

## GIS REGISTRY INFORMATION

<b>SITE NAME:</b>	SuperValu-Waukesha (Former Fleming)								
<b>BRRTS #:</b>	03-68-222579			<b>FID #</b>	(if appropriate):				
<b>COMMERCE #</b> (if appropriate):	53186-6513-00-B								
<b>CLOSURE DATE:</b>	May 17, 2006								
<b>STREET ADDRESS:</b>	1200 W Sunset Dr								
<b>CITY:</b>	Waukesha								
<b>SOURCE PROPERTY GPS COORDINATES</b> (meters in WTM91 projection):	X = 661868			Y = 281069					
<b>CONTAMINATED MEDIA:</b>	Groundwater	<input type="checkbox"/>	Soil	<input checked="" type="checkbox"/>	Both	<input type="checkbox"/>			
<b>OFF-SOURCE GW CONTAMINATION &gt;ES:</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
• IF YES, STREET ADDRESS:									
• GPS COORDINATES (meters in WTM91 projection):									
X =			Y =						
<b>OFF-SOURCE SOIL CONTAMINATION &gt;Generic or Site-Specific RCL (SSRCL):</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
• IF YES, STREET ADDRESS 1:									
• GPS COORDINATES (meters in WTM91 projection):									
X =			Y =						
<b>CONTAMINATION IN RIGHT OF WAY:</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>					
<b><u>DOCUMENTS NEEDED</u></b>									
Closure Letter, and any conditional closure letter issued or denial letter issued.									<input checked="" type="checkbox"/>
Copy of most recent deed, including legal description, for all affected properties									<input checked="" type="checkbox"/>
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties									<input checked="" type="checkbox"/>
County Parcel ID number, if used for county, for all affected properties									<input checked="" type="checkbox"/>
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.									<input checked="" type="checkbox"/>
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.									<input checked="" type="checkbox"/>
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)									<input type="checkbox"/>
Tables of Latest Soil Analytical Results (no shading or cross-hatching)									<input checked="" type="checkbox"/>
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.									<input type="checkbox"/>
GW: Table of water level elevations, with sampling dates, and free product noted if present									<input type="checkbox"/>
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)									<input type="checkbox"/>
SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour									<input checked="" type="checkbox"/>
Geologic cross-sections, if required for SI. (8.5x14" if paper copy)									<input type="checkbox"/>
RP certified statement that legal descriptions are complete and accurate.									<input checked="" type="checkbox"/>
Copies of off-source notification letters (if applicable)									<input type="checkbox"/>
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)									<input type="checkbox"/>
Copy of (soil or land use) deed restriction (s) or deed notice if any required as a condition of closure									<input type="checkbox"/>
Copy of any maintenance plan referenced in the deed restriction									<input type="checkbox"/>



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
101 West Pleasant Street, Suite 100A  
Milwaukee, Wisconsin 53212-3963  
TDD #: (608) 264-8777  
Fax #: (414) 220-5374  
Jim Doyle, Governor  
Mary P. Burke, Secretary

May 17, 2006

Mr. Steve Love  
SuperValu, Inc.  
P.O. Box 990  
Minneapolis, MN 55440

RE: **Final Closure**

**Commerce # 53186-6513-00-B**      DNR BRRS # 03-68-222579  
Supervalu-Waukesha (Former Fleming), 1200 West Sunset Drive, Waukesha

Dear Mr. Love:

The Wisconsin Department of Commerce (Commerce) has received all items required as conditions for closure of the site referenced above. This case is now listed as "closed" on the Commerce database and will be included on the Department of Natural Resources (DNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual soil contamination. It is in your best interest to keep all documentation related to the environmental activities that were conducted.

If residual contamination is encountered in the future, it must be managed in accordance with all applicable state and federal regulations. If it is determined that any remaining contamination poses a threat, the case may be reopened and further investigation or remediation may be required.

Thank you for your efforts to bring this case to closure. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5376.

Sincerely,

A handwritten signature in black ink, appearing to read "L. M. Michalets". The signature is written in a cursive style with a long horizontal flourish at the end.

Linda M. Michalets  
Senior Hydrogeologist  
Site Review Section

cc: Mr. Michael Neal, Maxim Technologies, Inc.



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
101 West Pleasant Street, Suite 100A  
Milwaukee, Wisconsin 53212-3963  
TDD #: (608) 264-8777  
Fax #: (414) 220-5374  
Jim Doyle, Governor  
Mary P. Burke, Secretary

February 8, 2006

Mr. Steve Love  
SuperValu, Inc.  
P.O. Box 990  
Minneapolis, MN 55440

RE: **Conditional Case Closure**

**Commerce # 53186-6513-00-B**                      DNR BRRTS # 03-68-222579  
SuperValu-Waukesha (Former Fleming Warehouse), 1200 West Sunset Drive, Waukesha

Dear Mr. Love:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, Maxim Technologies, for the site referenced above. It is understood that residual soil contamination remains on site. Commerce has determined that this site does not pose a significant threat to the environment and human health. No further investigation or remedial action is necessary.

**The following condition must be satisfied to obtain final closure:**

- All four monitoring wells must be properly abandoned and the appropriate documentation forwarded to the letterhead address.

This letter serves as your written notice of "no further action". Timely filing of your final PECFA claim (if applicable) is encouraged. If your claim is not received within 120 days of the date of this letter, interest costs incurred after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 220-5376.

Sincerely,

A handwritten signature in black ink, appearing to read "L. M. Michalets", with a long horizontal flourish extending to the right.

Linda M. Michalets  
Senior Hydrogeologist  
Site Review Section

cc: Mr. Michael Neal, Maxim Technologies

Map created Thu Sep 08 11:20:57 CDT 2005

### Legend

- Closed Remediation Sites
  - Groundwater
  - Soil
  - Groundwater and Soil
  - Offsource Contamination
- County Boundary
- 24K Open Water
- Municipalities



Scale: 1:4,366

DO NOT USE FOR NAVIGATION



LC3068792-004

3068792  
REGISTER'S OFFICE  
WAUKESHA COUNTY, WI  
RECORDED ON

09-19-2003 10:37 AM  
MICHAEL J. HASSLINGER  
REGISTER OF DEEDS

Document No. **WISCONSIN SPECIAL WARRANTY DEED**  
**(WI-952F)**

This deed, made between **FLEMING COMPANIES, INC.,**  
an Oklahoma corporation, Grantor, and  
**SUPERVALU Holdings, Inc.,** a Missouri corporation  
having an address of **SUPERVALU Holdings, Inc., 11840**  
**Valley View Road, Eden Prairie, MN 55440**  
Grantee

Witnessed, that the said Grantor, for a valuable consideration  
conveys to Grantee the following-described real estate in  
Waukesha County, State of Wisconsin (the "Property"):

See Exhibit "A" attached hereto

This space is reserved for recording data

**Name and Return Address:**  
SUPERVALU Holdings, Inc.,  
11840 Valley View Road  
Eden Prairie, MN 55440  
Attention: Real Estate Department

*pat 11/14*

**WAKC 1332.996 and WAKC 1331.011**  
Tax Parcel Identification Numbers

This is not homestead property.  
SUBJECT TO those Permitted Encumbrances shown on Exhibit B attached hereto and made a part hereof.  
TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging;  
AND GRANTOR warrants title against defects, liens and encumbrances created by or through Grantor only  
(and none other).  
COMMONLY KNOWN AS: 1200 Sunset Drive, Waukesha, Waukesha County, Wisconsin

**Prepared By:**  
Robert T. Buday, Esq.  
Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, Illinois 60601

**Mail tax bills to:**  
SUPERVALU Holdings, Inc.  
11840 Valley View Road  
Eden Prairie, MN 55440

**FEE**  
# 7725(6)  
**EXEMPT**

IN WITNESS WHEREOF, this Special Warranty Deed is dated this 15<sup>th</sup> day of ~~August~~ <sup>September</sup> 2003.

FLEMING COMPANIES, INC.,  
an Oklahoma corporation

By: Kirsten E. Rich  
Name: Kirsten E. Richesson  
Its: Vice President

ACKNOWLEDGMENT

State of New York )  
New York County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2003, the above named Kirsten E. Richesson, as Vice President of Fleming Companies, Inc., an Oklahoma corporation, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Matthew Buchwald  
Notary Public  
Print Name: Matthew Buchwald  
My Commission Expires: 7/11/06

MATTHEW BUCHWALD  
NOTARY PUBLIC, State of New York  
No. 01BU5030377  
Qualified in Queens County  
Commission Expires July 11, 2006

**EXHIBIT A****Legal Description - 1200 West Sunset Drive, Waukesha, WI****PARCEL A:**

All that part of the South 1/2 of Section 9, Town 6 North, Range 19 East, City of Waukesha, County of Waukesha, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of said Section 9, thence North 88°21'35" West 761.04 feet along the South line of said Section 9 and the centerline of Sunset Drive (said right-of-way being 66 feet in width); thence North 1°52'18" East 67.00 feet along the West right-of-way line of Sentry Drive (said right-of-way being 100 feet in width) to the point of beginning, said point being on the North right-of-way line of Sunset Drive (said right-of-way being 100 feet in width); thence continuing North 1°52'18" East 1910.28 feet along the West right-of-way line of Sentry Drive; thence North 87°02'06" West 1491.72 feet along the South line extended of the Waukesha Police Pistol Range property; thence South 53°41'26" West 1559.63 feet; thence South 24°25'01" West 1070.15 feet to the North right-of-way line of Sunset Drive (said right-of-way being 100 feet), thence South 86°47'55" East 140.96 feet along said North right-of-way line to an angle point; thence South 88°37'25" East 1067.82 feet along said North right-of-way to a point on the South 1/4 line; thence South 88°21'35" East 1919.04 feet along said North right-of-way of Sunset Drive to the point of beginning.

EXCEPT that part conveyed in Warranty Deed dated January 15, 1979 and recorded January 18, 1979 on Reel 342, Image 331, as Document No. 1079384.

FURTHER EXCEPTING all of Certified Survey Map No. 4400, recorded September 14, 1983 in Volume 35 of Certified Survey Maps on Pages 90, 91 and 92, as Document No. 1229245.

FURTHER EXCEPTING those parts conveyed in Warranty Deeds recorded as Documents Numbered 2279199 and 2817607.

Tax Key No. WAKC 1332.996

ADDRESS: 1200 W. Sunset Drive

**PARCEL B:**

Lot 1 of Certified Survey Map No. 4400, recorded September 14, 1983, in Volume 35 of Certified Survey Maps, on Pages 90, 91 and 92, as Document No. 1229245, being a part of the Southeast 1/4 of the Southwest 1/4 of Section 9, Town 6 North, Range 19 East, in the City of Waukesha, County of Waukesha, State of Wisconsin.

Tax Key No. WAKC 1331.011

**EXHIBIT B**  
**PERMITTED ENCUMBRANCES**

1. Real estate taxes, special assessments and other similar charges which are not yet due and payable;
2. Zoning, entitlement, building and other land use regulations which are not violated by the current use and operation of the real property;
3. Covenants, conditions, restrictions, easements and other similar matters of record affecting title and other irregularities of title to the real property which do not, individually or in the aggregate, materially impair the present value, occupancy or continued use of the real property;
4. Mechanic's, carrier's, worker's, repairer's and similar statutory liens arising or incurred in the ordinary course of business with respect to a liability or obligation which is not yet due or delinquent;
5. The rights of parties in possession with respect to real property leases pursuant to which Grantor leases part of the premises as landlord thereunder; and
6. All matters shown on Chicago Title Insurance Company title policy (#20301032) received by Grantee.



SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
(SS  
COUNTY OF WAUKESHA)

We, Ruekert & Mielke, Inc., registered land surveyors, hereby certify that at the direction of the Owners, we have made this survey, being all that part of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 9, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of Section 9; thence North  $88^{\circ} 21' 35''$  West, 761.04 feet; thence North  $01^{\circ} 52' 18''$  East, 67.00 feet to a point on the Northerly right-of-way line of Sunset Drive; thence North  $88^{\circ} 21' 35''$  West along said Northerly right-of-way line, 1919.04 feet; thence North  $88^{\circ} 37' 25''$  West, 875.37 feet to the place of beginning of the parcel of land hereinafter described; thence North  $01^{\circ} 26' 35''$  East, 300.00 feet; thence North  $88^{\circ} 54' 32''$  West, 208.45 feet; thence South  $24^{\circ} 25' 01''$  West, 320.00 feet to a point on the Northerly right-of-way line of Sunset Drive; thence South  $86^{\circ} 47' 55''$  East along said Northerly right-of-way line, 140.96 feet; thence South  $88^{\circ} 37' 25''$  East, 192.45 feet to the place of beginning containing 1.86 acres.

That we have made this survey, land division and map by the direction of the below named owner of said land.

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

That we have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the regulations of the City of Waukesha in surveying, dividing and mapping the same.

Dated: JULY 8, 1983

RUEKERT & MIELKE, INC.



*John H. Mielke*  
John H. Mielke, President S-55

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

The Godfrey Company, a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, does hereby certify that said Corporation caused the land described on this Certified Survey Map to be surveyed, divided and mapped and dedicated as represented on this Certified Survey Map.



Stock No. 26273

IN WITNESS WHEREOF, the said GODFREY COMPANY has caused these presents to be signed by Leo J. Clark, President, and countersigned by Robert M. Scheer, Secretary at Waukesha Wisconsin, and its corporate seal to be hereunto affixed on this 8th day of August, 1983.

[Signature]  
Jack Vogt

[Signature]  
Leo J. Clark, President

[Signature]  
Gloria R. Miller

[Signature]  
Robert M. Scheer, Secretary

STATE OF WISCONSIN )  
COUNTY OF WAUKESHA ) (SS

PERSONALLY came before me this 8th day of August, 1983, the above named Leo J. Clark, President and Robert M. Scheer, Secretary, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

[Signature]  
Notary Public, Waukesha County  
My Commission Expires: 11/30/86

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of Waukesha on this 24TH day of AUGUST, 1983.

[Signature]  
Chairman - PAUL KEENAN  
[Signature]  
Secretary - MICHAEL HOFFT

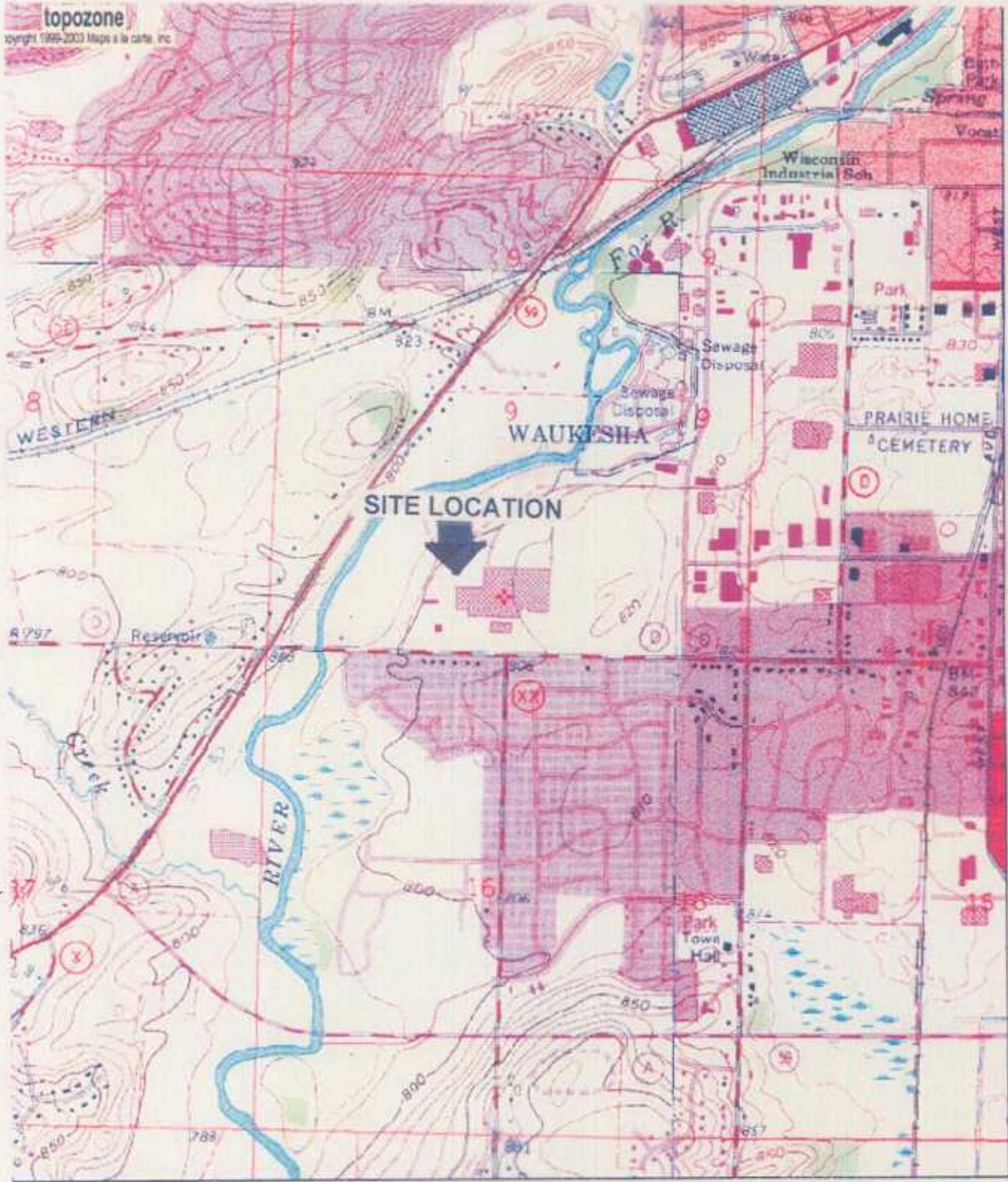
COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of Waukesha, on this 6TH day of SEPTEMBER, 1983.

[Signature]  
Mayor - PAUL KEENAN  
[Signature]  
Clerk - RUTH J. GOETZ



REGISTER'S OFFICE ) SS No. 1229245  
Waukesha Co. Wis. )  
RECEIVED FOR RECORD THE 14th DAY  
September A. D. 1983 AT 8:05  
O'CLOCK A. M. & RECORDED IN Vol 35  
OF Page 90-91-92  
[Signature]  
REGISTER



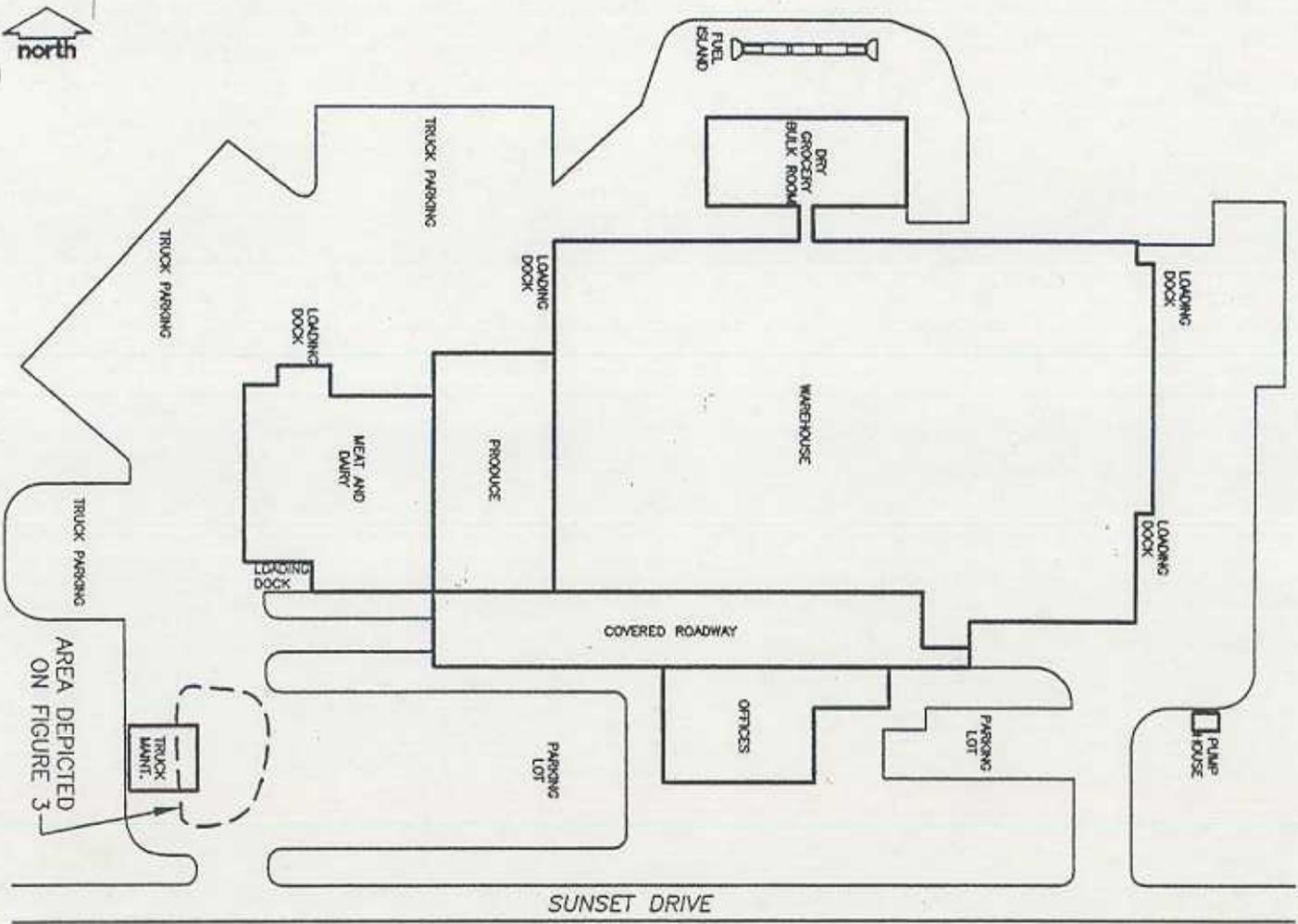
**MAXIM**  
TECHNOLOGIES

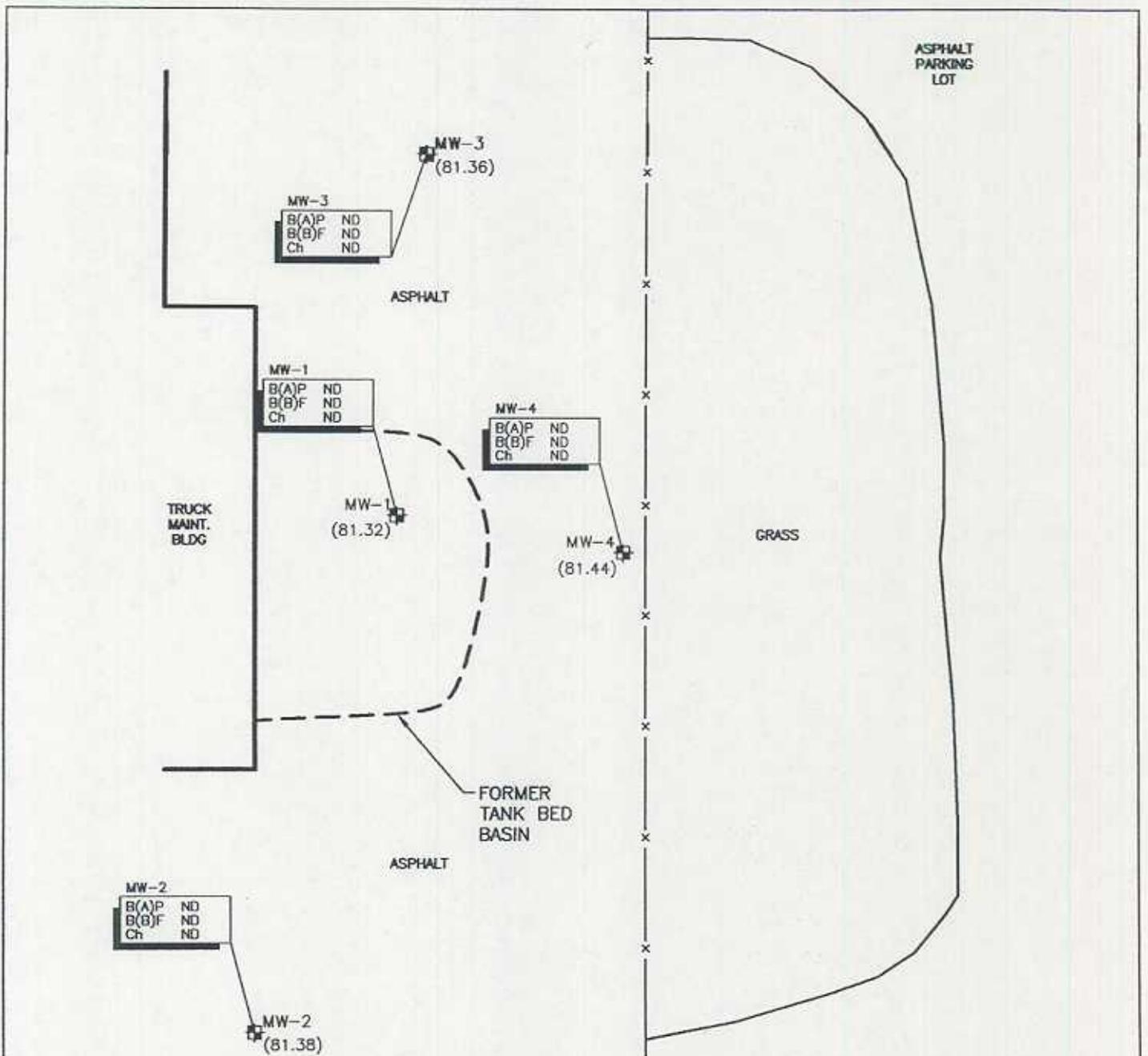
**FIGURE 1**  
SITE LOCATION MAP  
FORMER FLEMING WAREHOUSE FACILITY  
WAUKESHA, WISCONSIN

PROJECT# 4550661  
DATE: 4/21/2005  
REV. BY: EPO  
SCALE: 1" = 24,000

**FIGURE 2**  
SITE FACILITY MAP  
FORMER FLEMING WAREHOUSE FACILITY  
WAUKESHA, WISCONSIN

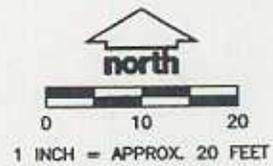
PROJECT# 4550661  
DATE: 12/18/2004  
REV. BY: EPO  
SCALE: 1" = 200'





**LEGEND**

-  MW-1 MONITORING WELL LOCATION
-  FENCE LINE
- (81.44) MEASURED GROUNDWATER ELEVATION, in ft.
-  ESTIMATED GROUNDWATER FLOW DIRECTION
- B(A)P BENZO(A)PYRENE, in parts per billion
- B(B)F BENZO(B)FLUORANTHENE, in parts per billion
- Ch CHRYSENE, in parts per billion
- ND NOT DETECTED



**NOTES**

BASE MAP DEVELOPED FROM A DRAWING BY URS, DATED JULY 24, 2003 AND TITLED "SITE MAP."

**MAXIM**  
TECHNOLOGIES

**FIGURE 4**  
GROUNDWATER DATA  
MAY 2005  
FORMER FLEMING WAREHOUSE FACILITY  
WAUKESHA, WISCONSIN

PROJECT# 4550661-A2B  
DATE: 6/27/05  
REV. BY: MN  
SCALE: 1" = 20'

**TABLE 1  
SUMMARY OF SOIL ANALYTICAL RESULTS  
FORMER FLEMING WAREHOUSE FACILITY, WAUKESHA, WISCONSIN**

Boring	NR720 Generic RCLs	NR 746 Table 1 Values	NR 746 Table 2 Values	Samples							
				B-1A	B-1B	B-2A	B-2B	B-3A	B-3B	B-4A	B-4B
Depth (feet)				14'	18'-20'	2'-4'	18'-20'	2'-4'	18'-20'	2'-4'	18'-20'
GRO (ppm)	100			NA	NA	NA	NA	NA	NA	NA	NA
DRO (mg/kg)	100			818	3,300	<5.15	<5.24	<5.16	<5.29	<5.17	<5.16
PVOC (ppb)											
Benzene	25 <sup>1</sup>	8,500	1,100	<25	<25	<25	<25	<25	<25	<25	<25
Ethylbenzene	2,900	4,600		<25	1,150	<25	<25	<25	52.1	<25	28.2
MTBE				<25	<25	<25	<25	<25	<25	<25	<25
Toluene	1,500	38,000		<25	104	<25	<25	59.2	87.4	<25	<25
1,2,4-TMB		83,000		<25	9,950	<25	<25	<25	<25	<25	<25
1,3,5-TMB		11,000		<25	4,630	<25	<25	<25	<25	<25	<25
Total Xylenes	4,100	42,000		<25	2,240	<25	104	68.2	144	<25	<25
PAHs (ug/kg)											
Methyl-1-naphthalene	23,000			<104	17,200	<103	<105	<103	<106	<103	<103
Methyl-2-naphthalene	20,000			<104	6,750	<103	<105	<103	<106	<103	<103
Acenaphthene	38,000			<104	2,390	<103	<105	<103	<106	<103	<103
Acenaphthylene	700			<208	461	<206	<210	<207	<212	<207	<206
Anthracene	12,000,000			<104	157	<103	<105	<103	<106	<103	<103
Benzo (a) Pyrene	750,000			13.7	69.1	<5.15	<5.24	<5.16	<5.29	<5.17	<5.16
Benzo(a)anthracene	17,000			<52.1	916	<51.5	<52.4	<51.6	<52.9	<51.7	<51.6
Benzo(b)fluoranthene	360,000			<52.1	66.7	<51.5	<52.4	<51.6	<52.9	<51.7	<51.6
Benzo(g,h,i)perylene	6,800,000			<104	<108	<103	<105	<103	<106	<103	<103
Benzo (k) fluoranthene	480,000			<104	<108	<103	<105	<103	<106	<103	<103
Chrysene	3,700			<104	1,720	<103	<105	<103	<106	<103	<103
Dibenzo(ah)anthracene	38,000			<5.21	<5.41	<5.15	<5.24	<5.16	<5.29	<5.17	<5.16
Fluoranthene	8,600,000			<104	6,740	<103	<105	<103	<106	<103	<103
Fluorene	210,000			<104	1,440	<103	<105	<103	<106	<103	<103
Indeno(1,2,3-cd)pyrene	680,000			<52.1	<54.1	<51.5	<52.4	<51.6	<52.9	<51.7	<51.6
Phenanthrene	7,600			<104	2,000	<103	<105	<103	<106	<103	<103
Pyrene	8,700,000			<104	13,800	<103	<105	<103	<106	<103	<103
Naphthalene	400	2,700		<104	1,570	<103	<105	<103	<106	<103	<103

NA = not analyzed

TMB = trimethylbenzene

MTBE = methyl-tert-butyl-ether

mg/kg = milligrams per kilogram

ug/kg = micrograms per kilogram

Bold areas indicate soil contaminant concentrations exceed WDNR's RCLs.

Shaded areas indicate soil contaminant concentrations exceed NR 746 Table 1 Values or NR 720 Generic RCL's.

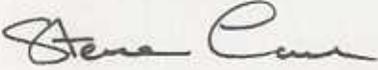
NR 746 Table 1 - Indicators of Residual Petroleum Product in Soil Pores.

NR 746 Table 2 - Protection of Human Health from Direct Contact with Contaminated Soil.

September 8, 2005

Re: Former Fleming Warehouse site, 1200 West Sunset Drive, Waukesha, Wisconsin  
PECFA Claim No. 53186-6513-00-A. WDNR BRRTS No. 03-68-222579

The legal description attached to this GIS Registry package is accurate and complete.

A handwritten signature in black ink, appearing to read "Steve Love", written in a cursive style.

Steve J. Love  
SuperValu, Inc.