

**Source Property Information**

BRRTS #:	03-50-552811	Closure Date:	November 19, 2010
ACTIVITY NAME:	Richard Gagas Trucking Property	FID#:	750047320
PROPERTY ADDRESS:	1535 County Rd I N	DATCP#:	
MUNICIPALITY:	Custer	COMM#:	54423-9717-35
PARCEL ID#:	032240913-08		

**\*WTM Coordinates:**

X:  Y:

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

**WTM Coordinates Represent:**

- Approximate Center of Contaminant Source
- Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

**Contaminated Media:**

- |  |  |
|--|--|
| <input type="checkbox"/> <u>Groundwater</u> Contamination > ES (236) | <input checked="" type="checkbox"/> <u>Soil</u> Contamination > *RCLs or **SSRCL (232) |
| <input type="checkbox"/> Groundwater Contamination in ROW            | <input type="checkbox"/> Soil Contamination in ROW                                     |
| <input type="checkbox"/> Off-Source Contamination                    | <input type="checkbox"/> Off-Source Contamination                                      |

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

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

**Land Use Controls:**

- |   |   |
|---|---|
| <input type="checkbox"/> Soil: maintain industrial zoning (220) | <input type="checkbox"/> Cover or Barrier (222)             |
| <input type="checkbox"/> Structural Impediment (224)            | <input type="checkbox"/> Vapor Mitigation (226)             |
| <input type="checkbox"/> Site-Specific Condition (228)          | <input type="checkbox"/> Maintain Liability Exemption (230) |

*(note: soil contaminant concentrations between residential and industrial levels)*

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

*(note: local government or economic development corporation)*

**Monitoring wells properly abandoned? (234)**

- Yes       No       N/A

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 #: 03-50-552811 (No Dashes) PARCEL ID #: 032240913-08  
ACTIVITY NAME: Richard Gagas Trucking Property WTM COORDINATES: X: 570875 Y: 454128

**CLOSURE DOCUMENTS** (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Continuing Obligation Cover Letter** (for property owners affected by residual contamination and/or continuing obligations)
- Conditional Closure Letter**
- Certificate of Completion (COC)** (for VPLE sites)

**SOURCE LEGAL DOCUMENTS**

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.  
*Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.*
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).  
**Figure #:**                      **Title: CSM-9834-43-14**
- 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 Plan View**
- 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 #: 4**                      **Title: Extent of Soil Contamination Exceeding NR720 RCL's**

BRRTS #: 03-50-552811

ACTIVITY NAME: Richard Gagas Trucking Property

**MAPS (continued)**

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

Figure #: 5 Title: Vertical Extent of Soil Contamination

Figure #: Title:

- Groundwater Isoconcentration Map:** For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

*Note: This is intended to show the total area of contaminated groundwater.*

Figure #: Title:

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

Figure #: Title:

Figure #: Title:

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

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

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

Table #: 1 Title: Soil Sample Laboratory 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 #: 2 Title: Groundwater Sample Laboratory Analytical Results

- 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 #: 03-50-552811

ACTIVITY NAME: Richard Gagas Trucking Property

**NOTIFICATIONS**

**Source Property**

**Not Applicable**

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

**Off-Source Property**

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

**Not Applicable**

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.

**Note:** Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

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

- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source** property(ies). This does not apply to right-of-ways.  
**Note:** If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

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



November 19, 2010

Audrey Glodowski  
Estate of Julia Cornwell  
2117 Water St  
Stevens Point, WI 54481

RE: **Final Closure**

**Commerce # 54423-9717-35-A** DNR BRRTS # 03-50-552811  
Richard Gagas Trucking Property, 1535 County Rd I N, Custer

Dear Ms. Glodowski:

The Wisconsin Department of Commerce (Commerce) has received all items required as conditions for closure of the site referenced above. This site 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. To review all sites on the GIS Registry web page, visit <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval.

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. Special precautions may be needed to prevent inhalation, ingestion or dermal contact with the residual contamination when it is removed. If soil is excavated, the property owner at the time of excavation must have the soil sampled and analyzed to determine if residual contamination remains. If sampling confirms that contamination is present, the property owner at the time of excavation must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable State and federal regulations.

Costs for sampling and excavation activities conducted after case closure are not eligible for PECFA reimbursement. However, if it is determined that any undisturbed remaining petroleum contamination poses a threat, the case may be reopened and further investigation or remediation may be required. If this case is reopened, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility. It is in your best interest to keep all documentation related to environmental activities at your site.

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 (715) 342-3802.

Sincerely,

Dee Lance  
Senior Hydrogeologist  
Site Review Section

cc: Joe Ramcheck, Endeavor Environmental Services, Inc  
Lonnie Firkus – current property owner



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
2715 Post Road  
Stevens Point, Wisconsin 54481-  
TTY: Contact Through Relay  
Fax: (715) 345-5269  
Jim Doyle, Governor  
Aaron Oliver, Secretary

November 12, 2010

Audrey Glodowski  
Estate of Julia Cornwell  
2117 Water St  
Stevens Point, WI 54481

RE: **Conditional Case Closure**

**Commerce # 54423-9717-35-A** DNR BRRTS # 03-50-552811  
Richard Gagas Trucking Property, 1535 County Rd I N, Custer

Dear Ms. Glodowski:

The Wisconsin Department of Commerce (Commerce) has reviewed the request for case closure prepared by your consultant, Endeavor Environmental Services, Inc, 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 human health and the environment. No further investigation or remedial action is necessary.

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

- The [MW-1] monitoring well must be properly abandoned within 60 days and the appropriate documentation forwarded to Commerce at the letterhead address within 120 days of the date of this letter. Noncompliance with the abandonment requirement and deadline can result in enforcement action and financial penalties.

Information submitted with your closure request will be included on the Department of Natural Resources (DNR) GIS Registry of Closed Remediation Sites. All sites on the Registry can be viewed via the Remediation and Redevelopment (RR) Sites Map at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. Because residual contamination remains at the time of case closure, if you intend to construct or reconstruct a potable well on this property, you must get prior DNR approval.

All current and future owners and occupants of the property need to be aware that excavation of contaminated soil may pose a hazard. Special precautions may be needed to prevent inhalation, ingestion or dermal contact with the residual contamination when it is removed. If soil is excavated, the property owner at the time of excavation must have the soil sampled and analyzed to determine if residual contamination remains. If sampling confirms that contamination is present, the property owner at the time of excavation must determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. Costs for sampling and excavation activities conducted after the date of this letter are not eligible for PECFA reimbursement.

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 from 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 (715) 342-3802.

Sincerely,

A handwritten signature in cursive script that reads "Dee Lance".

Dee Lance  
Senior Hydrogeologist  
Site Review Section

cc: Joe Ramcheck, Endeavor Environmental Services, Inc  
Lonnie Firkus – current property owner

Document No.

**PERSONAL REPRESENTATIVE'S DEED**

734699



CYNTHIA A WISINSKI  
PORTAGE COUNTY REGISTER OF DEEDS  
RECEIVED FOR RECORD  
JULY 10, 2009 AT 02:20PM

CYNTHIA A WISINSKI, REGISTER OF DEEDS  
Fee Amount: \$15.00  
Transfer Fee: \$600.00

THIS INDENTURE, made this 8th day of July, 2009, by and between AUDREY GLODOWSKI, Personal Representative of the Estate of Julia R. Cornwell, late of Portage County, Wisconsin, deceased, GRANTOR, and LONNIE R. FIRKUS and DENISE A. FIRKUS, husband and wife as survivorship marital property, GRANTEE.

WITNESSETH: Whereas, the said decedent died intestate on the 5th day of July, 2007, seized and possessed of the real estate hereinafter described; and whereas, Audrey Glodowski was appointed as Personal Representative of the Estate, duly qualified as such Personal Representative, and Domiciliary Letters were issued to said Personal Representative by the Portage County Circuit Court on September 11, 2007 (Portage County Probate Case 07PR109).

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by Grantee, the said Personal Representative, by virtue of the power and authority in it vested, does hereby give, grant, bargain, sell and convey unto said Grantee, the following described tract of land in Portage County, State of Wisconsin:

The SW 1/4 of the NE 1/4 and the SE 1/4 of the NW 1/4 of Section 13, Township 24 North, Range 9 East, Town of Sharon, Portage County, Wisconsin, EXCEPT that part conveyed by Deed recorded in Volume 248 of Records, pages 163 to 164.

(Legal Description continued on attached addendum.)

To have and to hold the above bargained real estate to the said Grantee and to their heirs and assigns forever. This is a Personal Representative's Deed and therefore it is limited in accordance with sec. 860.07 of the Wisconsin Statutes.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal as such Personal Representative on the day and year first above written.

(SEAL)

AUDREY GLODOWSKI  
Personal Representative of the Estate of  
Julia R. Cornwell

Return to:  
PAUL A. ANDERSON, Attorney  
P.O. Box 325  
Stevens Point, WI 54481-0325

032-24-0913-03  
032-24-0913-08

Parcel Identification Number (PIN)



DOC# 734699

Addendum to Personal Representative's Deed  
Estate of Julia R. Cornwell/Lonnie R. Firkus and Denise A. Firkus

Legal Description (continued):

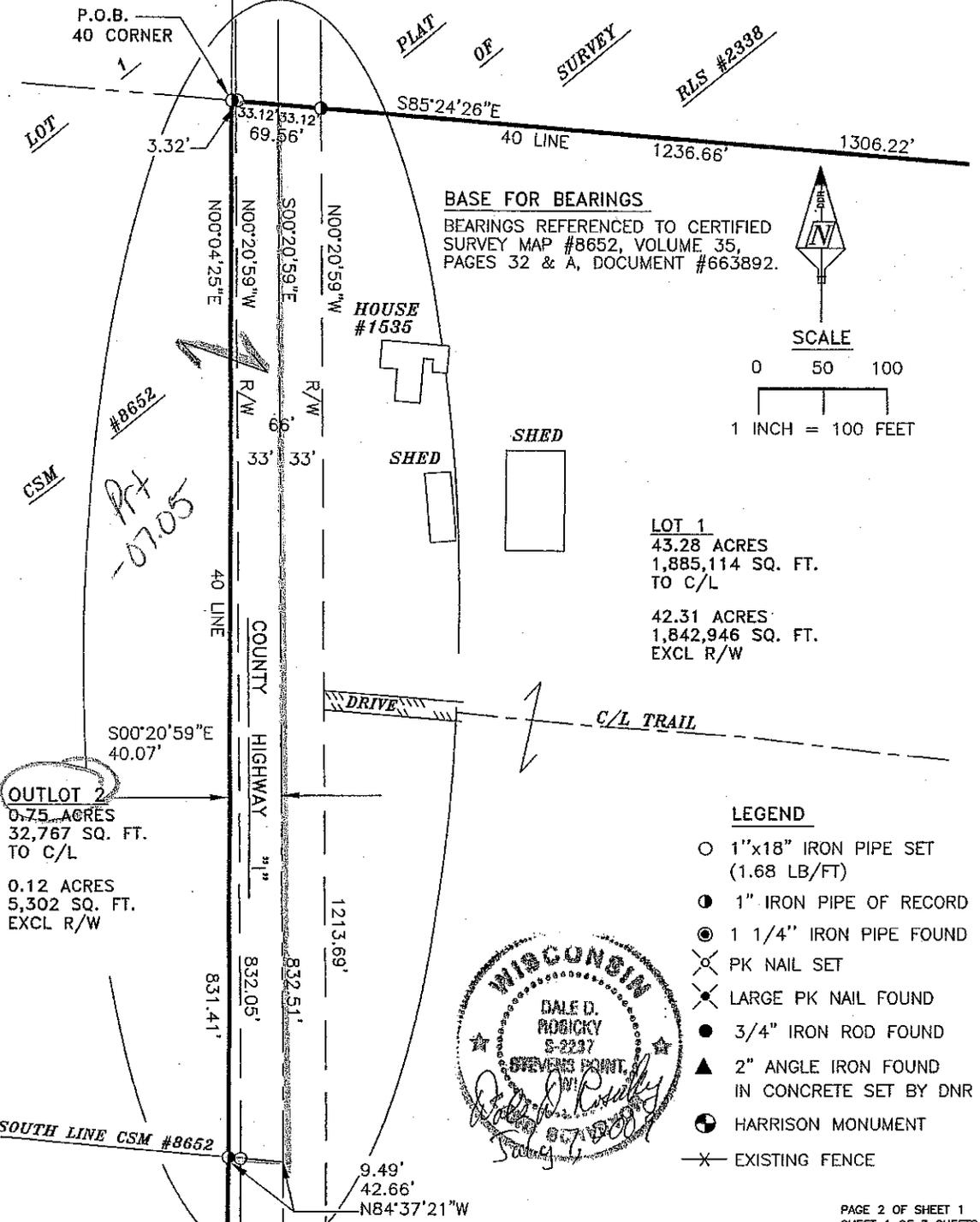
Also described as Lot 1, Outlot 1, Outlot 2 and Outlot 3 of Portage County Certified Survey Map No. 9834-43-14 as recorded in Volume 43 of Surveys, at page 14, being located in part of the SE 1/4 of the NW 1/4 and part of the SW 1/4 of the NE 1/4, Section 13, Town 24 North, Range 9 East, Town of Sharon, Portage County, Wisconsin.



# CERTIFIED SURVEY MAP NO.

LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 13, TOWN 24 NORTH, RANGE 9 EAST, TOWN OF SHARON, PORTAGE COUNTY, WISCONSIN

## DETAIL A



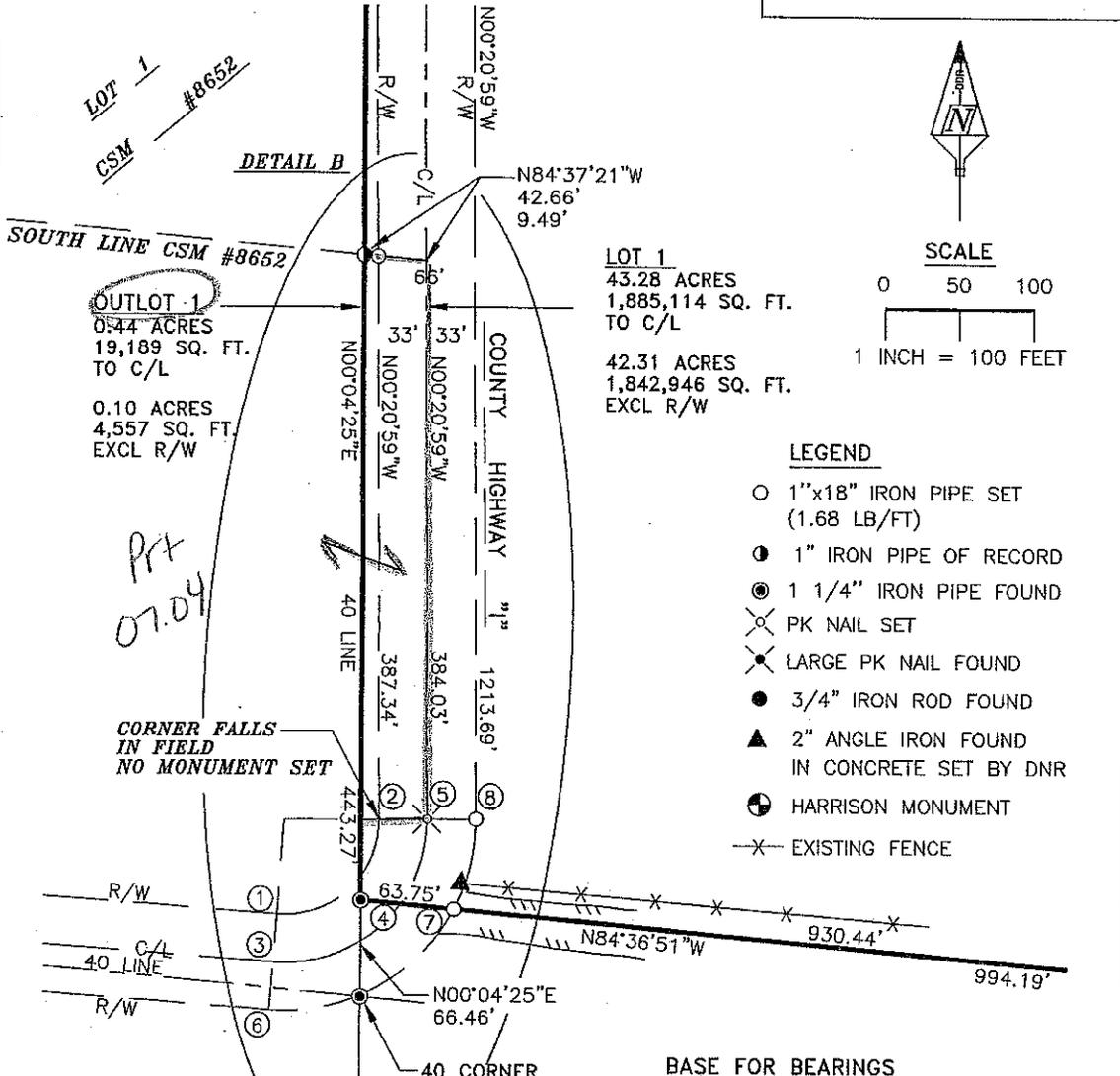
PAGE 2 OF SHEET 1  
SHEET 1 OF 3 SHEETS

THIS INSTRUMENT DRAFTED BY: DALE D. ROSICKY  
 GLODOWSKI ROSICKY LAND SURVEYING, INC.  
 2925 POST ROAD  
 STEVENS POINT, WI 54481  
 715-342-9649

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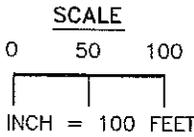
**CERTIFIED SURVEY MAP NO.**

LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, ALL IN SECTION 13, TOWN 24 NORTH, RANGE 9 EAST, TOWN OF SHARON, PORTAGE COUNTY, WISCONSIN



**LOT 1**  
43.28 ACRES  
1,885,114 SQ. FT.  
TO C/L

42.31 ACRES  
1,842,946 SQ. FT.  
EXCL R/W



- LEGEND**
- 1"x18" IRON PIPE SET (1.68 LB/FT)
  - 1" IRON PIPE OF RECORD
  - ⊙ 1 1/4" IRON PIPE FOUND
  - ⊗ PK NAIL SET
  - ⊗ LARGE PK NAIL FOUND
  - 3/4" IRON ROD FOUND
  - ▲ 2" ANGLE IRON FOUND IN CONCRETE SET BY DNR
  - ⊕ HARRISON MONUMENT
  - X- EXISTING FENCE

**BASE FOR BEARINGS**  
BEARINGS REFERENCED TO CERTIFIED SURVEY MAP #8652, VOLUME 35, PAGES 32 & A, DOCUMENT #663892.

**CURVE DATA TABLE**

PT	RADIUS	CHORD	BEARING	DELTA	ARC LENGTH
1-2	64.74'	95.30'	N47°02'33"E	94°47'14"	107.10'
3-4	97.74'	95.70'	N65°07'18"E	58°37'26"	100.01'
4-5	97.74'	60.67'	N17°43'49"E	36°09'45"	61.69'
3-5	97.74'	143.87'	N47°02'30"E	94°47'00"	161.69'
6-7	130.74'	143.94'	N61°01'55"E	66°48'01"	152.43'
7-8	130.74'	63.22'	N13°38'27"E	27°58'59"	63.85'
6-8	130.74'	192.45'	N47°02'30"E	94°47'00"	216.28'



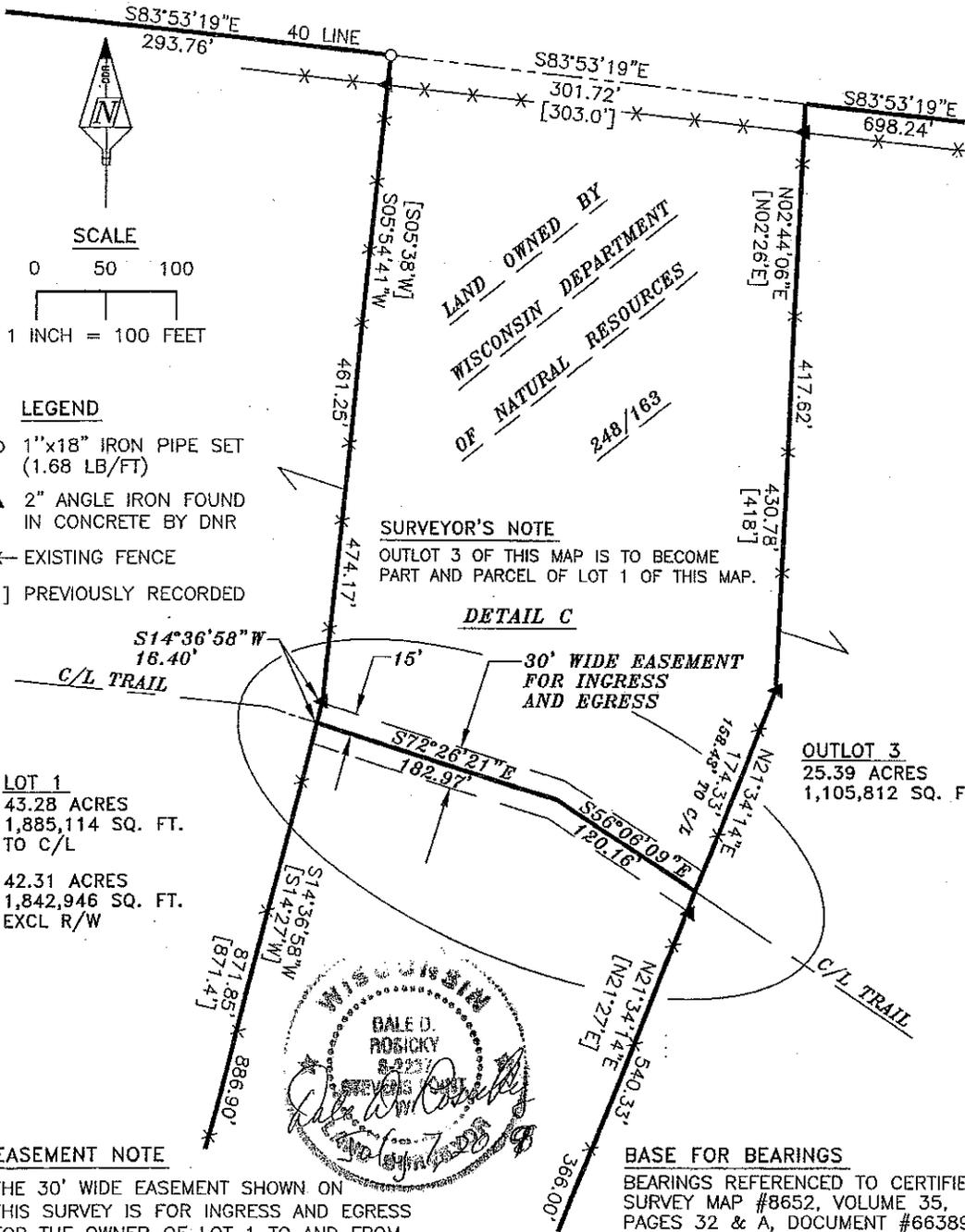
THIS INSTRUMENT DRAFTED BY: DALE D. ROSICKY  
GLODOWSKI ROSICKY LAND SURVEYING, INC.

2925 POST ROAD  
STEVENS POINT, WI 54481  
715-342-9649

VOL. \_\_\_\_\_  
PAGE \_\_\_\_\_

# CERTIFIED SURVEY MAP NO.

LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 13, TOWN 24 NORTH, RANGE 9 EAST, TOWN OF SHARON, PORTAGE COUNTY, WISCONSIN



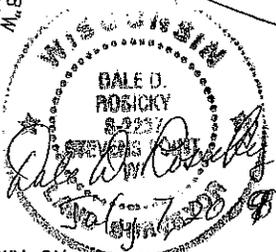
- LEGEND**
- 1"x18" IRON PIPE SET (1.68 LB/FT)
  - ▲ 2" ANGLE IRON FOUND IN CONCRETE BY DNR
  - X- EXISTING FENCE
  - [ ] PREVIOUSLY RECORDED

**SURVEYOR'S NOTE**  
OUTLOT 3 OF THIS MAP IS TO BECOME PART AND PARCEL OF LOT 1 OF THIS MAP.

**LOT 1**  
43.28 ACRES  
1,885,114 SQ. FT.  
TO C/L

42.31 ACRES  
1,842,946 SQ. FT.  
EXCL R/W

**EASEMENT NOTE**  
THE 30' WIDE EASEMENT SHOWN ON THIS SURVEY IS FOR INGRESS AND EGRESS FOR THE OWNER OF LOT 1 TO AND FROM OUTLOT 3.



THIS INSTRUMENT DRAFTED BY: DALE D. ROSICKY GLODOWSKI ROSICKY LAND SURVEYING, INC.	2925 POST ROAD STEVENS POINT, WI 54481 715-342-9649	VOL. PAGE
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## SURVEYOR'S CERTIFICATE

I, DALE D. ROSICKY REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED THIS CERTIFIED SURVEY LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, ALL IN SECTION 13, TOWN 24 NORTH, RANGE 9 EAST, TOWN OF SHARON, PORTAGE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

### LOT 1 AND OUTLOTS 1 AND 2

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13, THENCE S00°12'21"W, 1,324.14 FEET, THENCE S85°20'41"E, 1,306.38 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;  
THENCE S85°24'26"E, 1,306.22 FEET;  
THENCE S83°53'19"E, 293.76 FEET;  
THENCE S05°54'41"W, 474.17 FEET;  
THENCE S14°36'58"W, 886.90 FEET;  
THENCE N84°36'51"W, 334.89 FEET;  
THENCE N00°04'51"E, 66.28 FEET;  
THENCE N84°36'51"W, 994.19 FEET;  
THENCE N00°04'25"E, 1,274.68 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 44.47 ACRES, (1,937,070 SQUARE FEET), AND SUBJECT TO RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

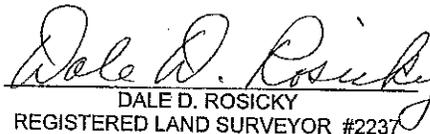
### OUTLOT 3

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13, THENCE S00°12'21"W, 1,324.14 FEET, THENCE S85°20'41"E, 1,306.38 FEET, THENCE S85°24'26"E, 1,306.22 FEET, THENCE S83°53'19"E, 595.48 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;  
THENCE CONTINUE S83°53'19"E, 698.24 FEET;  
THENCE S00°13'09"E, 1,343.33 FEET;  
THENCE N84°36'51"W, 987.07 FEET;  
THENCE N09°16'51"E, 397.43 FEET;  
THENCE N21°34'14"E, 540.33 FEET;  
THENCE N02°44'06"E, 430.78 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 25.39 ACRES, (1,105,812 SQUARE FEET), AND SUBJECT TO RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD

THAT I HAVE MADE SUCH SURVEY AND MAP AT THE DIRECTION OF ATTORNEY PAUL ANDERSON. THAT SAID MAP IS A TRUE AND CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED, AND THAT I HAVE COMPLIED WITH ALL THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES IN SURVEYING AND MAPPING THE SAME.

JULY 7, 2009



  
DALE D. ROSICKY  
REGISTERED LAND SURVEYOR #2237

SURVEYOR'S CERTIFICATE

I, DALE D. ROSICKY REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED THIS CERTIFIED SURVEY LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL IN SECTION 13, TOWN 24 NORTH, RANGE 9 EAST, TOWN OF SHARON, PORTAGE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

30' WIDE TRAIL EASEMENT

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13, THENCE S00°12'21"W, 1,324.14 FEET, THENCE S85°20'41"E, 1,306.38 FEET, THENCE S85°24'26"E, 1,306.22 FEET, THENCE S83°53'19"E, 293.76 FEET, THENCE S05°54'41"W, 474.17 FEET, THENCE S14°36'58"W, 16.40 FEET TO THE CENTERLINE OF A 30 FOOT WIDE EASEMENT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S72°26'21"E, ALONG SAID CENTERLINE, 182.97 FEET; THENCE S56°06'09"E, ALONG SAID CENTERLINE, 120.16 FEET AND THE TERMINUS OF THIS DESCRIPTION. THIS EASEMENT BEING CREATED FOR AGRICULTURAL PURPOSES FOR THE OWNER OF SAID LOT 1 AND OUTLOT 3.

THAT I HAVE MADE SUCH SURVEY AND MAP AT THE DIRECTION OF ATTORNEY PAUL ANDERSON. THAT SAID MAP IS A TRUE AND CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED, AND THAT I HAVE COMPLIED WITH ALL THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES IN SURVEYING AND MAPPING THE SAME.

JULY 7, 2009



*Dale D. Rosicky*  
DALE D. ROSICKY  
REGISTERED LAND SURVEYOR #2237

## CERTIFICATION OF LEGAL DESCRIPTION

Parcel Identification Number: 032-24-0913-08

Site Address: 1535 County Road I North, Custer, Wisconsin 54423

### Legal Description

The SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 13, Township 24 North, Range 9 East, Town of Sharon, Portage County, Wisconsin, EXCEPT that conveyed by Deed recorded in Volume 248 of Records, pages 163 to 164.

Legal Description (continued)

Also described as Lot 1, Outlot 1, Outlot 2 and Outlot 3 of Portage County Certified Survey Map No. 9834-43-14 as recorded in Volume 43 of Surveys, at page 14, being located in part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and part of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 13, Town 24 North, Range 9 East, Town of Sharon, Portage County, Wisconsin.

### Certification

I Andrey Glodowski certify that the legal description provided above and on the attached Personal Representative's Deed is complete and accurate to the best of my knowledge. The legal description correctly describes the parcel affected by petroleum soil and groundwater contamination for which conditional case closure is being requested.

CSM No 9834-43-14 has been attached.

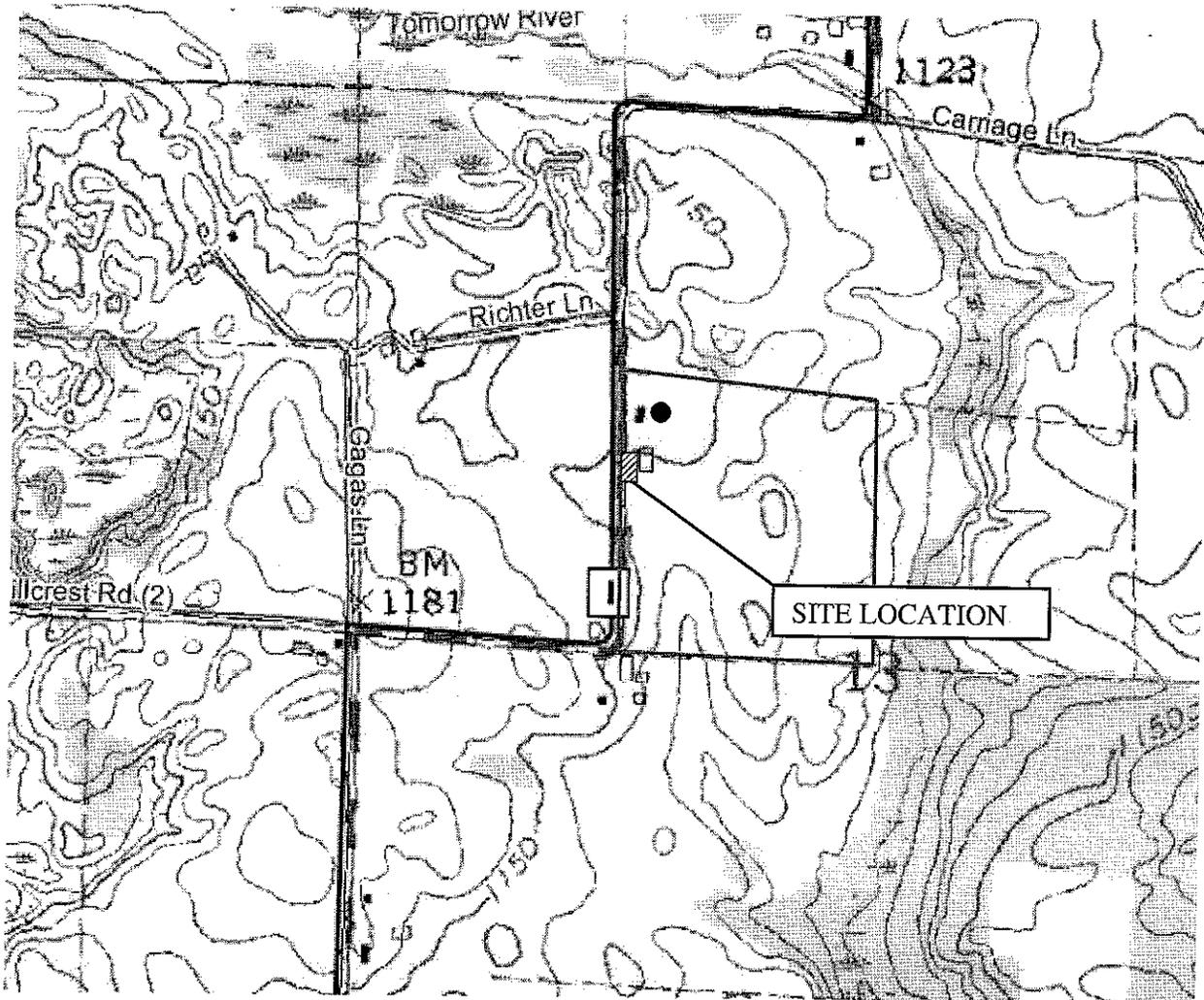
This statement is in conjunction with the Wisconsin Department of Commerce GIS Registry Packet, PUB-RR-688.

Signature

Title

Date

Andrey Glodowski  
Personal Representative  
8-18-10



**LEGEND**

- Approximate Property Boundary
- Potable Well
- ▨ Site Area (See Figure 2 for site detail)

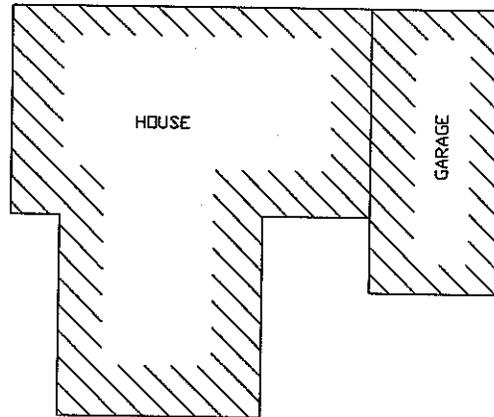
Approximate Map Scale  
1" = 825'

Note: This map is intended for advisory purposes only. Areas shown on the map have been approximated and not surveyed.

**FIGURE 1**  
**SITE LOCATION MAP**  
**RICHARD GAGAS TRUCKING PROPERTY**  
**CUSTER, WISCONSIN**



2280-B SALSCHIEDER COURT, GREEN BAY, WI 54313



GARAGE

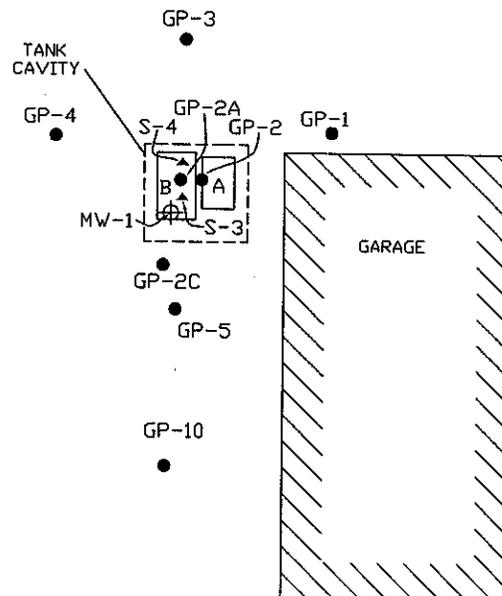
HOUSE

GRASS

GRAVEL

LEGEND

- ▲ SITE ASSESSMENT SOIL SAMPLING LOCATION
- A 300-GALLON GASOLINE UST
- B 1000-GALLON DIESEL UST
- ⊕ MONITORING WELL
- ⊙ POTABLE WELL
- GEOPROBE BORING
- - - APPROXIMATE PROPERTY BOUNDARY



CTH I

GRASS

GRAVEL

FIGURE 2  
 SITE PLAN VIEW  
 RICHARD GAGAS TRUCKING PROPERTY  
 CUSTER, WISCONSIN

SCALE	SHEET NO.	DWG NO.	DATE	SIZE	DRWN BY	FILE	REVISED	APP'D
1" = 20'	1 OF 1	P081068.40.2.21	11/11/10	A	SVG	214	NL	



2280-B SALSCHIEDER COURT, GREEN BAY, WI 54313

GRAVEL

GP-3

TANK  
CAVITY

GP-4

GP-2A

GP-2

GP-1

S-4

MW-1

B

A

S-3

GP-2C

GRAVEL

GP-5

GARAGE

GRASS

SOIL CONTAMINATION  
EXTENT

GP-10



LEGEND

- ▲ SITE ASSESSMENT
- SOIL SAMPLING LOCATION
- A 300-GALLON GASOLINE UST
- B 1000-GALLON DIESEL UST
- ⊕ MONITORING WELL
- GEOPROBE BORING
- APPROXIMATE PROPERTY BOUNDARY

FIGURE 4  
EXTENT OF SOIL CONTAMINATION  
EXCEEDING NR 720 RCLs  
RICHARD GAGAS TRUCKING PROPERTY  
CUSTER, WISCONSIN

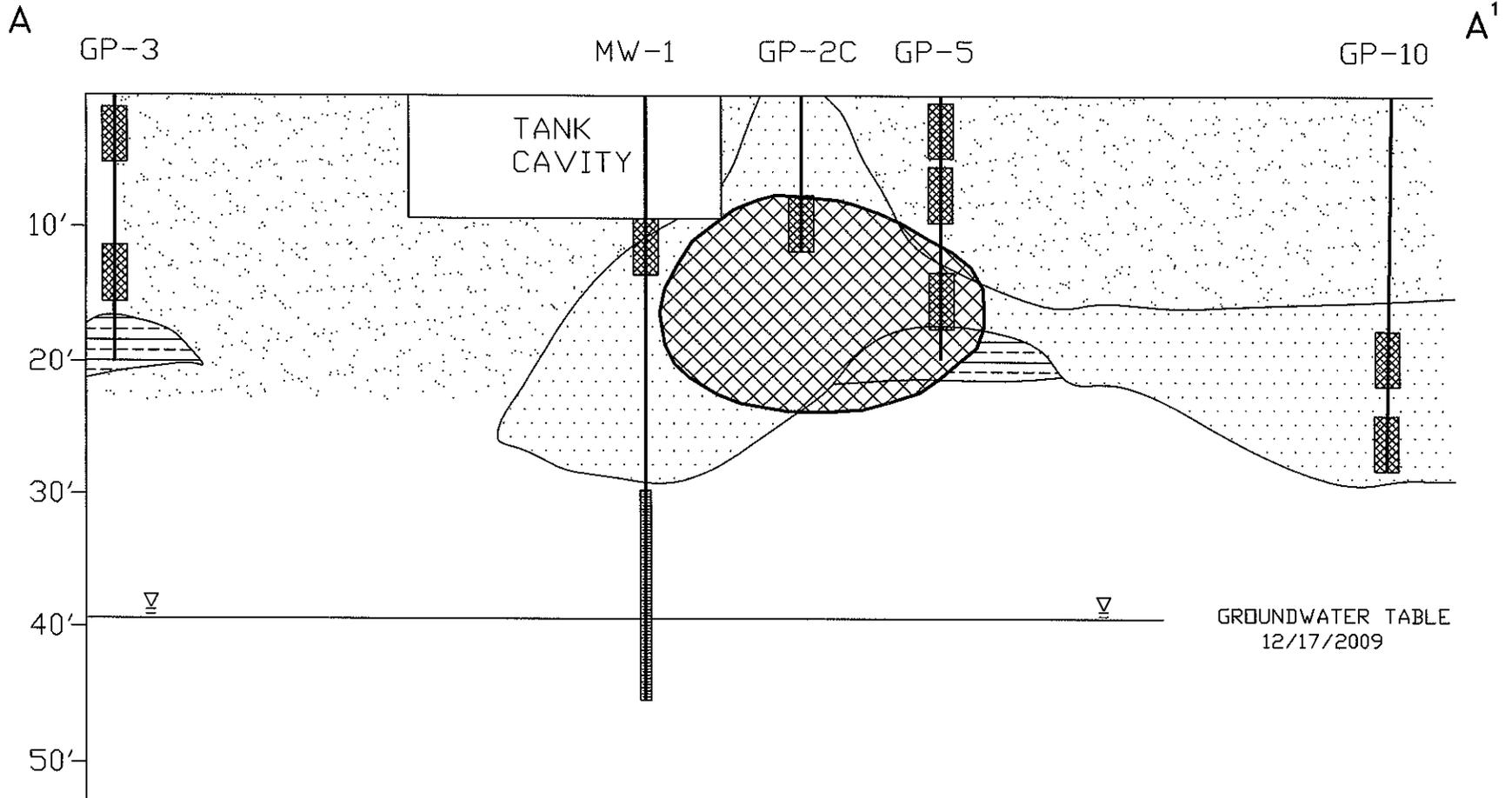
SCALE 1" = 10'	SHEET NO. 1 OF 1	DWG NO. P081068.40.4.20	DATE 11/11/10	SIZE A	DRWN BY SVD	FILE 214	REVISED N/A	APP'D
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CTH I

SCALE  
 HORIZONTAL 1"=5'  
 VERTICAL 1"=10'



2280-B SALSCHIEDER COURT, GREEN BAY, WI 54313



LEGEND

-  WELL SCREEN
-  COARSE SAND
-  FINE/MEDIUM SAND
-  SILT
-  SAMPLE INTERVAL
-  EXTENT OF SOIL CONTAMINATION EXCEEDING NR 720 RCLs

FIGURE 5  
 VERTICAL EXTENT OF SOIL  
 CONTAMINATION  
 RICHARD GAGAS TRUCKING PROPERTY  
 CUSTER, WISCONSIN

SCALE	SHEET NO.	DWG. NO.	DATE	SIZE	DRWN BY	FILE	REVISED	APP'D
SEE NOTE	1 OF 1	P0841068.40.5.10	4/22/10	A	SVD	214		

Table 1  
Soil Sample Laboratory Analytical Results  
Richard Gaggs Trucking Property  
Custer, Wisconsin

**Volatile Organic Compounds**

Sample ID	Sample Date	Sample Depth (feet bgs)	PID (ppm eq)	DRO	GRO	Benzene	Ethyl-benzene	Toluene	Total Xylenes	1,2,4-TMB	1,3,5-TMB	MTBE	Naphthalene	p - isopropyl-benzene
S-1	10/13/2008	7.0	1.2	NA	<2.6	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	NA	NA
S-2	10/13/2008	7.0	2.4	NA	<2.6	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	NA	NA
S-3	10/13/2008	9.5	675	<b>7,550</b>	NA	<312	726 <sup>J</sup>	<312	2,300	4,590	4970	<312	NA	NA
S-4	10/13/2008	9.5	11.2	<b>522</b>	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	NA	NA
GP-1, S-2	9/9/2009	2.0 - 4.0	3.3	NA	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	NA	NA
GP-1, S-8	9/9/2009	14.0 - 16.0	8.1	<4.7	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	<25.0	<25.0
GP-2C, S-5	9/9/2009	8.0 - 12.0	35.7	<b>3,110</b>	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	<25.0	<25.0
GP-3, S-2	9/9/2009	4.0 - 6.0	4.1	NA	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	252 <sup>J</sup>	38.3 <sup>J</sup>
GP-3, S-8	9/9/2009	14.0 - 16.0	6.5	<4.3	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	<25.0	<25.0
GP-4, S-9	9/9/2009	16.0 - 18.0	5.3	<4.5	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	<1.3	NA
GP-5, S-2	9/9/2009	2.0 - 4.0	4.1	NA	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	<25.0	NA
GP-5, S-5	9/9/2009	8.0 - 10.0	4.5	<5.0	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	<25.0	NA
GP-5, S-9	9/9/2009	16.0 - 18.0	3.7	<b>373</b>	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	<1.3	<25.0
MW-1, S-6	10/2/2009	22.0 - 24.0	2.4	<5.1	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	NA	NA
GP-10, S-3	10/2/2009	20.0 - 22.0	3.6	<4.7	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	NA	NA
GP-10, S-6	10/2/2009	26.0 - 28.0	2.4	<4.9	NA	<25.0	<25.0	<25.0	<75.0	<25.0	<25.0	<25.0	NA	NA
NR 720.09 residual contaminate level				100	100	5.5	2,900	1,500	4,100	NS	NS	NS	NS	NS
NR 746.06 Table 1 (free product indicator)				NS	NS	8,500	4,600	38,000	42,000	83,000	11,000	NS	2,700	NS
NR 746.06 Table 2 (direct contact standards)				NS	NS	1,100	NS	NS	NS	NS	NS	NS	NS	NS

Notes: <sup>J</sup> Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit  
 All concentrations reported are in parts per billion (ug/kg) except **DRO** reported in parts per million (mg/kg)  
**Bold value** represents an exceedance of NR 720.09 residual contaminate level  
*Italics value* represents an exceedance of NR746.06 Table 1  
 bgs: below ground surface  
 PID: photoionization detector  
 ppm eq: parts per million equivalent  
 DRO: diesel range organics  
 TMB: trimethylbenzene  
 MTBE: methyl tert-butyl ether  
 NA: not analyzed/not applicable  
 NS: no standard



Table 2  
Groundwater Laboratory Analytical Results  
Richard Gagas Trucking Property  
Custer, Wisconsin

**Volatile Organic Compounds**

Sample Date	Benzene	Ethylbenzene	Toluene	Total Xylenes	Total TMBs	MTBE	Naphthalene
<b>MW-1</b>							
10/8/2009	<0.41	<0.54	<0.67	<2.6	<1.80	<0.61	0.017 <sup>J</sup>
12/17/2009	NA	NA	NA	NA	NA	0.0079 <sup>J</sup>	0.0079 <sup>J</sup>
<b>Potable</b>							
10/8/2009	<0.50	<0.50	<0.50	<1.5	<1.0	<0.50	0.021 <sup>J</sup>
12/17/2009	NA	NA	NA	NA	NA	NA	0.016 <sup>J</sup>
NR 140 ES	5	700	1,000	10,000	480	60	100
NR 140 PAL	0.5	140	200	1,000	96	12	10

Notes: <sup>J</sup> Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit  
All concentrations reported are in parts per billion (ug/kg).

- TMB: trimethylbenzene
- MTBE: methyl tert-butyl ether
- ES: Enforcement Standard
- PAL: Preventative Action Limit

Table 2 Continued  
 Groundwater Laboratory Analytical Results  
 Richard Gagas Trucking Property  
 Custer, Wisconsin

**Polycyclic Aromatic Hydrocarbons**

Sample Date	2-Methyl-naphthalene	Benzo(a)anthracene	Benzo(a)pyrene	Benzo(b)fluoranthene	Benzo(k)fluoranthene	Chrysene	Fluoranthene	Pyrene
<b>MW-1</b>								
10/8/2009	0.0055 <sup>J</sup>	0.0037 <sup>J</sup>	0.0032 <sup>J</sup>	<0.0034	<0.0044	0.0042 <sup>J</sup>	0.0059 <sup>J</sup>	0.0075 <sup>J</sup>
12/17/2009	<0.0039	<0.0036	<0.0029	<0.0034	<0.0044	0.0038 <sup>J</sup>	0.0051 <sup>J</sup>	0.0054 <sup>J</sup>
<b>Potable</b>								
10/8/2009	<0.0040	<0.0038	<0.0030	0.0035 <sup>J</sup>	0.0049 <sup>J</sup>	0.0044 <sup>J</sup>	<0.0046	<0.0049
12/17/2009	<0.0039	<0.0036	<0.0029	<0.0034	<0.0044	<0.0035	<0.0044	<0.0047
NR 140 ES	NS	NS	0.2	0.2	NS	0.2	400	250
NR 140 PAL	NS	NS	0.02	0.02	NS	0.02	80	50

Notes: <sup>J</sup> Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit  
 All concentrations reported are in parts per billion (ug/kg).  
 ES: Enforcement Standard  
 NS: no standard  
 PAL: Preventative Action Limit

July 20, 2010

Mr. Lonnie Firkus  
317 N. Hwy J  
Stevens Point, Wisconsin 54482

**Re: Notification of Residual Contamination  
Richard Gagas Trucking Property  
1535 County Road I North  
Custer, Wisconsin 54423**

**WDNR BRRTS No. 03-50-552811  
COMM No. 54423-9717-35**

This letter is being sent to you as the current owner of the above referenced property. Environmental monitoring performed at the property has shown that residual soil contamination exceeding NR 720 generic residual contaminant levels (RCL) for protection of groundwater remain on the property. Site closure is being requested at this time, and in accordance with the requirements of s. NR 726.05 (2) (b) 4, and (3) (a) 4.g., the following information is being provided.

Soil petroleum contamination exists on the property located at 1535 County Road I North. The level of diesel range organic (DRO) contamination in the soil on your property is above generic RCLs. However, our environmental consultant, Endeavor Environmental Services, Inc. has informed me that the soil contaminant plume has been defined and the remaining contamination will naturally degrade over time. I believe that allowing natural attenuation to complete the cleanup at this site will meet the requirements for case closure that are found in chapter NR 726 Wisconsin Administrative Code, and I will be requesting that the Wisconsin Department of Commerce accept natural attenuation as the final remedy for this site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken, other than the reliance on natural attenuation.”

Even though the source of the identified soil contamination is on your property, neither you nor any subsequent owner of your property will be held responsible for investigation or cleanup of this soil contamination, as long as you and any subsequent owners comply with the requirements of section 292.13, Wisconsin Statutes, including allowing access to your property for environmental investigation or cleanup if access is required. To obtain a copy of the Department of Natural Resources' publication #RR-589, Fact Sheet 10: Guidance for Dealing with Properties Affected by Off-Site Contamination, you may visit <http://www.dnr.state.wi.us/org/aw/tr/archives/pubs/RR589.pdf> or call 608-267-3859.

The Wisconsin Department of Commerce will not review my closure request for at least 30 days after the date of this letter. As an affected property owner, you have a right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the Wisconsin Department of Commerce that is relevant to this closure request, you should mail that information to:

Dee Lance – Senior Hydrogeologist  
Wisconsin Department of Commerce  
PECFA Site Review Section  
2715 Post Road  
Stevens Point, Wisconsin 54481-6456

If this case is closed, all properties within the site boundaries where soil contamination exceeds generic RCLs will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where soil or groundwater contamination above regulatory or site-specific standards existed at the time that the case was closed. This GIS Registry will be available to the general public on Department of Natural Resources' internet web site.

Once the Department makes a decision on my closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from me, by writing to the agency address given above or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at <http://www.dnr.wi.gov/org/aw/rr/gis/index.htm><http://www.dnr.state.wi.us/org/water/dwg/3300254.pdf>. A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual petroleum contamination. Any well driller who proposes to construct a well on your property in the future will first need to obtain approval from a regional water supply specialist in DNR's Drinking Water and Groundwater Program. The well-construction application, form 3300-254, may be accessed through the GIS Registry web address in the preceding paragraph.

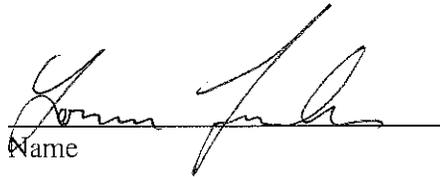
If you need more information, you may contact me by mail at 2117 Water Street, Stevens Point, Wisconsin, 54481 or by phone at (715) 341-3323, or you may contact Dee Lance-Wisconsin Department of Commerce at (715) 342-3802.

Sincerely,



Audrey Glodowski  
Personal Representative of the estate of Julia Cornwell  
Responsible Party

**Acknowledgement of Receipt**

  
Name

7-28-2010  
Date