

C.M. CHRISTIANSEN CO., INC.

P.O. Box 100
PHELPS, WI 54554
TEL: (715) 545-2333
FAX: (715) 545-2334



July 19, 2000

Mr. Christopher A. Saari
Wisconsin Dept. of Natural Resources
6250 South Ranger Road
Brule, WI 54820

Re: Your letter dated March 20, 2000
Former Pole Treatment Facility (BRRTS #02-64-000068)

Dear Mr. Saari:

In response to Item 2 of your letter, enclosed is proof of recording of the deed restriction.

Please don't hesitate to contact me if you have any questions or concerns.

Very truly yours,

C.M. CHRISTIANSEN CO., INC.

A handwritten signature in blue ink, appearing to read "Eric R. Christiansen", with a long horizontal line extending to the right.

Eric R. Christiansen,
President

Encls.

cc: PC Christiansen
Ms. Laurie Parsons
Ms. Elizabeth Gamsky Rich

364004

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DECLARATION OF RESTRICTIONS

In Re: a parcel of land located within the NE 1/4 SW 1/4 and Govt. Lot 3, both of Section 35, Township 42 North, Range 11 East, Town of Phelps, Vilas County, State of Wisconsin, more completely described as set forth in Exhibit A, attached hereto and incorporated by reference herein (the "Property").

STATE OF WISCONSIN)
) ss
COUNTY OF VILAS)

WHEREAS, C.M. Christiansen Co., Inc., a Michigan corporation (the "Company"), is the owner of the Property, a map of which is attached hereto as Exhibit B and incorporated by reference herein; and,

WHEREAS, the Company desires and intends to impose on the Property certain restrictions that will make it unnecessary to conduct additional soil or groundwater remediation activities on the Property; and,

WHEREAS, soils impacted with pentachlorophenol exist on that portion of the Property identified on Exhibit B as being SUBJECT TO USE RESTRICTION (the "Use-Restricted Portions"); and

WHEREAS, on-site engineering controls will be utilized for the soils impacted with pentachlorophenol in those portions of the Property identified on Exhibit B as being SUBJECT TO ENGINEERING CONTROLS (the "Engineering Controls Portions")

NOW THEREFORE, the Company hereby declares that the Property shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitations and restrictions (individually and together):

- 1. None of the Use-Restricted Portions may be used or developed for a residential use unless, at the time that the residential use is proposed, an investigation is conducted to determine the degree and extent of pentachlorophenol contamination that remains on such Use-Restricted Portions and, further, that remedial action is taken as necessary to meet all applicable residential soil cleanup standards.
2. Any excavating or grading activities performed in any of the Engineering Controls Portions must handle all soils in accordance with Wisconsin Administrative Code Chapter NR 718. Any surfaces removed from any Engineering Controls Portions shall forthwith be replaced with surfaces that are comparable to or less permeable than the surfaces so removed.

These restrictions are hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the Property under any circumstances, whether by descent, devise, purchase, distribution by dividend or in liquidation, or otherwise.

Any person who is or becomes owner of the Property, or any portion thereof, may request that the Wisconsin Department of Natural Resources, or its successors, issue a determination that one or more of the restrictions set forth in this covenant is(are) no longer required with respect to the Property, or the portion thereof so-owned, as the case may be. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restriction(s) contained herein can be extinguished as to the Property or as to the portion so-owned, as the case may be. If the Wisconsin Department of Natural Resources determines that the restriction(s) can be extinguished, an affidavit can be recorded with a copy of the Wisconsin Department of Natural Resources' determination to give notice that the applicable restriction(s) is(are) no longer binding.

RECORDED

JUL 17 2000

11:35am

Jon Hansen

REGISTER OF DEEDS, VILAS CO., WI

C.M. CHRISTIANSEN CO. INC

PO Box 100

PHELPS, WI 54481-0100

16 Jul

Tax Parcel No. 9QQ-5 [018-1391]

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IN WITNESS WHEREOF, the Company, as owner of the Property, has executed this Declaration of Restrictions, this 19th day of April, 2000.

C.M. CHRISTIANSEN CO., INC.

By: [Signature]
Eric R. Christiansen, President

Attest: [Signature]
P.C. Christiansen, Assistant Secretary

STATE OF WISCONSIN)
) S.S.
COUNTY OF VILAS)

The foregoing instrument was personally acknowledged before me this 19th day of April, 2000 by Eric R. Christiansen in his capacity as President of C.M. Christiansen Co., Inc.

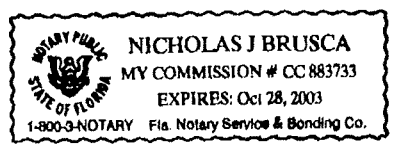
[Signature]
Miriam Saucke
Notary Public, State of Wisconsin
My Commission expires June 11, 2000

STATE OF FLORIDA)
) S.S.
COUNTY OF DADE)

The foregoing instrument was personally acknowledged before me this 27 day of April, 2000 by P.C. Christiansen in his capacity as Assistant Secretary of C.M. Christiansen Co., Inc.

[Signature]

Notary Public, State of FLORIDA (print name)
My Commission: _____



This Instrument Drafted By and Returnable to:
Eric R. Christiansen
P.O. Box 100
Phelps, WI 54554
(715) 545-2333

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






EXHIBIT A TO DECLARATION OF RESTRICTIONSLegal Description – the “Property”

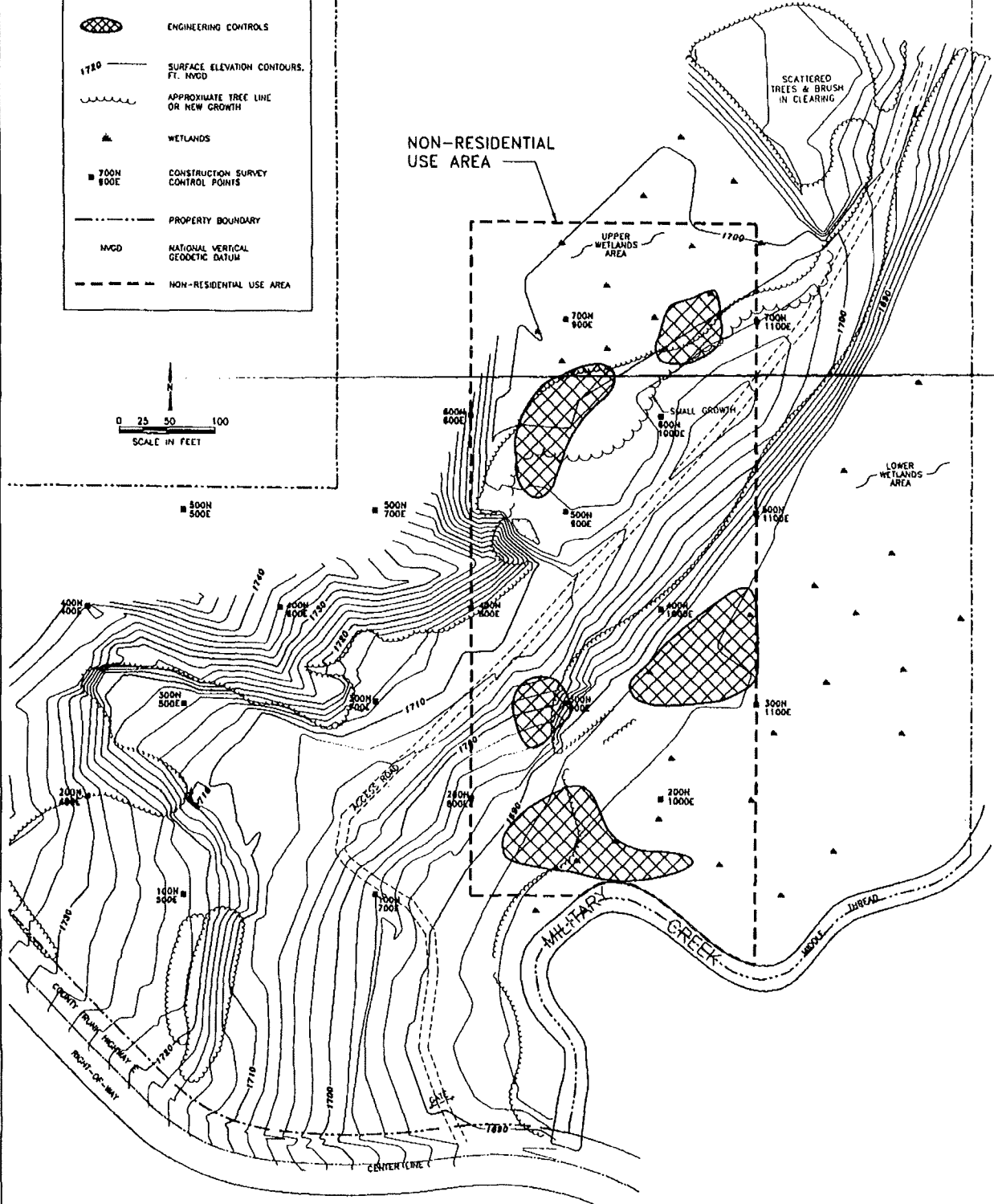
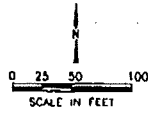
A parcel of land being a part of Gov't. Lot 3 and of the NE¼-SW¼, Section 35, T 42 N, R 11 E, Town of Phelps, Vilas County, Wisconsin, and being more particularly described as follows:

Commencing at the South ¼ corner of said Section 35 being marked by a U.S. Forest Service monument, thence N 0°-04'-39" E 2414.99 feet along the North-South ¼ line of said Section 35 to an iron pipe and the Place of Beginning, thence returning S 0°-04'-39" W 884.28 feet along the East line of said NE¼-SW¼ to an iron pipe on the Right Bank of Military Creek, thence meandering along said Creek Bank S 45°-02'-00" W 73.60 feet, S 73°-08'-00" W 102.50 feet, S 51°-33'-00" W 82.61 feet, N 61°-31'-13" W 179.00 feet, S 55°-07'-00" W 166.00 feet, S 3°-32'-00" E 90.00 feet, S 34°-44'-00" E 77.44 feet and S 2°-29'-00" E 58.17 feet to the Northerly R/W line of County Trunk Hwy. E, thence along the Northerly R/W line of said Hwy. E Easterly 36 feet more or less along the arc of a 336.51 foot radius curve to the Right to the middle thread of said Military Creek, ~~thence returning Westerly 36 feet more or less along the arc of said 336.51 foot radius curve to the Left to the aforementioned point, thence along the Northerly and Northeasterly R/W line of said Hwy. E as follows: Westerly 91.70 feet along the arc of said 336.51 foot radius curve to the Left (chord bearing S 89°-37'-40" W 91.42 feet) to the point of tangency of said curve, S 81°-49'-18" W 5.39 feet to the point of tangency of a 672.00 foot radius curve to the Right, Westerly 177.34 feet along the arc of said 672.00 foot radius curve to the Right (chord bearing S 89°-22'-54" W 176.82 feet) to the point of tangency of a 183.42 foot radius curve to the Right, Northwestery 121.07 feet along the arc of said 183.42 foot radius curve to the Right (chord bearing N 64°-08'-56" W 118.88 feet) to the point of tangency of a 2952.00 foot radius curve to the Right, Northwestery 310.80 feet along the arc of said 2952.00 foot radius curve to the Right (chord bearing N 42°-13'-23" W 310.66 feet) to the point of tangency of a 518.61 foot radius curve to the Right, Northwestery 152.27 feet along the arc of said 518.61 foot radius curve to the Right (chord bearing N 30°-47'-44" W 151.72 feet) to the point of tangency of said curve and N 22°-23'-04" W 285.74 feet to an iron pipe which lies 800.00 feet South of the North line of said NW¼-SW¼, thence leaving said R/W line S 89°-33'-15" E 588.19 feet parallel with and 800.00 feet South of the North line of said NE¼-SW¼ to an iron pipe, thence N 0°-01'-30" E 575.00 feet parallel with the West line of said NE¼-SW¼ to an iron pipe, thence S 89°-33'-15" E 664.78 feet parallel with the North line of said NE¼-SW¼ and back to the Place of Beginning, including all lands lying between the meander line and the lateral lot lines extended to the middle thread of said Military Creek, and including all riparian rights; the same being approximately 22.50 acres, more or less.~~

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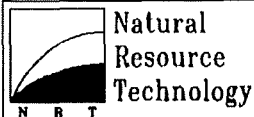
LEGEND

-  ENGINEERING CONTROLS
-  SURFACE ELEVATION CONTOURS, FT. NGVD
-  APPROXIMATE TREE LINE OR NEW GROWTH
-  WETLANDS
-  CONSTRUCTION SURVEY CONTROL POINTS
-  PROPERTY BOUNDARY
-  NATIONAL VERTICAL GEODETIC DATUM
-  NON-RESIDENTIAL USE AREA



- NOTES:**
1. BASE MAP SURVEY COMPLETED BY CEC WITH ADDITIONAL INFORMATION OBTAINED FROM USDA-ASCS HISTORICAL AERIAL PHOTOGRAPHS, A 7/7/85 SITE VISIT WITH C.M. CHRISTIANSEN CO., INC., AND A 5/21/98 FIELD INSPECTION.
 2. WETLAND AREA APPROXIMATELY INTERPRETED FROM WISCONSIN WETLAND INVENTORY MAP AND IS NOT FIELD VERIFIED.
 3. CONSTRUCTION GRID SURVEY POINTS WITH ORIGIN AT SW 1/18 SECTION CORNER, NE 1/4 OF SE 1/4 IN SECTION 35, T42N, R11E. IRON PIPE LOCATION BASED ON EAGLE LANDMARK SURVEY.
 4. EXCAVATION AND CAPPING AREA LIMITS BASED ON FIELD MEASUREMENT OFF OF CONSTRUCTION SURVEY CONTROL POINTS.
 5. PROPERTY BOUNDARY TAKEN FROM REGISTER OF DEEDS, VILAS COUNTY, WISCONSIN, VOLUME 801, PAGES 410-411.

SOURCE NOTES:
 THIS MAP WAS MODIFIED FROM DRAWING BY COLEMAN ENGINEERING COMPANY (CEC), IRON MOUNTAIN, MICHIGAN, DATED FEBRUARY 1997, JOB NO. 95042 A7, AND A SURVEY BY EAGLE LANDMARK SURVEYING, INC., EAGLE RIVER, WISCONSIN, DWG. NO. E1292, DATED 1-06-98, REVISED ON 5-13-99.



PROPERTY MAP FOR DECLARATION OF RESTRICTIONS

C.M. CHRISTIANSEN COMPANY, INC.
 TAX PARCEL NO. 900-5 [018-1391]
 PHELPS, WISCONSIN

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|----------------------------|
| PROJECT NO. 1226/RD/4.4 |
| DRAWING NO. 1226-EX1 |
| EXHIBIT B |