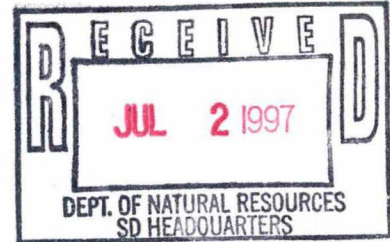


DAVID A. GOLUBA
Attorney at Law

803 Hwy 23 West
P.O. Box 261
Ripon, Wisconsin 54971-0261
(414) 748-5001



July 1, 1997

Stephen M. Ales,
Department of Natural Resources
South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, WI 53711

Re: Deed Restriction for Ripon FF/NN Landfill

Dear Mr. Ales:

Enclosed is a photocopy of the Declaration of Deed Restrictions prepared and signed by Mrs. Sauer. The document has yet to be recorded. Please review and advise whether the declaration is in acceptable form. The document will be recorded once I receive your approval.

Very truly yours,

David Goluba

DG/jmg
enc

cc: Raymond Roder

Document Number

Document Title

Declaration of Restrictions

In Re: A parcel of land in the SE Quarter
(¼) of Section 7, Township 16N, Range 14E,
Town of Ripon, Fond du Lac County,
Wisconsin, that is known as the Ripon
FF/NN Landfill, more particularly described
as:

Lot 1 of C.S.M. 3634 recorded in
Volume 20 of Certified Survey Maps
of Fond du Lac County at Pages 33
and 33A as Document No. 459730.

State of Wisconsin
County of Fond du Lac ss

Recording Area

Name and Return Address

David Goluba
Attorney at Law
P.O. Box 261
Ripon, WI 54971

T17-16-14-07-16-004-00

Parcel Identification Number

WHEREAS, Arline Sauer is the owner of the above-described property upon which is located a landfill commonly known as the Ripon FF/NN Landfill. This landfill accepted municipal and industrial wastes between 1967 and 1983;

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which are consistent with the Record of Decision for this property that was signed by the Secretary of the Wisconsin Department of Natural Resources on February 26, 1996 and which will make it unnecessary to conduct further environmental remediation activities on the above-described property at the present time; and

NOW, THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitations and restrictive covenants:

- (1) No water wells, other than groundwater monitoring wells or leachate extraction wells, shall be located on the above-described property.
- (2) The following activities are prohibited on the above-described property, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign:
 - (1) Excavation of the landfill cover or any waste materials, grading of the land surface, or filling on the capped area, except for those activities necessary to maintain the landfill cover;
 - (2) Use of the waste disposal area for agricultural purposes;
 - (3) Construction or installation of buildings or other structures over the waste disposal area.Landfill cover maintenance activities may include mowing, fixing soil erosion problems and fixing problems that may develop with the passive landfill gas venting system.
- (3) The property owner shall not use the above-described property or take any other action that may damage or impair the effectiveness of any remedial action component constructed for or installed pursuant to the above-referenced Record of Decision (including the landfill cover and the passive gas venting system) nor otherwise interfere with the performance of remedial work required by the above-referenced Record of Decision.

These restrictions are hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. These restrictions inure to the benefit of and are enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or

in equity against any person or persons who violate or are proposing to violate this restrictive covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this restrictive covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be modified or terminated.

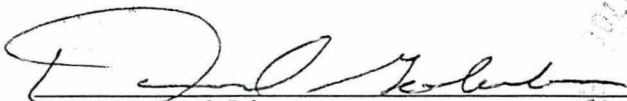
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 4th day of June, 1997.



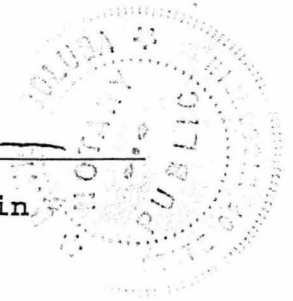
Arline Sauer

Subscribed and sworn to before me this 4th day of June, 1997 by Arline Sauer.

My commission is permanent.



Notary Public
Fond du Lac County, Wisconsin



This document was drafted by:
David Goluba
Attorney at Law
State Bar No.: 01019274
P.O. Box 261
Ripon, WI 54971
Telephone: (414) 748-5001

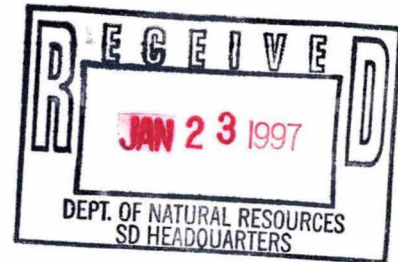
REINHART | BOERNER | VAN DEUREN
NORRIS & RIESELBACH, S.C.

ATTORNEYS AT LAW

January 22, 1997



Steve Ales
District Hydrogeologist
Wisconsin Department of Natural Resources
Southern District Headquarters
3911 Fish Hatchery Road
Fitchburg, WI 53711



Jane Lemke
Wisconsin Department of Natural Resources (SW/3)
P.O. Box 7921
Madison, WI 53707

Dear Mr. Ales and Ms. Lemke:

Re: FF/NN Landfill Closure
Documentation

As the representative for the FF/NN Landfill PRP Group, I have made several efforts to apprise the property owner, Mrs. Arline Sauer, through her attorney, David Goluba, of the need for a Deed Restriction and/or Notice of Residual Contamination for the above described 7 plus acre parcel. In that regard, I have recommended that Mr. Goluba consult the Wisconsin Administrative Code and contact you, Mr. Ales, for advise as to the restriction's/notice's content. I have not heard from Mr. Goluba on this point and, thus, assume that it is because no such restriction/notice has been prepared and filed.

If my assumption is correct, I believe the most effective way to achieve the preparing and filing of the restriction/notice by the owner, the only party with the legal capacity to take such actions, is for WDNR to assert the Department's authority to require the restriction and to assist Mr. Goluba in its preparation. I request the assistance of one or both of you for that purpose.

If you have questions or need more information, please call.

January 22, 1997

Page 2

Thank you for your consideration of the above.

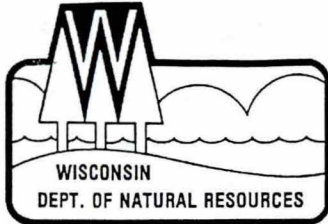
Sincerely,

A handwritten signature in cursive script, appearing to read "Ray M. Roder".

Raymond M. Roder

MADISON\15987RMR:EW

cc Ludwig L. Wurtz
Nelson Olavarria
Philip Hoopman
Gerald DeMers
David Goluba



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
and Madison Fish Hatchery Office
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711
TELEPHONE 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

May 22, 1997

FILE REF: 02-20-000915

Mr. David Goluba
121 ½ Watson Street
P.O. Box 261
Ripon, WI 54971

SUBJECT: Deed Restriction for the Ripon FF/NN Landfill

Dear Mr. Goluba:

In August of 1992, a group of potentially responsible parties ("PRPs") signed a contract (Contract #SF-92-01) with the Department of Natural Resources ("WDNR") to complete an investigation of contamination at the Ripon FF/NN Landfill, and develop and implement appropriate remedial measures for the landfill. The PRP Group completed the investigation and in October of 1995, a Record of Decision outlining the remedial measures to be completed at the landfill was signed by the Secretary of the WDNR. Remedial measures consisting of a new landfill cover system and passive gas venting system were essentially completed by late summer 1996.

One component of the Record of Decision that has not yet been completed is recording a deed restriction applicable to the landfill property which will prohibit disturbing the landfill cover system except for cover maintenance purposes. Your client, Arline Sauer, is the owner of the land where the landfill is located. While your client did not sign Contract #SF-92-01, she still has responsibilities related to this landfill as the property owner. It is my understanding that she has not yet recorded the required deed restriction.

To assist you in filing the required deed restriction, I have enclosed a copy of a draft deed restriction. This restriction prohibits the installation of water wells (other than groundwater monitoring wells or leachate extraction wells) and prohibits disturbing the landfill cover system except for maintenance activities. Disturbing the landfill cover is not only restricted by the Record of Decision, but it is also forbidden under NR 506.085, Wis. Adm. Code and s. 289.46(2), Wis. Stats.

Please read through the enclosed draft deed restriction. You will need to insert the legal description of the property. Once you have completed this section, please return a final, signed copy of the deed restriction and include proof that the restriction has been recorded at the Fond du Lac County Register of Deeds Office.

Should you have any questions regarding this letter, please feel free to contact me at the number below. Thank you for your cooperation on this matter.

Sincerely,



Stephen M. Ales, P.G.
Remediation & Redevelopment Hydrogeologist
ph. 608-275-3310
ales@dnr.state.wi.us

cc: Ray Roder - Reinhart, Boerner et al., P.O. Box 2020, Madison, WI 53701-2020

DEED RESTRICTION

[This Space For
Recording
Information]

Parcel Identification Number: [Can be
obtained from the County Register of Deed's
Office if the County uses parcel
identification numbers]

Declaration of Restrictions

In Re: A parcel of land in the SE Quarter (1/4) of Section 7, Township
16N, Range 17E, Town of Ripon, Fond du Lac County, Wisconsin, that is known as
the Ripon FF/NN Landfill, more particularly described as:

[Insert legal description of the property as it appears on the most
recent deed]

STATE OF WISCONSIN)
) ss
COUNTY OF _____)

WHEREAS, Arline Sauer is the owner of the above-described property upon which
is located a landfill commonly known as the Ripon FF/NN Landfill. This
landfill accepted municipal and industrial wastes between 1967 and 1983.

WHEREAS, it is the desire and intention of the property owner to impose on the
property restrictions which are consistent with the Record of Decision for
this property that was signed by the Secretary of the Wisconsin Department of
Natural Resources on February 26, 1996 and which will make it unnecessary to
conduct further environmental remediation activities on the above-described
property at the present time.

NOW THEREFORE, the owner hereby declares that all of the property described
above is held and shall be held, conveyed or encumbered, leased, rented, used,
occupied and improved subject to the following limitations and restrictive
covenants:

- (1) No water wells, other than groundwater monitoring wells or leachate
extraction wells, shall be located on the above-described property.

- (2) The following activities are prohibited on the above-described property, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavation of the landfill cover or any waste materials, grading of the land surface, or filling on the capped area, except for those activities necessary to maintain the landfill cover; (2) Use of the waste disposal area for agricultural purposes; and (3) Construction or installation of buildings or other structures over the waste disposal area. Landfill cover maintenance activities may include mowing, fixing soil erosion problems and fixing problems that may develop with the passive landfill gas venting system.

- (3) The property owner shall not use the above-described property or take any other action that may damage or impair the effectiveness of any remedial action component constructed for or installed pursuant to the above-referenced Record of Decision (including the landfill cover and the passive gas venting system) nor otherwise interfere with the performance of remedial work required by the above-referenced Record of Decision.

These restrictions are hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. These restrictions inure to the benefit of and are enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this restrictive covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this restrictive covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be modified or terminated.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this _____ day of _____, 19____.

Signature: _____
 Printed Name: _____

Subscribed and sworn to before me
 this _____ day of _____, 19__.

 Notary Public, State of _____
 My commission _____

This document was drafted by the Wisconsin Department of Natural Resources.