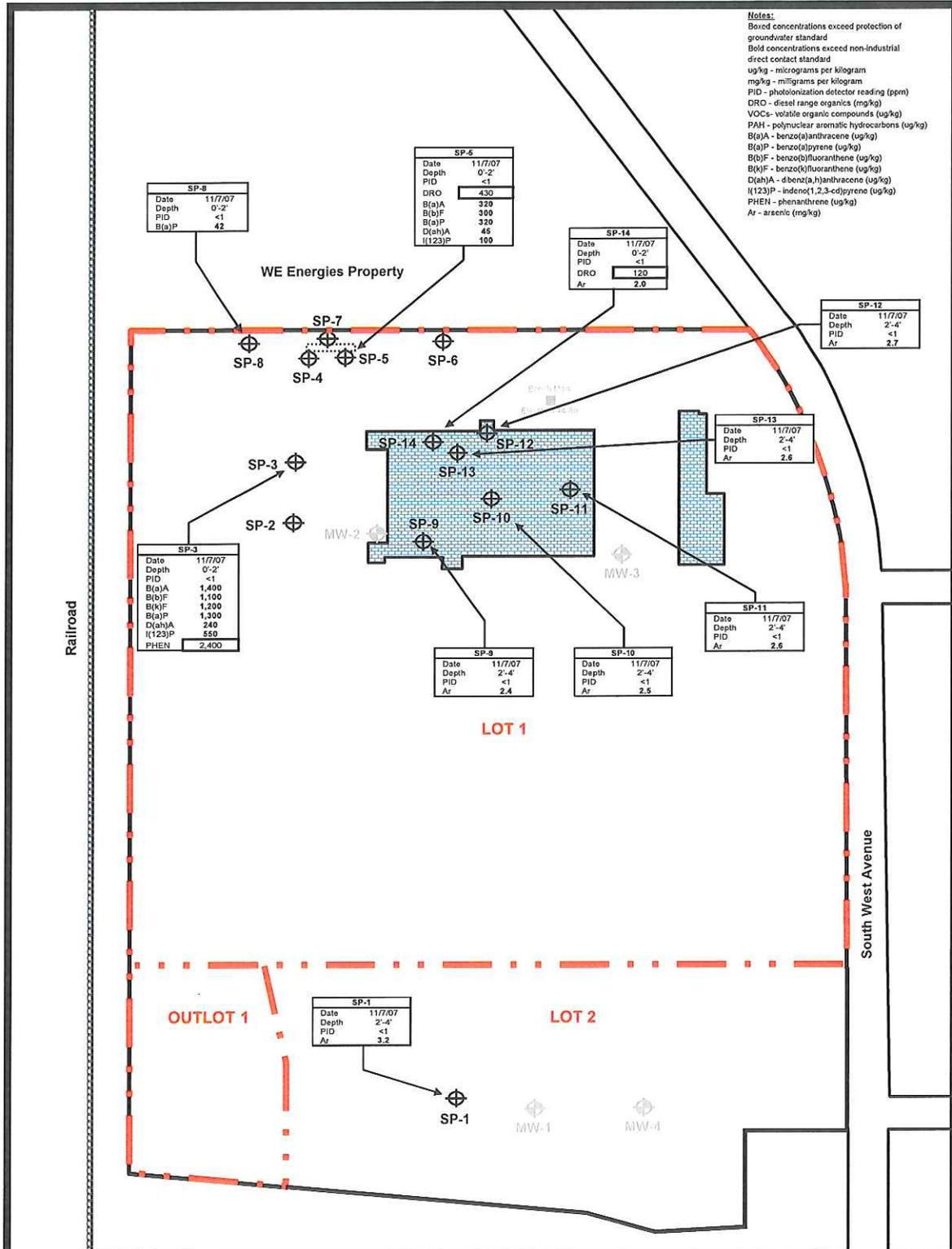
**Figure 2**  
 Site Layout

PSI Project Number:  
 0054113

Scale: 1" = 240'  
 Date: 1/19/2011

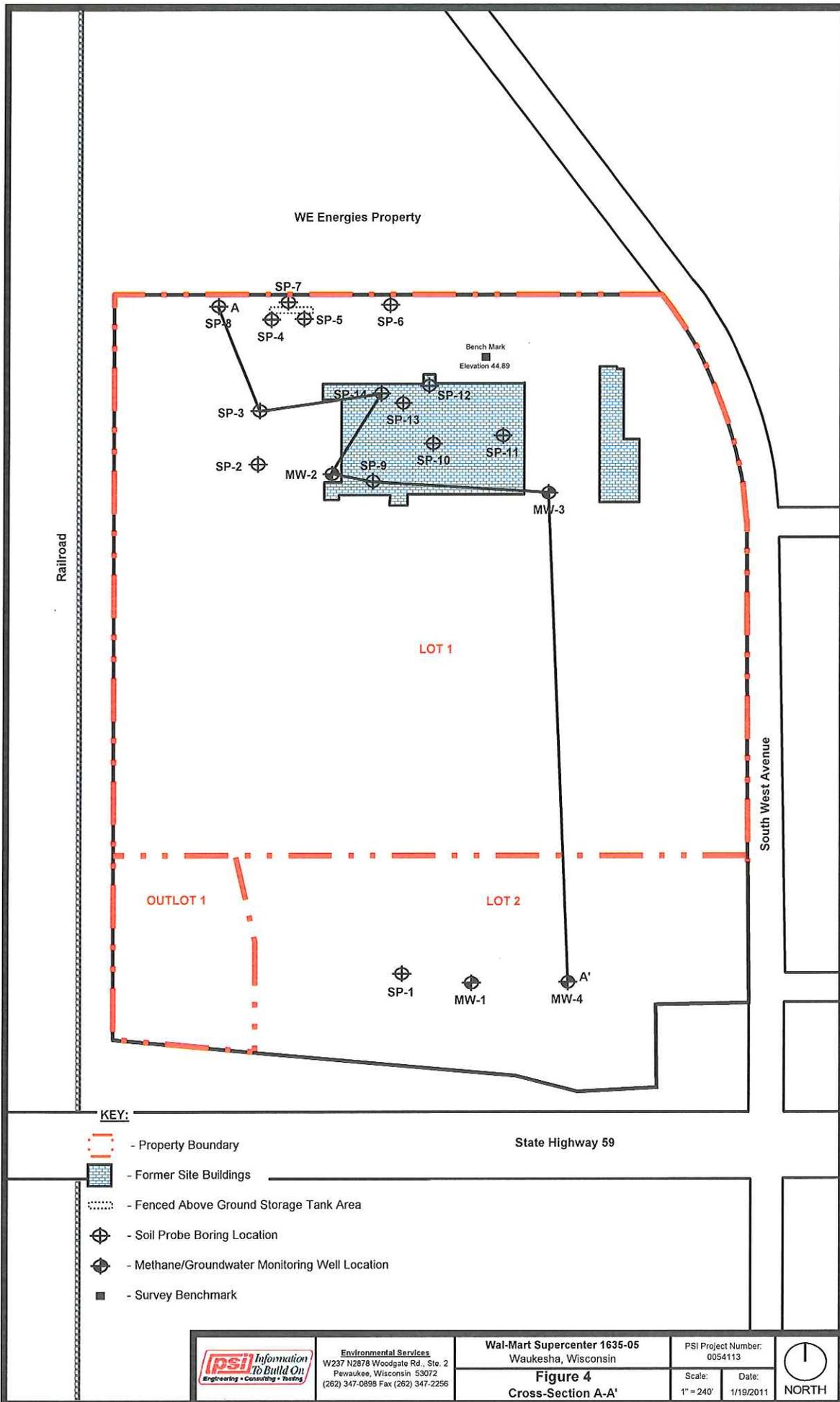


**Notes:**  
 Boved concentrations exceed protection of groundwater standard  
 direct contact standard  
 Bold concentrations exceed non-industrial  
 ug/kg - micrograms per kilogram  
 mg/kg - milligrams per kilogram  
 PID - photoionization detector reading (ppm)  
 DRO - diesel range organics (mg/kg)  
 VOCs - volatile organic compounds (ug/kg)  
 PAH - polynuclear aromatic hydrocarbons (ug/kg)  
 B(a)A - benzo(a)anthracene (ug/kg)  
 B(b)P - benzo(b)pyrene (ug/kg)  
 B(b)F - benzo(b)fluoranthene (ug/kg)  
 B(k)F - benzo(k)fluoranthene (ug/kg)  
 D(ah)A - dbenzo(a,h)anthracene (ug/kg)  
 I(123)P - indeno(1,2,3-cd)pyrene (ug/kg)  
 PHEN - phenanthrene (ug/kg)  
 Ar - arsenic (mg/kg)



- KEY:**
- Property Boundary
  - Former Site Buildings
  - Former Fenced Above Ground Storage Tank Area
  - Soil Probe Boring Location
  - Methane/Groundwater Monitoring Well Location
  - Survey Benchmark

	<b>Environmental Services</b> W237 N2878 Woodgate Rd., Ste. 2 Pewaukee, Wisconsin 53072 (262) 347-0898 Fax (262) 347-2256	<b>Wal-Mart Supercenter 1635-05</b> Waukesha, Wisconsin <b>Figure 3</b> Soil Contamination Map	PSI Project Number: 0054113	
	Scale: 1" = 240' Date: 1/19/2011			



**KEY:**

- Property Boundary
- Former Site Buildings
- Fenced Above Ground Storage Tank Area
- Soil Probe Boring Location
- Methane/Groundwater Monitoring Well Location
- Survey Benchmark

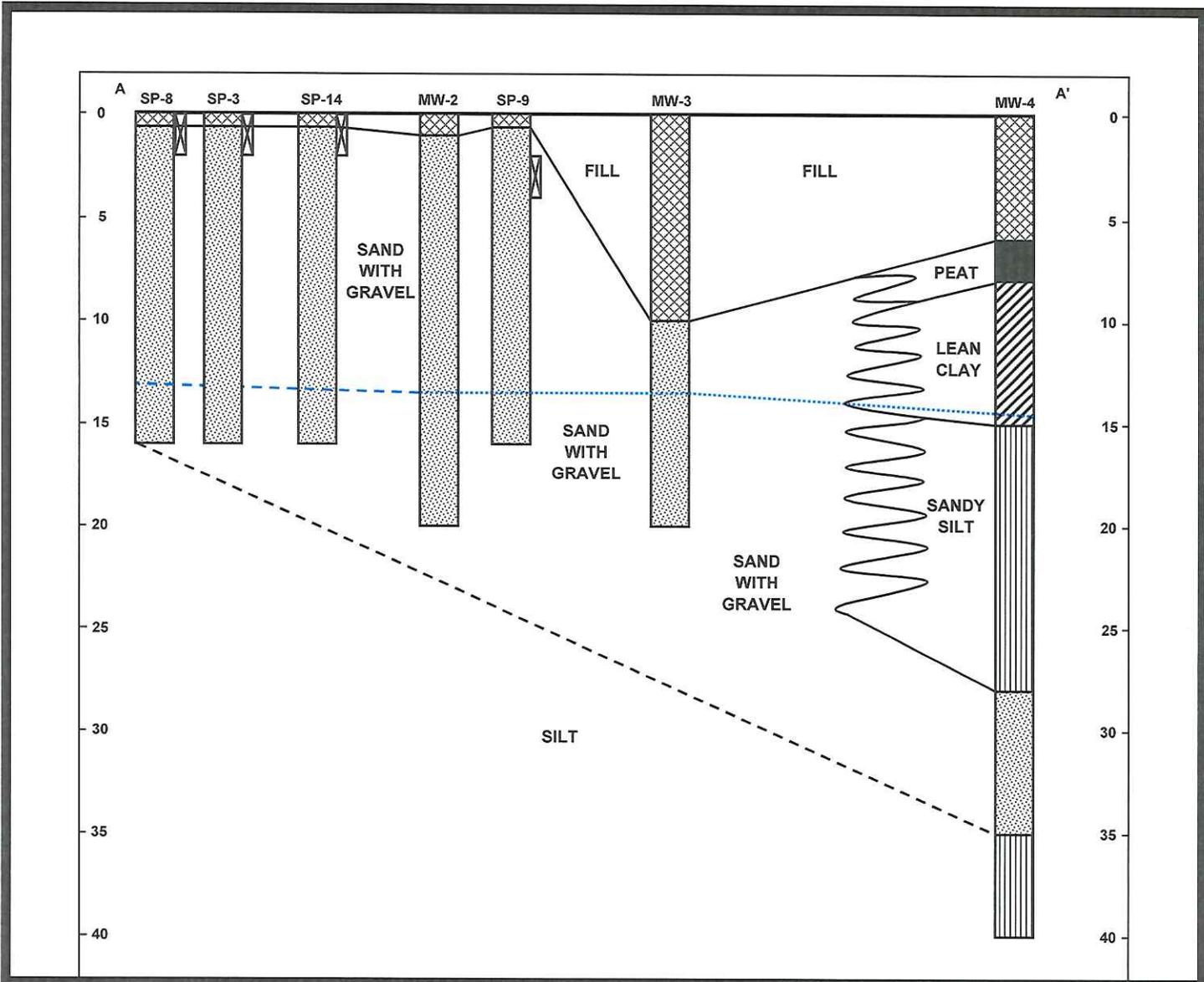


Environmental Services  
 W237 N2878 Woodgate Rd., Ste. 2  
 Pewaukee, Wisconsin 53072  
 (262) 347-0898 Fax (262) 347-2256

**Wal-Mart Supercenter 1635-05**  
 Waukesha, Wisconsin  
**Figure 4**  
 Cross-Section A-A'

PSI Project Number:  
 0054113  
 Scale: 1" = 240'  
 Date: 1/19/2011





**Notes:**

- FILL
- BROWN SAND WITH GRAVEL
- SILT/SANDY SILT
- Groundwater Level
- LEAN CLAY
- PEAT
- Soil Sample Interval
- Inferred Groundwater Level

	<b>Environmental Services</b> W237 N2878 Woodgate Rd., Ste. 2 Pewaukee, Wisconsin 53072 (262) 347-0898 Fax (262) 347-2256	2000 - 2002 South West Avenue Waukesha, Wisconsin	<b>PSI Project Number:</b> '0054113
	<b>Figure 5</b> Geological Cross-Section		<b>Date:</b> 1/19/2011

**TABLE 1**  
 Summary of Soil Sample Analytical Results  
 Proposed Wal-Mart Supercenter No. 1635-05  
 Cretex Site  
 Waukesha, Wisconsin

Analytical Parameter	Depth Date	SP-1	SP-2	SP-3	SP-4	SP-5	SP-6	SP-7	NR 720	NR 746	USGS	Suggested PAH	
		2'-4' 11/7/07	2'-4' 11/7/07	0'-2' 11/7/07	2'-4' 11/7/07	0'-2' 11/7/07	2'-4' 11/7/07	2'-4' 11/7/07	RCL Non-Industrial	RCL Groundwater Pathway	Background	Generic Soil Cleanup Levels Groundwater Pathway	Direct Contact/ Non-Industrial
	Units												
PID	i.u.	< 1	< 1	< 1	< 1	< 1	< 1	< 1	---	---	---	---	---
GRO	mg/kg	< 2.9	< 2.6	< 2.6	< 2.6	< 2.6	< 2.6	< 2.6	100	---	---	---	---
DRO	mg/kg	54	< 1.6	45	< 1.7	430	< 1.8	< 1.8	100	---	---	---	---
<b>VOCs</b>													
Benzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	5.5	8,500	---	---	---
Ethylbenzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	2,900	4,600	---	---	---
Methyl-tert-Butyl-Ether	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	---	---	---	---	---
Toluene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	1,500	38,000	---	---	---
1,2,4-Trimethylbenzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	---	83,000	---	---	---
1,3,5-Trimethylbenzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	---	11,000	---	---	---
Total Xylene	ug/kg	< 75	< 75	< 75	< 75	< 75	< 75	< 75	4,100	42,000	---	---	---
<b>PAHs</b>													
Acenaphthene	ug/kg	< 1.8	< 1.6	< 32	< 1.6	12	< 1.6	< 1.6	---	---	---	38,000	900,000
Acenaphthylene	ug/kg	< 2.0	< 1.8	540	< 1.8	170	< 1.8	< 1.8	---	---	---	700	1,800
Anthracene	ug/kg	< 2.2	< 1.9	750	< 1.9	280	< 1.9	< 1.9	---	---	---	3,000,000	5,000,000
Benzo(a)anthracene	ug/kg	< 2.1	< 1.9	<b>1,400</b>	< 1.9	<b>320</b>	< 1.9	< 1.9	---	---	---	17,000	88
Benzo(b)fluoranthene	ug/kg	3.8 Q	< 1.8	<b>1,100</b>	< 1.8	<b>300</b>	< 1.8	< 1.8	---	---	---	360,000	88
Benzo(k)fluoranthene	ug/kg	3.5 Q	< 1.7	<b>1,200</b>	< 1.8	<b>350</b>	< 1.8	< 1.8	---	---	---	870,000	880
Benzo(a)pyrene	ug/kg	3.9 Q	< 1.8	<b>1,300</b>	< 1.8	<b>320</b>	< 1.8	< 1.8	---	---	---	48,000	8.8
Benzo(ghi)perylene	ug/kg	< 2.2	< 2.0	610	< 2.0	110	< 2.0	< 2.0	---	---	---	6,800,000	1,800
Chrysene	ug/kg	4.9 Q	< 2.1	1,400	< 2.1	310	< 2.1	< 2.1	---	---	---	37,000	8,800
Dibenz(a,h)anthracene	ug/kg	< 2.2	< 2.0	<b>240</b>	< 2.0	<b>45</b>	< 2.0	< 2.0	---	---	---	38,000	8.8
Fluoranthene	ug/kg	8.5	< 1.9	3,400	< 1.9	740	< 1.9	< 1.9	---	---	---	500,000	600,000
Fluorene	ug/kg	< 2.0	< 1.7	170	< 1.7	15	< 1.7	< 1.7	---	---	---	100,000	600,000
Indeno(1,2,3-cd)pyrene	ug/kg	< 2.1	< 1.9	<b>550</b>	< 1.9	<b>100</b>	< 1.9	< 1.9	---	---	---	680,000	88
1-Methylnaphthalene	ug/kg	< 1.6	< 1.4	< 28	< 1.4	4.2 Q	< 1.4	< 1.4	---	---	---	23,000	1,100,000
2-Methylnaphthalene	ug/kg	< 1.7	< 1.5	< 29	< 1.5	7.6 Q	< 1.5	< 1.5	---	---	---	20,000	600,000
Naphthalene	ug/kg	< 1.4	< 1.2	< 24	< 1.2	< 2.4	< 1.2	< 1.2	---	---	---	400	20,000
Phenanthrene	ug/kg	15	< 1.9	<b>2,400</b>	< 1.9	250	< 1.9	< 1.9	---	---	---	1,800	18,000
Pyrene	ug/kg	6.5 Q	< 2.0	<b>2,300</b>	< 2.0	730	< 2.0	< 2.0	---	---	---	8,700,000	500,000
<b>RCRA Metals</b>													
Arsenic	mg/kg	3.2	---	---	---	---	---	---	0.039	---	0.7 - > 10	---	---
Barium	mg/kg	99	---	---	---	---	---	---	---	---	10 - 1,500	---	---
Cadmium	mg/kg	0.20	---	---	---	---	---	---	8	---	NAP	---	---
Chromium	mg/kg	14	---	---	---	---	---	---	14/16,000*	---	1-1,000	---	---
Lead	mg/kg	11	---	---	---	---	---	---	50	---	< 10 - 300	---	---
Mercury	mg/kg	0.024	---	---	---	---	---	---	---	---	0.01 - 3.4	---	---
Selenium	mg/kg	15 Q	---	---	---	---	---	---	---	---	< 0.01 - 3.9	---	---
Silver	mg/kg	< 0.013	---	---	---	---	---	---	---	---	< 0.1 - 73	---	---
Total PCBs	ug/kg	---	---	---	---	---	< 13	< 13	---	---	---	---	---

**Notes:**

Boxed concentrations exceed protection of groundwater RCL

Bold concentrations exceed non-industrial direct contact standard

--- Not analyzed/Not Established

Q - concentration detected between the laboratory Limit of Detection and the Limit of Quantitation

DRO - diesel range organics

GRO - gasoline range organics

i.u. - instrument units

mg/kg - milligrams per kilogram, parts per million

PAH - polynuclear aromatic hydrocarbons

PCB - polychlorinated biphenyls

PID - photoionization detector

RCL - residual contaminant level

RCRA - Resource, Conservation and Recovery Act

ug/kg - micrograms per kilogram, parts per billion

USGS - United States Geological Survey

VOC - volatile organic compounds

\* - Total Chromium laboratory analytical results are comprised of a 6 to 1 ratio of trivalent chromium to hexavalent chromium; therefore, it is more appropriate to evaluate detected chromium contaminants with respect to this ratio.

**TABLE 1 (Continued)**  
 Summary of Soil Sample Analytical Results  
 Proposed Wal-Mart Supercenter No. 1635-05  
 Cretex Site  
 Waukesha, Wisconsin

Analytical Parameter	Depth Date	SP-3	SP-9	SP-10	SP-11	SP-12	SP-13	SP-14	NR 720	NR 746	USGS	Suggested PAH Generic Soil Cleanup Levels	
		0'-2' 11/7/07	2'-4' 11/7/07	2'-4' 11/7/07	2'-4' 11/7/07	2'-4' 11/7/07	2'-4' 11/7/07	2'-4' 11/7/07	0'-2' 11/7/07	RCL - Non Industrial	RCL Groundwater Pathway	Background	Groundwater Pathway
	Units												
PID	I.U.	< 1	< 1	< 1	< 1	< 1	< 1	< 1					
GRO	mg/kg	< 2.6	---	---	---	< 2.6	< 2.5	< 2.6	100				
DRO	mg/kg	3.2	< 1.8	< 1.8	< 1.7	< 1.8	< 1.9	120	100				
<b>PVOCs</b>													
Benzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	5.5	8,500			
Ethylbenzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	2,900	4,600			
Methyl-tert-Butyl-Ether	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25					
Toluene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25	1,500	38,000			
1,2,4-Trimethylbenzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25		83,000			
1,3,5-Trimethylbenzene	ug/kg	< 25	< 25	< 25	< 25	< 25	< 25	< 25		11,000			
Total Xylene	ug/kg	< 75	< 75	< 75	< 75	< 75	< 75	< 75	4,100	42,000			
<b>PAHs</b>													
Acenaphthene	ug/kg	< 1.6	< 1.6	< 1.7	< 1.6	< 1.6	< 1.6	1.6 Q				38,000	900,000
Acenaphthylene	ug/kg	3.1 Q	< 1.8	< 1.8	< 1.8	< 1.8	< 1.7	< 1.8				700	1,800
Anthracene	ug/kg	4.9 Q	< 1.9	< 2.0	< 1.9	< 1.9	< 1.9	< 1.9				3,000,000	5,000,000
Benzo(a)anthracene	ug/kg	31	< 1.9	< 1.9	< 1.9	< 1.9	< 1.9	5.8 Q				17,000	88
Benzo(b)fluoranthene	ug/kg	47	< 1.8	< 1.9	< 1.9	< 1.9	< 1.8	6.1				360,000	88
Benzo(k)fluoranthene	ug/kg	37	< 1.8	< 1.8	< 1.8	< 1.8	< 1.7	5.6 Q				870,000	880
Benzo(a)pyrene	ug/kg	42	< 1.8	< 1.9	< 1.8	< 1.8	< 1.8	2.5 Q				48,000	8.8
Benzo(ghi)perylene	ug/kg	25	< 2.0	< 2.0	< 2.0	< 2.0	< 2.0	2.3 Q				6,800,000	1,800
Chrysene	ug/kg	44	< 2.1	< 2.2	< 2.1	< 2.1	< 2.1	12				37,000	8,800
Dibenz(a,h)anthracene	ug/kg	6.9	< 2.0	< 2.0	< 2.0	< 2.0	< 1.9	< 2.0				38,000	8.8
Fluoranthene	ug/kg	93	< 1.9	< 2.0	< 2.0	< 2.0	< 1.9	24				500,000	600,000
Fluorene	ug/kg	< 1.7	< 1.7	< 1.8	< 1.8	< 1.8	< 1.7	< 1.7				100,000	600,000
Indeno(1,2,3-cd)pyrene	ug/kg	21	< 1.9	< 2.0	< 1.9	< 1.9	< 1.9	< 1.9				680,000	88
1-Methylnaphthalene	ug/kg	< 1.4	< 1.4	< 1.4	< 1.4	< 1.4	< 1.4	32				23,000	1,100,000
2-Methylnaphthalene	ug/kg	< 1.5	< 1.5	< 1.5	< 1.5	< 1.5	< 1.5	54				20,000	600,000
Naphthalene	ug/kg	< 1.2	< 1.2	< 1.2	< 1.2	< 1.2	< 1.2	9.7				400	20,000
Phenanthrene	ug/kg	27	< 1.9	< 1.9	< 1.9	< 1.9	< 1.8	30				1,800	18,000
Pyrene	ug/kg	62	< 2.0	< 2.1	< 2.0	< 2.0	< 2.0	14				8,700,000	500,000
<b>RCRA Metals</b>													
Arsenic	mg/kg	---	2.4	2.5	2.6	2.7	2.6	2.0	0.039		0.7 - > 10		
Barium	mg/kg	---	7.0	6.8	9.4	12	6.3	6.7			10 - 1,500		
Cadmium	mg/kg	---	0.18	0.13	0.13	0.14	0.15	0.13	8		NAP		
Chromium	mg/kg	---	5.5	3.2	4.7	5.0	3.4	2.8	14/16,000*		1-1,000		
Lead	mg/kg	---	3.0	2.4	4.1	3.3	3.0	2.3	50		< 10 - 300		
Mercury	mg/kg	---	0.0087	0.0069	0.0079	0.0095	0.0067	0.0074			0.01 - 3.4		
Selenium	mg/kg	---	< 0.37	< 0.39	< 0.38	< 0.38	< 0.37	< 0.37			< 0.01 - 3.9		
Silver	mg/kg	---	< 0.011	< 0.012	< 0.012	< 0.012	< 0.011	< 0.011			< 0.1 - 73		
Total PCBs	ug/kg	< 13	---	---	---	---	---	---					

**Notes:**

Boxed concentrations exceed protection of groundwater RCL

Bold concentrations exceed non-industrial direct contact standard

--- Not analyzed/Not Established

Q - concentration detected between the laboratory Limit of Detection and the Limit of Quantitation

DRO - diesel range organics

GRO - gasoline range organics

I.U. - instrument units

mg/kg - milligrams per kilogram, parts per million

PAH - polynuclear aromatic hydrocarbons

PCB - polychlorinated biphenyls

PID - photoionization detector

RCL - residual contaminant level

RCRA - Resource, Conservation and Recovery Act

ug/kg - micrograms per kilogram, parts per billion

USGS - United States Geological Survey

VOC - volatile organic compounds

\* - Total Chromium laboratory analytical results are comprised of a 6 to 1 ratio of trivalent chromium to hexavalent chromium; therefore, it is more appropriate to evaluate detected chromium contaminants with respect to this ratio.