

**GIS REGISTRY INFORMATION**

**SITE NAME:** United Parcel Service  
**BRRTS #:** 03-68-001365 **FID # (if appropriate):** 268123790  
**COMMERCE # (if appropriate):** \_\_\_\_\_  
**CLOSURE DATE:** 08/05/2005  
**STREET ADDRESS:** 12400 W. Bluemound Road  
**CITY:** Elm Grove

**SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):** X= 677106 Y= 286935

**CONTAMINATED MEDIA:** Groundwater  Soil  Both

**OFF-SOURCE GW CONTAMINATION >ES:**  Yes  No

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

**GPS COORDINATES (meters in WTM91 projection):** X= \_\_\_\_\_ Y= \_\_\_\_\_

**OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):**  Yes  No

**IF YES, STREET ADDRESS 1:** \_\_\_\_\_

**GPS COORDINATES (meters in WTM91 projection):** X= \_\_\_\_\_ Y= \_\_\_\_\_

**CONTAMINATION IN RIGHT OF WAY:**  Yes  No

**DOCUMENTS NEEDED:**

- Closure Letter, and any conditional closure letter issued
- Copy of most recent deed, including legal description, for all affected properties
- Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties
- County Parcel ID number, if used for county, for all affected properties
- Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.
- Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.
- Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)
- Tables of Latest Soil Analytical Results (no shading or cross-hatching)
- Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.
- GW: Table of water level elevations, with sampling dates, and free product noted if present
- GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)
- SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour
- Geologic cross-sections, if required for SI. (8.5x14' if paper copy)
- RP certified statement that legal descriptions are complete and accurate
- Copies of off-source notification letters (if applicable)
- Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)
- Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

Waukesha Service Center  
141 NW Barstow St., Room 180  
Waukesha, Wisconsin 53188  
Telephone 262-574-2100  
FAX 262-574-2117

August 5, 2005

Ms. Linda Lyons  
United Parcel Service  
Plant Engineering Department  
55 Glenlake Parkway, NE  
Atlanta, GA 30328

Subject: Final Case Closure  
United Parcel Service, 12400 West Bluemound Road, Elm Grove, WI  
FID# 268123790, BRRTS# 03-68-001365

Dear Ms. Lyons:

On June 28, 1995, the Wisconsin Department of Natural Resources (Department) granted conditional closure for the release from the former Waste Oil UST at the above referenced property (the Property). Closure was conditional on the filing of a deed restriction for the residual soil contamination remaining in the area of the former Waste Oil UST at the Property. On November 17, 2004, the Department notified United Parcel Service (UPS) that based on a recent file review the Department had not received the requested deed restriction. UPS was given the option of filing a deed restriction or placing the Property on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites (GIS Registry).

On May 25, 2005, the Department received a packet and associated fee from UPS for placing the Property on the GIS Registry. On August 5, 2005, the Department received documentation that was missing from the GIS Registry packet. Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Ad. Code. Therefore, the Department considers this case closed and no further investigation, remediation or other action is required at this time.

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

Please be aware that 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. In the future, if soil is excavated from an area on the property that had residual soil contamination at the time of case closure, the soil must be sampled, analyzed, handled and disposed of as a solid waste in compliance with applicable state and federal laws in effect at that time.

Ms. Linda Lyons

08/05/2005

The Department appreciates the actions you have taken 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". The signature is fluid and cursive, with the first name "D" being particularly large and stylized.

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

cc: SER File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Southeast District - Annex building

Post Office Box 12436

4041 N. Richards St.

Milwaukee, Wisconsin 53212

TELEPHONE: 414-961-2727

TELEFAX #: 414-961-2770

George E. Meyer  
Secretary

June 28, 1995

File Ref: 1365

FID#: 268123790

ERR LUST

Mr. Tom Brzenk  
United Parcel Service  
12400 W. Bluemound Road  
Elm Grove, WI 53122

Re: SITE CLOSURE and PECFA REIMBURSEMENT (Claim #53122-2652-00) for  
Waste Oil Tank at above address

Dear Mr. Brzenk:

The Wisconsin Department of Natural Resources (WDNR) has reviewed the case file for the above referenced site submitted by Advent Environmental Services, Inc. The file contains information regarding the excavation and removal of a 1000 gallon used oil underground storage tank from the site on July 12, 1991 and the subsequent over-excavation of impacted soils. The file also contains information regarding the investigation of contamination in groundwater.

Based on the investigative and remedial documentation provided to the Department, it appears that the contamination at the above-named site has been remediated to the extent practicable under current site conditions, therefore the Department has determined that no further remedial action is necessary on the site at this time.

However, due to the presence of residual contamination remaining at the site, which may become accessible in the future if the building foundation on the property is altered or removed, a condition of the closeout of the case is that the owner sign and record a deed restriction for the property upon receipt of this letter. To document that this condition has been met, the property owner must submit to the Department, a copy of the recorded deed restriction with the recording information stamped on it, after the County Register of Deeds returns the deed restriction to the property owner. The deed restriction may be amended in the future with the approval of DNR if conditions change at the site and the residual contamination is remediated.

Upon receipt of proof of deed restriction, the WDNR will sign the Form 4 for reimbursement under the State's Petroleum Environmental Cleanup Fund (PECFA) program and consider the case "closed".

The WDNR appreciates the actions you have taken to restore the environment at this site. If you have any questions, you may contact me at 961-2774.

Sincerely,

  
Andrew Boettcher  
Hydrogeologist

c: Mr. Peter Pavalko, Advent Environmental Services, Inc.  
SED Case File



1590609

1590609 ✓

REGISTER'S OFFICE  
WAUKESHA COUNTY, WIS. } SS  
RECORDED ON

1990 MAY -8 PM 3 17

REEL 1198 INDEX 0502

PREMISES: 12708 W. Bluemon  
Road,  
Elm Grove, Wisc.

RETURN TO Schnader, Harrison,  
Segal & Lewis, Suite 3600,  
1600 Market St., Phila., PA  
19103 Attn: Barbara Schramm,  
Assistant

This indenture, Made this 23rd day of March, A. D., 1990,  
between: WAUKEE REALTY COMPANY,

a Corporation duly organized and existing under and by virtue of the laws of the State of  
Wisconsin, located at Greenwich Office Park 5  
51 Weaver Street, Shelton, Connecticut

OSHCON CORPORATION, a Wisconsin  
corporation, party of the second part.

Witnesseth, That the said party of the first part, for and in consideration of  
the sum of One Dollar (\$1.00)

to it paid by the said party of the second part, the receipt whereof is hereby  
confessed and acknowledged, has given, granted, bargained, sold, remised, released,

aliened, conveyed and confirmed, and by these presents does give, grant, bargain, sell, remise, release, alien, convey and confirm unto its successors  
the said party of the second part, its successors and assigns forever, the following described real estate, situated Waukesha  
in the County of Waukesha and State of Wisconsin, to-wit:

ALL THOSE CERTAIN lots or pieces of ground with the buildings and  
improvements thereon erected, situate in the County of Waukesha  
and State of Wisconsin, as more particularly described in Exhibit A,  
attached hereto and made a part hereof.

FEE  
# 17.25(6)  
EXEMPT

see  
10-

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all  
the estate, right, title, interest, claim or demand whatsoever, of the said party of the first part, either in law or equity, either in possession  
or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To have and to hold the said premises as above described with the hereditaments and appurtenances, unto the said party of  
the second part, and to its successors FOREVER.

And the said Waukee Realty Company,  
party of the first part, for itself and its successors does covenant, grant, bargain and agree to and with the said party of  
the second part, its successors

and assigns, that the above bargained premises, in the quiet and peaceable possession of  
the said party of the second part, its successors and assigns, against all and every person or persons lawfully  
claiming the whole or any part thereof, by, through or under said Waukee Realty Company,

party of the first part, and none other, it will forever WARRANT and DEFEND.

In Witness Whereof, the said Waukee Realty Company,  
party of the first part, has caused these presents to be signed by Samuel A. Lockwood

Richard W. Webster, its Secretary,  
at Greenwich Office Park 5, Greenwich, Connecticut  
this 23rd day of March, A. D., 1990...

SIGNED AND SEALED IN PRESENCE OF

Mark Morfopoulos  
Mark Morfopoulos  
Richard A. Rubin

WAUKEE REALTY COMPANY, a Wisconsin  
corporation  
By: Samuel A. Lockwood  
Samuel A. Lockwood, Vice President

COUNTERSIGNED: CORPORATE SEAL

Richard W. Webster  
Richard W. Webster, Asst. Secretary

CONNECTICUT

STATE OF ~~WISCONSIN~~

~~WAUKESHA~~ FAIRFIELD County, ss.

Personally came before me, this 23rd day of March, A. D., 1990,  
Samuel A. Lockwood President, and Richard W. Webster Asst. Secretary  
of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such  
President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed  
of said Corporation, by its authority.

THIS INSTRUMENT WAS DRAFTED BY

Margaret M. Haggerty

Barbara Schramm (SEAL) MARGARET M. HAGGERTY Notary Public, FAIRFIELD County, CONNECTICUT  
COMMISSIONER OF DEEDS

My Commission Expires March 30, 1993 My commission (expires) (is) March 30, 1993

(Section 59.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon  
the names of the grantor, grantee, witnesses and notary. Section 59.51(2) similarly requires that the name of the person who, or govern-  
mental agency which, drafted such instrument, shall be printed, typewritten, stamped or written thereon in a legible manner.)

002/002

08/05/2005 FRI 9:45 FAX

## EXHIBIT A

### Legal Descriptions

#### PARCEL A

THAT part of the Northeast 1/4 and the Southeast 1/4 of Section 25, Town 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin, bounded and described as follows, to-wit: Commencing at the Southeast corner of the Northeast 1/4 Section; thence North 88° 47' 56" West along the South line of said 1/4 Section 349.26 feet to a point; thence South 0° 13' 43" West, 555.56 feet to a point in the North right-of-way line of West Bluemond Road; thence South 85° 17' 43" West along said right-of-way line, 79.52 feet to a point; thence North 0° 13' 43" East, 564.02 feet to a point; thence North 88° 47' 56" West, 130.67 feet to a point; thence North 0° 32' 04" East, 330.00 feet to a point; thence North 88° 47' 56" West, 125.00 feet to a point; thence North 0° 32' 04" East, 103.70 feet to a point; thence South 88° 47' 56" East, 684.25 feet to a point; thence South 0° 32' 04" West, 433.50 feet to the place of commencement, reserving therefrom the East 60 feet for Public Road purposes.

BEING the same premises which Gladys W. Helstrom, Trustee of Inter Vivos Trust created by Hans P. Christensen and Ragna V. Christensen on October 21, 1966, by Deed dated February 19, 1968, and recorded on March 1, 1968, in the Office of the Register of Deeds for Waukesha County in Deed Volume 1112, page 573, granted and conveyed unto Waukee Realty Company, a Wisconsin corporation, in fee.

UNDER AND SUBJECT to municipal and zoning ordinances, recorded easements for public utilities and recorded building restrictions.

#### PARCEL B

THAT part of the Northeast 1/4 and the Southeast 1/4 of Section 25, Township 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin, bounded and described as follows, to-wit: Commencing at the Southeast corner of said Northeast 1/4 section, running thence North 88° 47' 56" West on and along the South line of said Northeast 1/4 Section, 684.25 feet to the point of beginning of the parcel herein to be described; continuing thence North 88° 47' 56" West on and along the South line of said Northeast 1/4 Section, 629.18 feet to a point; thence South 0° 13' 57" West, 463.09 feet to a point on a curve in the Northeasterly line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company Right-of-Way; thence on and along the arc of said curve and the Northeasterly right-of-way line of said railroad 221.49 feet having a radius which bears North 36° 11' 35" East, 2814.93 feet, having a chord which bears North 51° 03' 10" West, 221.43 feet to a point, thence North 50° 21' 16" East, 146.74 feet to a point; thence North 0° 13' 57" East, 412.44 feet to a point; thence North 45° 54' 17" West, 384.22 feet to a point; thence South 53° 00' 23" West, 405.66 feet to a point on a curve in the Northeasterly line of said railroad right-of-way; thence on and along the arc of said curve and the Northeasterly Right-of-Way of said railroad 372.62 feet, having a radius which bears North 55° 13' 13" East, 2814.93 feet, having a chord which bears North 30° 59' 15" West, 372.34 feet to a point of tangent; thence North 27° 11' 43" West on and along the Northeasterly right-of-way of said railroad 319.00 feet to a point of curve; thence on and along the arc of said curve and the Northeasterly right-of-way line of said railroad 521.55 feet, having a radius which bears South 62° 48' 17" West, 2314.17 feet, having a chord which bears North 33° 39' 10" West, 520.47 feet to a point on a curve and in the Southwesterly line of said railroad right-of-way; thence on and along the arc of a curve and the Southwesterly line of said railroad right-of-way 540.21 feet, having a radius which bears North 35° 06' 09" East 3192.47 feet, having a chord which bears South 59° 44' 34" East 539.39 feet to a point of compound curve; thence on

## EXHIBIT A (CONTINUED)

and along the arc of a curve and the Southwesterly line of said railroad right-of-way 1507.88 feet, having a radius which bears North 25° 24' 43" East, 3614.10 feet, having a chord which bears South 76° 32' 26" East, 1496.95 feet to a point; thence South 0° 32' 04" West and parallel to the East line of said Northeast 1/4 section 633.70 feet to the point of beginning.

BEING the same premises which School Sisters of Notre Dame, by Deed dated February 24, 1968, and recorded on March 1, 1968, in the Office of the Register of Deeds for Waukesha County in Deed Volume 1112, page 576, granted and conveyed unto Waukee Realty Company, a Wisconsin corporation, in fee.

UNDER AND SUBJECT to municipal and zoning ordinances, recorded easements for public utilities, recorded building restrictions and two easements to Suburbanaire, Inc. dated May 11, 1961, and recorded with the Register of Deeds for Waukesha County on May 24, 1961, as Document #544669, in Deed Volume 822, page 465.

### PARCEL C

THAT part of the Southeast Quarter of the Northeast Quarter of Section Twenty-five (25), Township Seven (7) North, Range Twenty (20) East in the Village of Elm Grove, bounded and described as follows: Commencing at the quarter section stone at the Southeast corner of the said Northeast Quarter Section; thence North on and along the East line of said Quarter Section, 434.00 feet to a point, which is the point of beginning of the parcel to be described; thence West and parallel to the South line of said Quarter Section, 684.25 feet to a point; thence North and parallel to the East line of said Quarter Section, 200.00 feet to a point in the Southerly line of the right of way of the Chicago, Milwaukee, St. Paul, & Pacific Railroad; then Easterly and along the Southerly line of such right of way to the East line of said Quarter Section; thence South and along the said East line of said Quarter Section, 261.75 feet to the place of beginning.

BEING the same premises which the Village of Elm Grove, a Wisconsin municipal corporation, by Deed dated February 26, 1968, and recorded on March 4, 1968, in the Office of the Register of Deeds for Waukesha County in Deed Volume 1114, page 45, granted and conveyed unto Waukee Realty Company, a Wisconsin corporation, in fee.

### PARCEL D

THE East 25 feet of a piece of land in the Southeast 1/4 of Section 25, Township 7 North, Range 20 East, being bounded and described as follows: Commencing at a point in the North line of said 1/4 section, 349.26 feet West of the Northeast corner thereof; running thence South and parallel to the East line of the said 1/4 section, 640.01 feet to a point; thence Southwesterly along the center line of the so-called Bluemond Road, 80 feet to a point; thence North and parallel to the East line of said 1/4 section, 646.77 feet to a point; thence East along the North line of said 1/4 section, 79.23 feet to the point of beginning, containing 1/17 acres of land, more or less, also the South 25 feet of the West 334.99 feet of the East 684.25 feet of the Northeast 1/4 of Section 25, Township 7 North, Range 20 East, Town of Brookfield, Waukesha County, Wisconsin.

BEING the same premises which Kenneth E. Kuenn and Bernice A. Kuenn, husband and wife, by Deed dated February 29, 1968, and recorded on March 1, 1968, in the Office of the Register of Deeds for Waukesha County in Deed Volume 1112, page 569, quit-claimed unto Waukee Realty Company, a Wisconsin corporation, in fee.

## EXHIBIT A (CONTINUED)

### PARCEL E

THAT part of the Northeast 1/4 of Section 25, Township 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin, bounded and described as follows, to-wit: Commencing at the Southeast corner of said 1/4 section; running thence North 88° 47' 56" West on and along the South line of said 1/4 Section 559.25 feet to the point of beginning of the parcel herein to be described; continuing thence North 88° 47' 56" West on and along the said 1/4 section 125.00 feet to a point; thence North 0° 32' 04" East and parallel to the East line of said 1/4 section 330.00 feet to a point; thence South 88° 47' 56" East and parallel to the South line of said 1/4 section 125.00 feet to a point; thence South 0° 32' 04" West and parallel to the East line of said 1/4 section 330.00 feet to the point of beginning.

BEING the same premises which Kenneth E. Kuen and Bernice A. Kuenn, husband and wife, by Deed dated February 29, 1968, and recorded on March 1, 1968, in the Office of the Register of Deeds for Waukesha County in Deed Volume 1112, page 571, granted and conveyed unto Waukee Realty Company, a Wisconsin corporation, in fee.

AND by Articles of Merger dated March 8, 1989, filed March 27, 1989, in the Office of the Secretary of State for Wisconsin, Waukee Realty Company merged into Oshcon Corporation, a Wisconsin corporation.

AND the purpose of this Deed is to confirm the aforesaid merger.

## EXHIBIT A (CONTINUED)

### PARCEL 1:

That part of the Northeast  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$  of Section 25, Town 7 North, Range 20 East, in the Village of Elm Grove, County of Waukesha, State of Wisconsin, bounded and described as follows:

Commencing at a point in the South line of said Northeast  $\frac{1}{4}$  Section 829.10 feet East of the Southwest corner of said  $\frac{1}{4}$  section (said point being the intersection with the Northeasterly line of the C.M. St. P. & P. R. Right-of-Way); thence Northwesterly 245.0 feet along the Northeasterly line of said right-of-way, being the arc of a curve, the center of which lies Northeasterly with a radius of 2814.93 feet and the chord of which bears North  $39^{\circ} 04' 21''$  West, 244.92 feet to a point; thence North  $51^{\circ} 44' 50''$  East, 407.56 feet to a point; thence South  $47^{\circ} 11'$  East, 384.22 feet to a point; thence South  $0^{\circ} 58' 30''$  East, 412.44 feet to a point; thence South  $49^{\circ} 04' 50''$  West 146.74 feet to a point in the Northeasterly line of said Railroad right-of-way; thence Northwesterly 475.0 feet along said right-of-way, being the arc of a curve, the center of which lies Northeasterly with a radius of 2814.93 feet and the chord of which bears North  $46^{\circ} 24'$  West, 474.44 feet to the place of beginning.

ALSO that part of the Northeast  $\frac{1}{4}$  of Section 25, Town 7 North, Range 20 East, in the Village of Elm Grove, County of Waukesha, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said  $\frac{1}{4}$  section; thence North  $88^{\circ} 47' 56''$  West on and along the South line of said  $\frac{1}{4}$  section, 1341.675 feet to the point of beginning; thence continuing North  $88^{\circ} 47' 56''$  West 30.005 feet to a point; thence North  $0^{\circ} 13' 57''$  East, 90.00 feet to a point; thence South  $18^{\circ} 06' 23''$  East 95.35 feet to the point of beginning.

ALSO that part of the Southeast  $\frac{1}{4}$  of Section 25, Town 7 North, Range 20 East, in the Village of Elm Grove, County of Waukesha, State of Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said  $\frac{1}{4}$  section; thence North  $88^{\circ} 47' 56''$  West on and along the North line of said  $\frac{1}{4}$  section 1311.675 feet to the point of beginning; thence South  $0^{\circ} 13' 57''$  West 463.09 feet to a point on a curve in the Northeasterly line of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company right-of-way; thence on and along the arc of said curve and the Northeasterly right-of-way line of said railroad 221.49 feet, having a radius which bears North  $36^{\circ} 11' 35''$  East, 2814.93 feet, having a chord which bears North  $51^{\circ} 03' 10''$  West, 221.43 feet to a point; thence North  $50^{\circ} 21' 16''$  East 146.74 feet to a point; thence North  $0^{\circ} 13' 57''$  East to a point in the North line of said Southeast  $\frac{1}{4}$  Section; thence South  $88^{\circ} 47' 56''$  East 60.01 feet on and along the North line of said Southeast  $\frac{1}{4}$  section to the point of beginning.

EXCEPTING THEREFROM that part conveyed in Warranty Deed dated March 29, 1971 and recorded November 17, 1971 in Volume 1250 of Deeds on Page 547, as Document No. 802594.

### PARCEL 2:

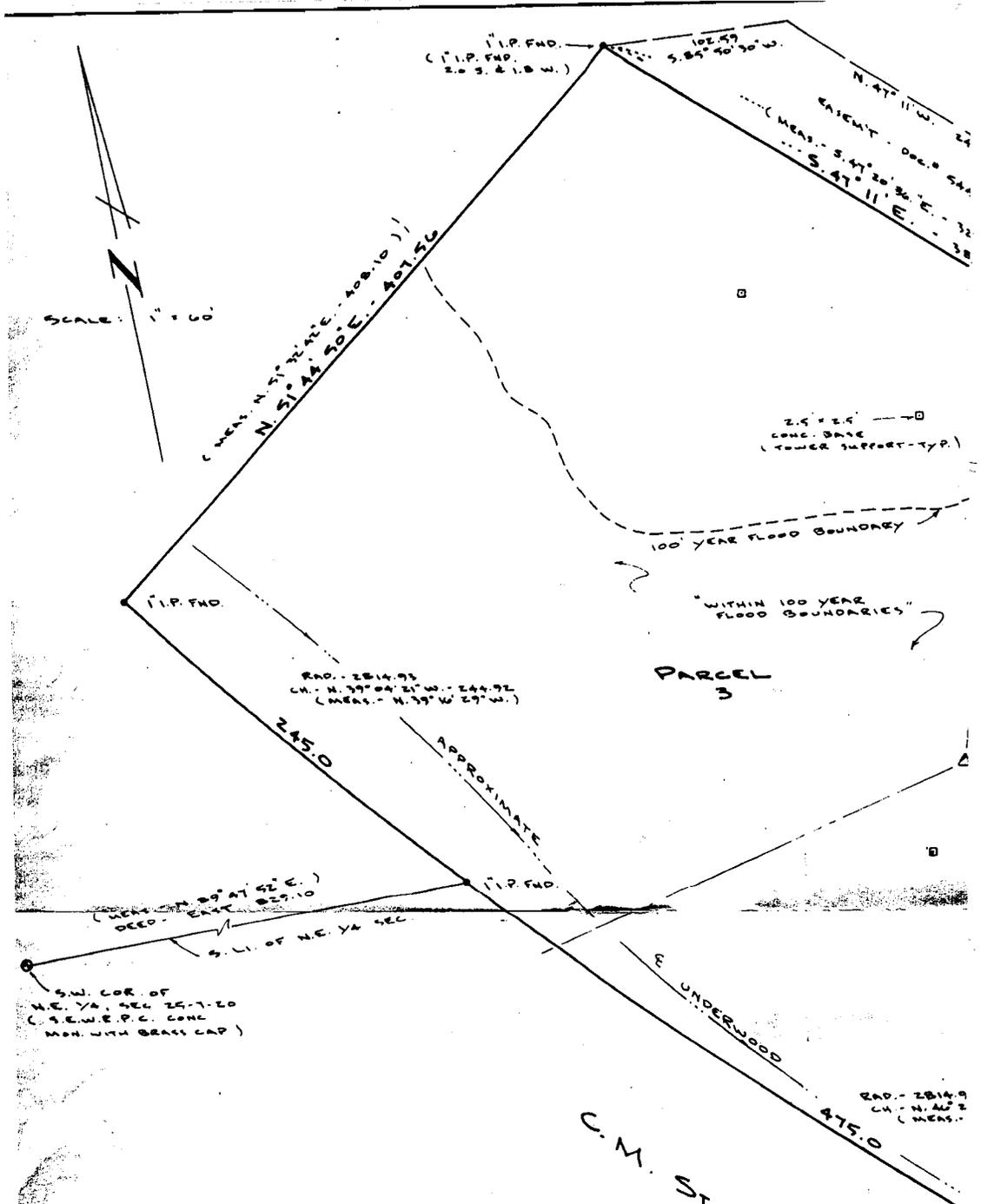
#### THE FOLLOWING EASEMENT RIGHTS:

(a) Ground Wire Easements as conveyed by easement executed by the School Sisters of Notre Dame to Suburbanaire, Inc., dated May 11, 1961 and recorded May 24, 1961 in Volume 882 of Deeds on Page 460, as Document No. 544669.

(b) Non-exclusive Access Easement as conveyed by Blueco Corp. to Suburbanaire, Inc., dated April 3, 1961 and recorded August 29, 1966, as Document No. 669556 and ratified and amended by Easement and Agreement between Wisconsin Evangelical Lutheran Synod and Suburbanaire, Inc., dated February 13, 1968 and recorded March 5, 1968, as Document No. 706821.

(c) Easement granted to Suburbanaire, Inc. by Waukee Realty Company, dated April 7, 1971 and recorded November 17, 1971, as Document No. 802596.

Tax Key No. 1105.996



LAND SURVEYORS

**KUOKKANEN & ASSOCIATES, INC.**  
 910 ELM GROVE ROAD  
 ELM GROVE, WISCONSIN 53122  
 782-8690

**SURVEY CERTIFICATE**

I hereby certify to Chicago Title Insurance Company and United Parcel Service that this survey made under my supervision on August 22, 1988, correctly shows the relation of buildings and other structures to the property lines of the land indicated hereon; and that there are no encroachments of adjoining buildings or structures onto said land, nor overlap of buildings or structures onto said land, except as shown.

*[Signature]*  
 Kit Kuokkanen  
 Registered Land Surveyor  
 S-1177



# PROPERTY SURVEY

PREPARED FOR: SUBURBANAIRE, INC.

LOCATION: 12800 W. BLUE MOUND ROAD  
ELM GROVE, WI.

## PARCEL 1

That part of the Northeast 1/4 of Section 25, Township 7 North, Range 20 East, in the Village of Elm Grove, County of Waukesha, State of Wisconsin bounded and described as follows: Commencing at the Southeast corner of said 1/4 Section; thence N. 88°47'56"W. on and along the South line of said 1/4 Section, 1341.675 feet to the point of beginning; thence continuing N. 88°30.005 feet to a point; thence N. 0°13'57"E., 90.00 feet to a point; thence S. 18°06'23"E., 95.35 feet to the point of beginning. ( 1,550 ± SQ. FT. )

**ZONING -**  
COMMERCIAL &  
LIGHT MANUFACTURING  
MINIMUM SETBACK REQUIREMENTS  
FRONT - 35'  
SIDE - 10'  
HEIGHT LIMIT - 2-STORY (35')

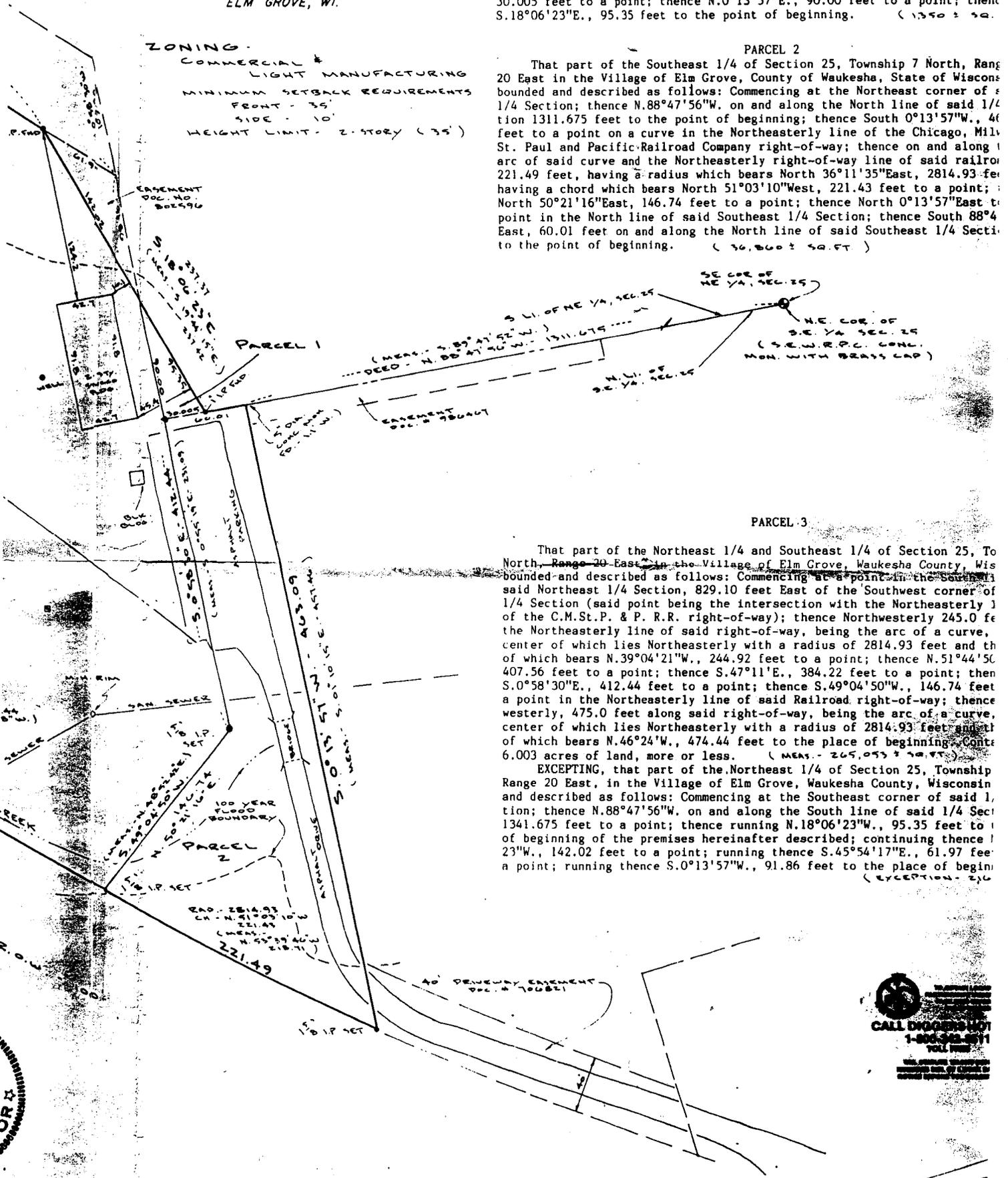
## PARCEL 2

That part of the Southeast 1/4 of Section 25, Township 7 North, Range 20 East in the Village of Elm Grove, County of Waukesha, State of Wisconsin bounded and described as follows: Commencing at the Northeast corner of said 1/4 Section; thence N. 88°47'56"W. on and along the North line of said 1/4 Section 1311.675 feet to the point of beginning; thence South 0°13'57"W., 46 feet to a point on a curve in the Northeasterly line of the Chicago, Milwaukee and St. Paul and Pacific Railroad Company right-of-way; thence on and along an arc of said curve and the Northeasterly right-of-way line of said railroad 221.49 feet, having a radius which bears North 36°11'35" East, 2814.93 feet having a chord which bears North 51°03'10" West, 221.43 feet to a point; thence North 50°21'16" East, 146.74 feet to a point; thence North 0°13'57" East to a point in the North line of said Southeast 1/4 Section; thence South 88°4 East, 60.01 feet on and along the North line of said Southeast 1/4 Section to the point of beginning. ( 36,800 ± SQ. FT. )

## PARCEL 3

That part of the Northeast 1/4 and Southeast 1/4 of Section 25, Township 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin bounded and described as follows: Commencing at a point in the Southeast 1/4 of said Northeast 1/4 Section, 829.10 feet East of the Southwest corner of said 1/4 Section (said point being the intersection with the Northeasterly line of the C.M. St. P. & P. R.R. right-of-way); thence Northwesterly 245.0 feet to the Northeasterly line of said right-of-way, being the arc of a curve, center of which lies Northeasterly with a radius of 2814.93 feet and the arc of which bears N. 39°04'21"W., 244.92 feet to a point; thence N. 51°44'50" 407.56 feet to a point; thence S. 47°11'E., 384.22 feet to a point; thence S. 0°58'30"E., 412.44 feet to a point; thence S. 49°04'50"W., 146.74 feet to a point in the Northeasterly line of said Railroad right-of-way; thence westerly, 475.0 feet along said right-of-way, being the arc of a curve, center of which lies Northeasterly with a radius of 2814.93 feet and the arc of which bears N. 46°24"W., 474.44 feet to the place of beginning. Containing 6.003 acres of land, more or less. ( MEAS. - 265,053 ± SQ. FT. )

EXCEPTING, that part of the Northeast 1/4 of Section 25, Township 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin bounded and described as follows: Commencing at the Southeast corner of said 1/4 Section; thence N. 88°47'56"W. on and along the South line of said 1/4 Section 1341.675 feet to a point; thence running N. 18°06'23"W., 95.35 feet to the point of beginning of the premises hereinafter described; continuing thence N. 88°23"W., 142.02 feet to a point; running thence S. 45°54'17"E., 61.97 feet to a point; running thence S. 0°13'57"W., 91.86 feet to the place of beginning. ( EXCEPTION - 210 ± SQ. FT. )



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# PROPERTY SURVEY

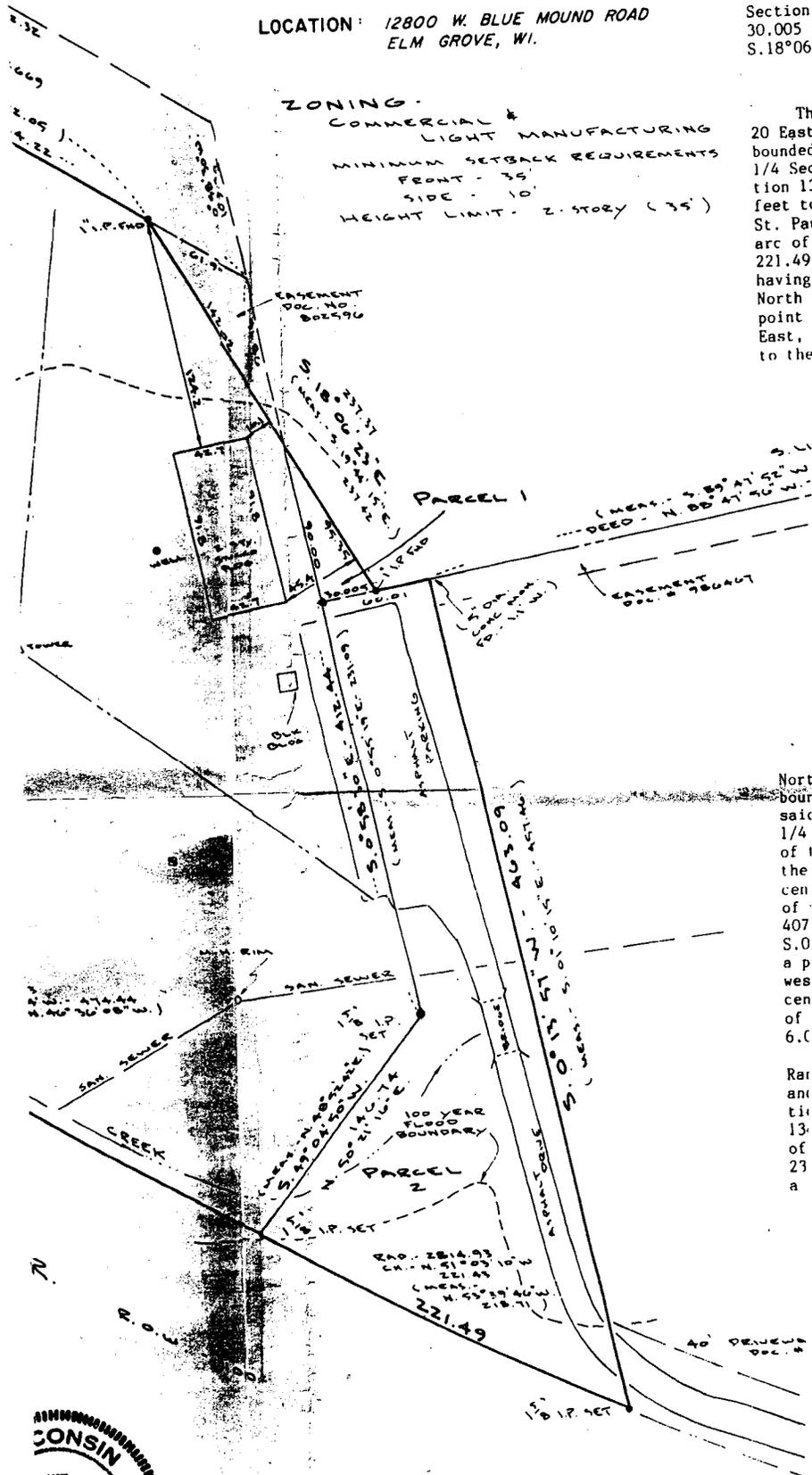
PREPARED FOR: **SUBURBANAIRE, INC.**

LOCATION: **12800 W. BLUE MOUND ROAD  
ELM GROVE, WI.**

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**ZONING -  
COMMERCIAL &  
LIGHT MANUFACTURING**  
MINIMUM SETBACK REQUIREMENTS  
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SIDE - 10'  
HEIGHT LIMIT - 2-STORY (35')

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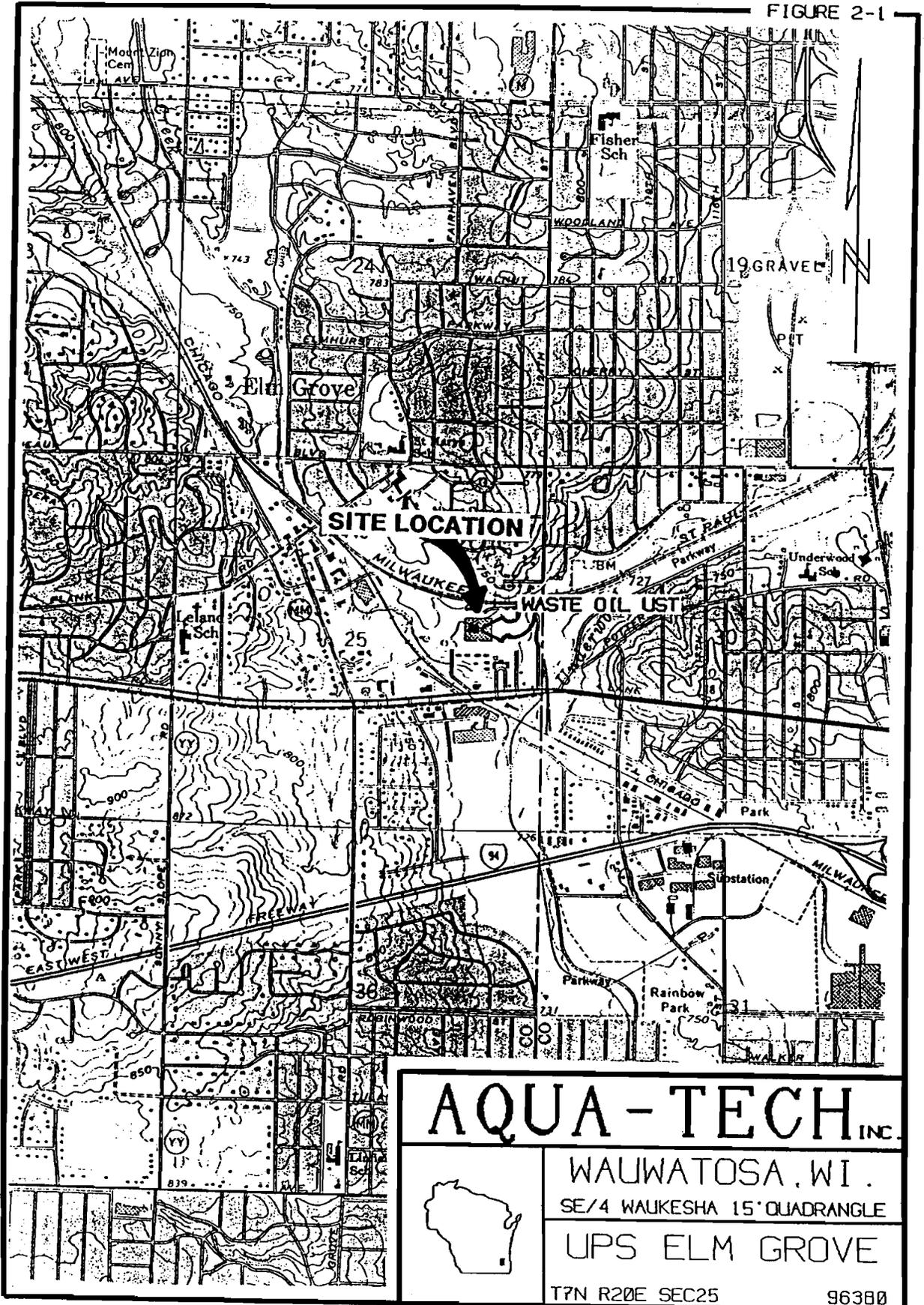


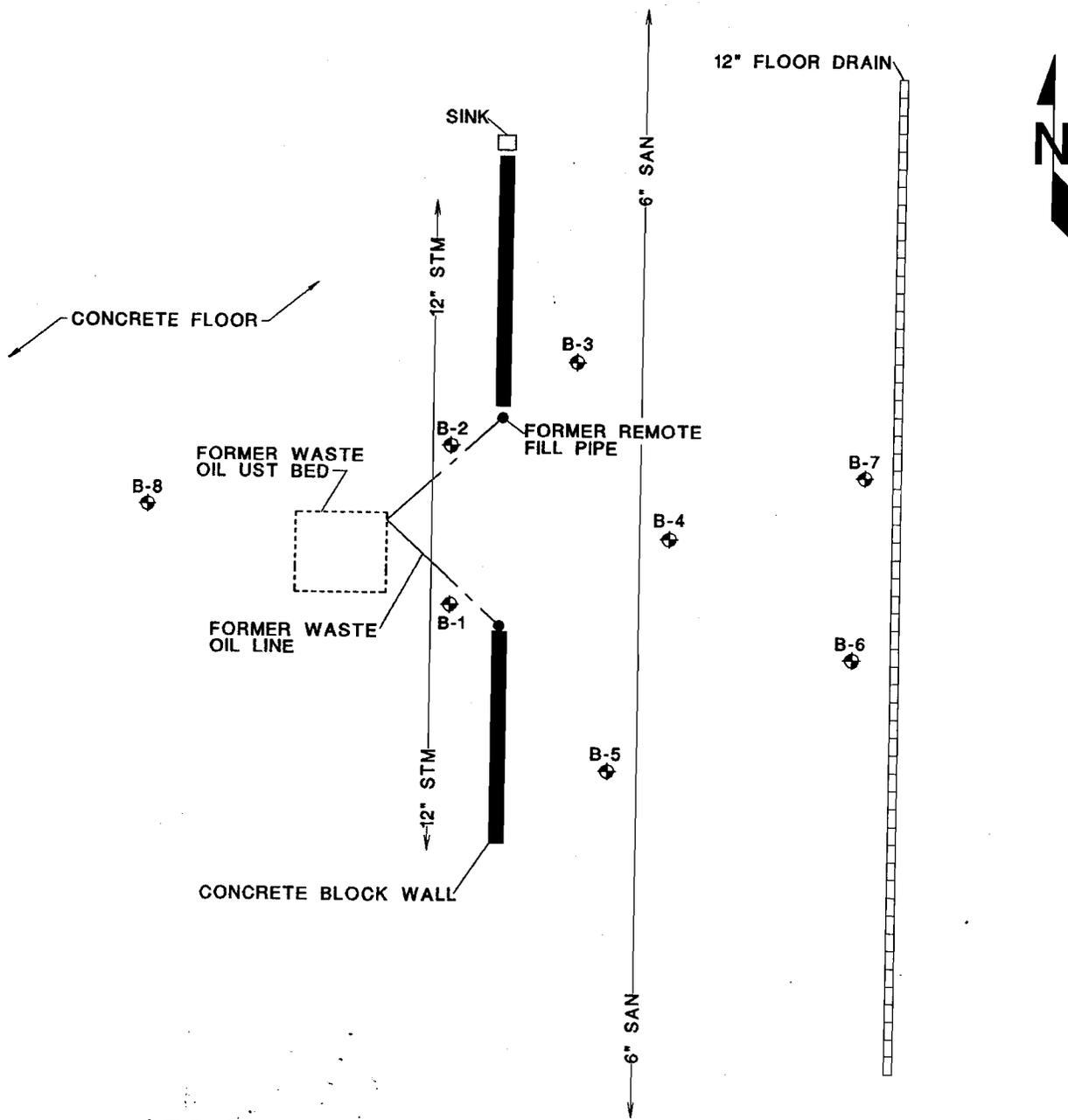
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FIGURE 2-1





**LEGEND:**

- B-1 ◆ SOIL BORING LOCATION AND NUMBER
- 12" STM — 12 INCH STORM SEWER UTILITY
- 6" SAN — 6 INCH SANITARY SEWER UTILITY

**NOTE:**

SOIL BORINGS B-1 AND B-2 WERE COMPLETED ON 8/19/93 AND SOIL BORINGS B-3 TO B-8 WERE COMPLETED ON 10/11/94.

SCALE (FEET): 0 10

**FIGURE 1 GEO-PROBE LOCATION MAP  
UPS ELM GROVE - USED OIL LUST SITE  
ELM GROVE, WISCONSIN**

**A D V E N T**

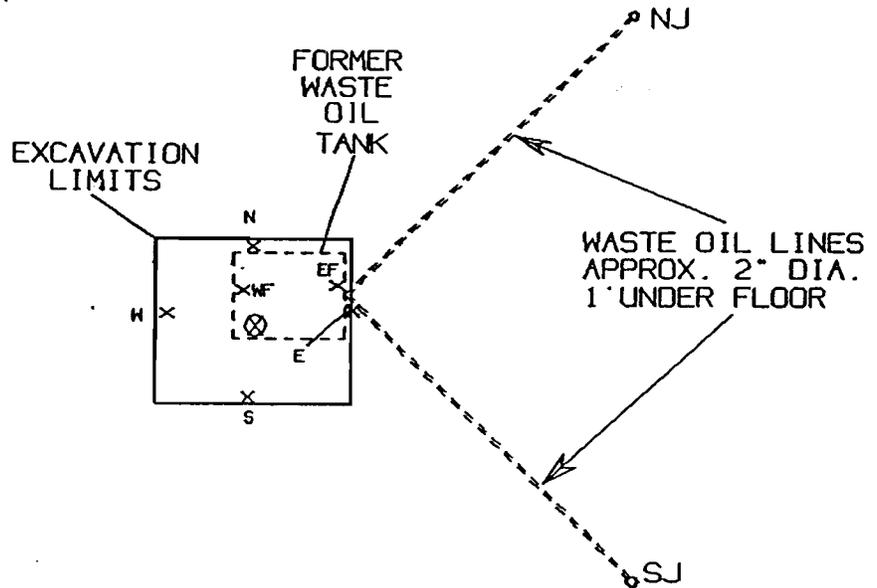
ENVIRONMENTAL SERVICES, INC.

DATE: 11/16/94

DRAWING # 96380.01A



CONCRETE



FLOOR

LEGEND:

- REMOTE FILL TUBE
- x-SOIL SAMPLE: UPSWO-\_\_\_
- ⊗-WATER SAMPLE UPSWO-GW

<b>UPS-ELM GROVE</b>			
WASTE OIL TANK CLOSURE (INSIDE) <span style="float: right;">96380</span>			
<b>ADVENT</b>			
ENVIRONMENTAL SERVICES, INC.			
<small>P.O. BOX 240 - FORT WASHINGTON, NY 53814 - 414-284-7447</small>			
<small>DRAFTER</small> RICHARDSON	<small>CHECKED</small> <i>PP</i>	<small>DATE</small> 10/10/91	<small>SCALE</small> 1"=10'

TABLE 5-1  
 CHEMICAL ANALYSES OF  
 SOIL AND GROUNDWATER SAMPLES FOR TRPH & VOCS  
 UNITED PARCEL SERVICE WASTE OIL UST  
 ELM GROVE, WISCONSIN

Sample No.	PID Reading (ppm)	TRPH ( $\mu\text{g/g}$ )	VOCs (ppb)
UPSWO-WF	0	197.0	NA
UPSWO-EF	0	129.0	NA
UPSWO-E	0	18.6	NA
UPSWO-W	0	<16.0	NA
UPSWO-S	0	<17.0	NA
UPSWO-N	0	<18.0	NA
UPSWO-NJ	2	1,240.0	NA
UPSWO-SJ	1	1,860.0	NA
UPSWO-LDFL	1	<19.0	Toluene- 59.1
UPSWO-GW	0	ND <sup>1</sup>	ND <sup>2</sup>

NA Not Analyzed

<sup>1</sup> ND = Not detected above the 0.40 mg/l (ppm) laboratory detection limit.

<sup>2</sup> ND = Not detected above laboratory detection limits.

Two soil samples from each boring were analyzed for volatile organic compounds (VOCs) EPA Method 5030/8021 and for diesel range organics (DROs) at Great Lakes Analytical, Buffalo Grove, Illinois. The first sample collected for laboratory analysis from each boring was collected at three to five feet bgs. The second sample collected for laboratory analysis from each boring was collected at the soil-groundwater interface. No groundwater samples were collected during this investigation. Copies of the laboratory data reports and of the chain of custody are provided in Attachment 3.

Results of the soil sampling are tabulated below:

UNITED PARCEL SERVICE - USED OIL LUST SITE				
ELM GROVE, WISCONSIN				
SAMPLED AUGUST 19, 1993				
Sample I.D.			Parameter	
	Boring	Depth (feet bgs)	DRO (ppm)	VOCs (ppb) <sup>1</sup>
SB-1A	B-1	3-5	14	Toluene - 6.0 1,1,1-Trichloroethane - 160
SB-1B	B-1	7-9	16	1,1,1-Trichloroethane - 310
SB-2A	B-2	3-5	8.1	none detected
SB-2B	B-2	9-10	11	1,1,1-Trichloroethane - 610

gw at 8'

gw at 10'

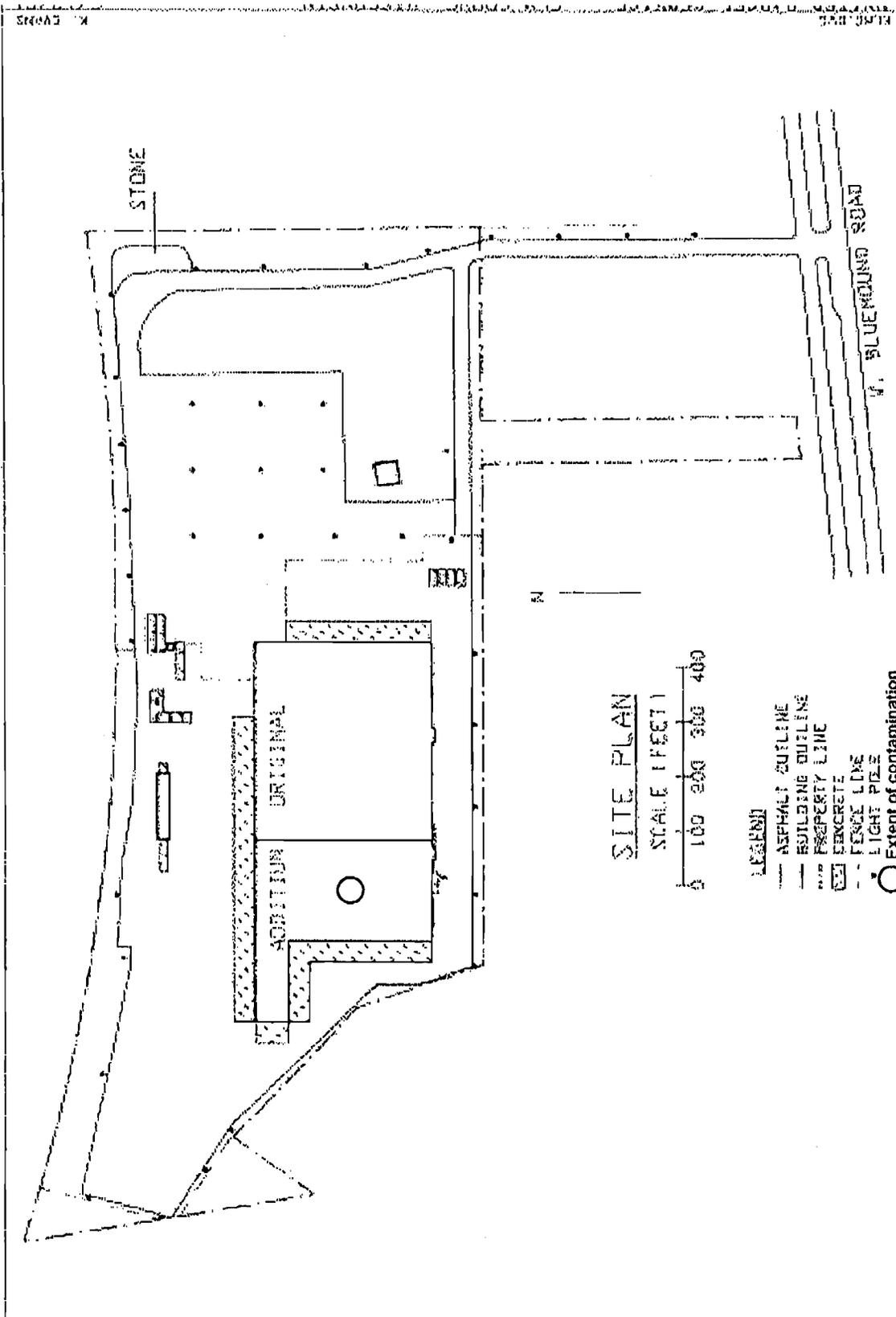
<sup>1</sup> Only those compounds that were detected above the laboratory detection limit are shown.

Although the DRO concentrations identified in three of the four samples collected at the site exceed the 10 ppm level generally used as a guideline by the Wisconsin Department of Natural Resources (WDNR) for evaluating petroleum-impacted soils, the concentrations are relatively low.

Results of the groundwater sampling are tabulated below. Copies of the laboratory data reports and of the chain of custody are provided in Attachment 2.

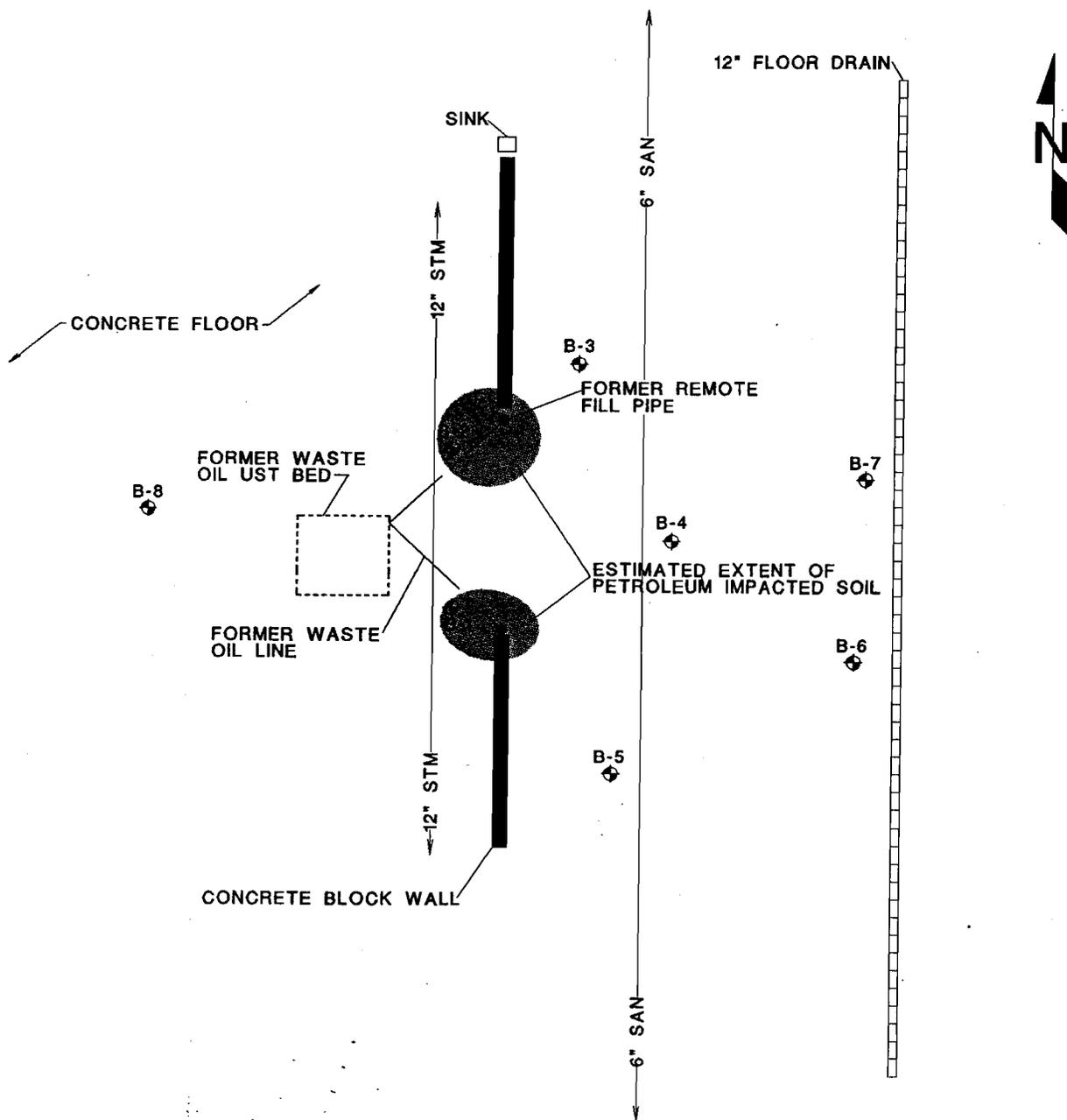
UNITED PARCEL SERVICE - USED OIL LUST SITE ELM GROVE, WISCONSIN SAMPLED OCTOBER 11, 1994		
Sample I.D.	Boring	VOCs (ppb) <sup>1</sup>
WB-3	B-3	none detected
WB-4	B-4	none detected
WB-5	B-5	none detected
WB-6	B-6	n-butylbenzene - 0.77 n-propylbenzene - 0.57 1,2,4-trimethylbenzene - 5.0 1,3,5-trimethylbenzene - 1.7 xylenes - 0.87
WB-7	B-7	n-butylbenzene - 1.4 1,2,4-trimethylbenzene - 4.1 1,3,5-trimethylbenzene - 1.8 xylenes - 0.91
WB-8	B-8	n-butylbenzene - 21 sec-butylbenzene - 4 cis-1,2-dichloroethene - 6.4 ethylbenzene - 4.8 isopropylbenzene - 5.2 p-isopropyltoluene - 4.8 n-propylbenzene - 7.6 toluene - 2.7 1,2,4-trimethylbenzene - 85 1,3,5-trimethylbenzene - 37 xylenes - 22

<sup>1</sup> Only those compounds that were detected above the laboratory detection limit are shown.



STAGE 1

PLAN 100



**LEGEND:**

- B-1 ⊕ SOIL BORING LOCATION AND NUMBER
- 12" STM — 12 INCH STORM SEWER UTILITY
- 6" SAN — 6 INCH SANITARY SEWER UTILITY

**NOTE:**

SOIL BORINGS B-1 AND B-2 WERE COMPLETED ON 8/19/93 AND SOIL BORINGS B-3 TO B-8 WERE COMPLETED ON 10/11/94.

SCALE (FEET): 0  10

**FIGURE 2 ESTIMATED EXTENT OF IMPACTED SOIL  
UPS ELM GROVE - USED OIL LUST SITE  
ELM GROVE, WISCONSIN**

**A D V E N T**

ENVIRONMENTAL SERVICES, INC.

DATE: 11/16/94

DRAWING # 96380.01B

I, Terry L. Kremeier, Vice President of BT-OH, LLC, a Delaware limited liability company ("BT"), believe that the legal descriptions attached hereto as **Exhibit A** are the legal descriptions that were incorporated in and attached to the deeds by which the property commonly known as 12400 and 12800 West Bluemound Road, Elm Grove, Wisconsin 53122 was acquired by BT (or a predecessor-in-interest to BT). To the knowledge of the undersigned, the legal descriptions attached hereto represent all of the property currently owned by BT in the City of Elm Grove, Wisconsin, which property is subject to all such other easements, rights of entry, liens and encumbrances which are a matter of record.

BT-OH, LLC, a Delaware limited liability  
company

By:

  
Terry L. Kremeier, Vice President