

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
Waukesha, Wisconsin 53188
Telephone 262-574-2100
FAX 262-574-2117

December 14, 2004

Tom Richter
Judges Enterprises
12700 W. Bluemound Rd.
Elm Grove, WI 53122

WDNR BRRTS #: 02-68-513154
WDNR FID # 268343900

SUBJECT: Final Case Closure with Conditions Met
Former Chappel Formal Wear, 17385 W. Bluemound Rd., Brookfield, WI

Dear Mr. Richter:

The Wisconsin Department of Natural Resources (Department) reviewed your site listed above for closure. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On August 12, 2004, you were notified that the Department had granted conditional closure to this case.


On December 13, 2004 the Department received correspondence indicating that you have complied with the conditions of closure which included removal of investigative waste, abandonment of monitoring wells and filing of a deed restriction for the above property. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. 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 DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites for soil and groundwater. 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>

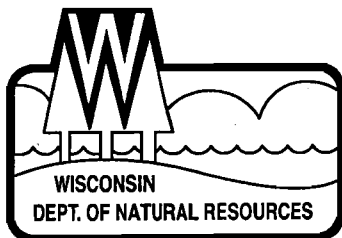
Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 262-574-2146.

Sincerely,


Mark Drews, P.G., CHMM
Hydrogeologist
Bureau for Remediation & Redevelopment

cc: Robert Sanborn, Northern Environmental, 12075 N. Corporate, Suite 210 Mequon, WI 53092
George Marek, Quarles & Brady, 411 E. Wisconsin Ave., Milwaukee, WI 53202-4497
SER File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
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Waukesha Service Center
141 NW Barstow St
Waukesha, Wisconsin 53188
Telephone 262-574-2100
FAX 262-574-2117

August 12, 2004

Tom Richter
Judges Enterprises
12700 W. Bluemound Rd.
Elm Grove, WI 53122

WDNR BRRTS # 02-68-513154
WDNR FID # 268343900

Subject: Conditional Case Closure
Former Chappel Formal Wear, 17385 W. Bluemound Rd., Brookfield

Dear Mr. Richter:

On August 2, 2004, the Department of Natural Resources (Department) received your request for closure of the case described above. The Department reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Department has determined that the chlorinated solvent contamination on the site from the dry cleaner appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

MONITORING WELL ABANDONMENT

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm.. Documentation of well abandonment must be submitted to Mark Drews on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw/ or provided by the Department of Natural Resources.

WASTE AND SOIL PILE REMOVAL

Any remaining waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Please send a letter advising me that any remaining waste and/or soil piles have been removed once that work is completed.

DEED RESTRICTION FOR CONTAMINATED SOIL

To close this site, the Department requires that a deed restriction be signed and recorded to address the issue of the remaining soil contamination associated with the site. The purpose of the restriction is to maintain a surface barrier over the remaining soil contamination to prevent it from impacting human health and the environment, and require that the owner of the property investigate the degree and extent of residual contamination that is currently inaccessible, if structural impediments that currently exist on the property are removed.

Residual soil contamination remains at the southwest end of the retail shops building as indicated in the information submitted to the Department of Natural Resources. If soil in this location is excavated in the future, the property owner at that time will be required to sample and

analyze the excavated soil in order to determine whether the contamination still remains. The owner will also have to properly store, treat, or dispose of any excavated materials, based upon the results of that characterization, and take special precautions during excavation activities to prevent a direct contact threat to humans. The purpose of the deed restriction is to notify all future owners that excavation of the contaminated soil may pose an inhalation or other direct contact hazard at the time of excavation.

A draft deed restriction has been received by the Department and has been forwarded to our legal staff for review. After the Department of Natural Resources has reviewed the draft document for completeness, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by the Waukesha County Register of Deeds. Then you must submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a deed restriction is recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

A maintenance plan for the cap is also required but has already been received with your July 27, 2004 closure request.

Section NR 726.05(10) requires that the above conditions must be satisfied within 120 days of receipt of this conditional closure letter except for deed restrictions that comply with NR 726.05(8)(b), which must be recorded within 90 days of receipt of this letter. Please submit a letter to let me know that applicable conditions have been met and a final close out letter will be sent to you. Your site will also be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. 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.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 262-574-2146.

Sincerely,



Mark Drews, P.G., CHMM
Hydrogeologist
Bureau for Remediation & Redevelopment

Enclosure

cc: SER File
Robert Sanborn, Northern Environmental, 12075 N. Corporate Parkway, Suite 210,
Mequon, WI 53092

Document Number

DEED RESTRICTION

3230940
REGISTER'S OFFICE
WAUKESHA COUNTY, WI
RECORDED ON

12-09-2004 1:18 PM

MICHAEL J. HASSLINGER
REGISTER OF DEEDS

REC. FEE: 10.00
REC. FEE-CO: 5.00
REC. FEE-ST: 2.00
TRAN. FEE:
TRAN. FEE-STATE:
PAGES: 4

Declaration of Restrictions

In Re: Parcel 2 of Certified Survey Map No. 4859, recorded in Volume 39 of Certified Survey Maps on Page 211, as Document No. 1325226, being a division of a part of the Northeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 28, Town 7 North, Range 20 East, City of Brookfield, County of Waukesha, State of Wisconsin. Except that part conveyed to the State of Wisconsin by Warranty Deed recorded as Document No. 1725668.

Property Address: 17345.- 17445 West Bluemound Road, City of Brookfield, Waukesha County, Wisconsin.

Recording Area

Name and Return Address
Judge Enterprises, LLC
Attn: Mr. Thomas L. Richter
12700 West Bluemound Road
Elm Grove, WI 53122

10/17/4

STATE OF WISCONSIN)
) ss
COUNTY OF WAUKESHA)

Tax Key No. BRC 1120.995
Parcel Identification Number (PIN)

WHEREAS, Judge Enterprises, LLC is the owner of the above-described property.

WHEREAS, one or more tetrachloroethene (PCE) discharges have occurred on this property, and as of November 24, 2003 when soil samples were collected on this property, tetrachloroethene-contaminated soil remained on this property at the following location: the southern portion of the building with the address of 17385 West Bluemound Road, Brookfield, Wisconsin, and a small area under the exterior asphalt area to the west of the southern portion of 17385 West Bluemound Road (the "Residual Soil Contamination Area"). The Residual Soil Contamination Area location can be found on Figure 1, attached and made part of this restriction.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the 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 limitation and restrictions:

The paved surfaces and the building foundation at the Residual Soil Contamination Area, identified in Figure 1, that existed on the above-described property on the date that this restriction was signed form a barrier that must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. These structures are also required in order to minimize the

infiltration of water and prevent additional groundwater contamination that would violate the groundwater quality standards in ch. NR 140, Wis. Adm. Code. The paved surfaces and the building foundation at the Residual Soil Contamination Area shall be maintained on the above-described property in the locations shown on the attached map, labeled "Figure 1" unless another barrier, with an infiltration rate of 10^{-7} cm/sec or less, is installed and maintained in their place. The existing structures, and any replacement barrier with an infiltration rate of 10^{-7} cm/sec or less, shall be maintained on the above-described property in compliance with the "Barrier Maintenance Plan, Former Chappel Formal Wear, 17385 Bluemound Road, Brookfield, Wisconsin" dated July 7, 2004, that was submitted to the Wisconsin Department of Natural Resources by Judge Enterprises, LLC, as required by section NR 724.13(2), Wis. Adm. Code (1999).

In addition, the following activities are prohibited on any portion of the above-described property identified in Figure 1 as the Residual Soil Contamination Area where an impervious cap has been placed or where impervious surfaces exist, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on capped areas and areas with impervious surfaces; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or impervious surface.

This restriction is 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. This restriction inures to the benefit of and is 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 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 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 extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

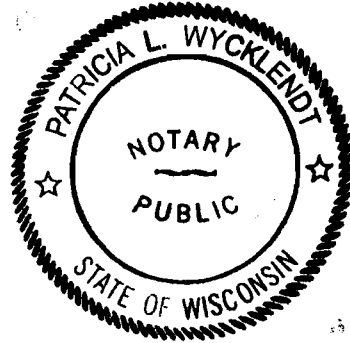
By signing this document, Thomas L. Richter asserts that he or she is duly authorized to sign this document on behalf of Judge Enterprises, LLC.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 9TH day of DECEMBER, 2024.

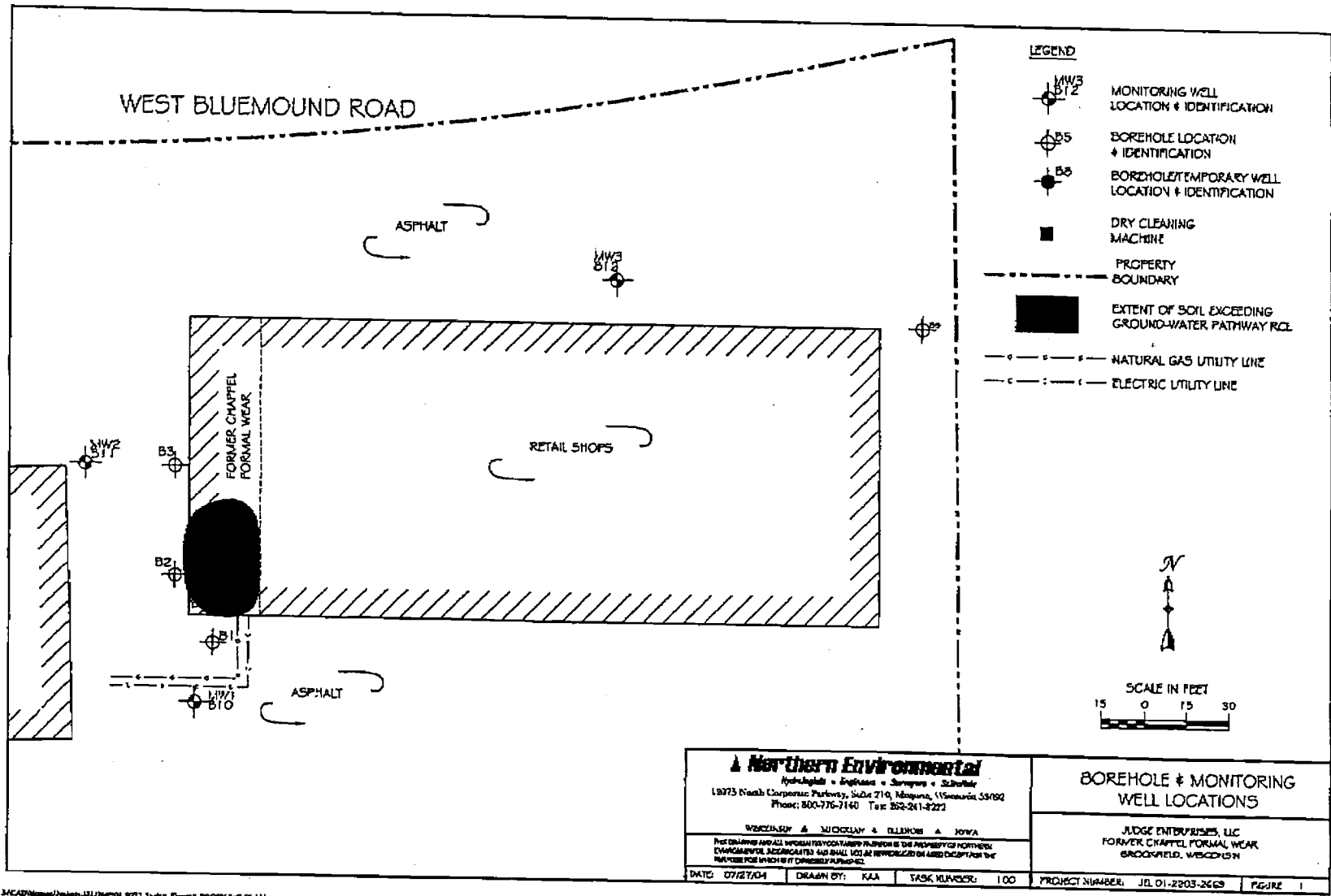
Signature: *Thomas L. Richter*
Printed Name: THOMAS L. RICHTER

Subscribed and sworn to before me
this 9th day of Dec, 2024.

Patricia L. Wycklendt
Notary Public, State of Wisconsin
My commission 5/8/05



This document was drafted by George J. Marek, Quarles & Brady LLP, based upon information provided by the Wisconsin Department of Natural Resources.



Northern Environmental
 Hydrogeology • Engineering • Surveying • Seismicity
 18275 North Corporate Parkway, Suite 210, Moline, Illinois 61902
 Phone: 800-776-7140 Fax: 309-241-4222

WELLSHAW • MCGILLIVRAY • ELLIOTT • JOYKA

FOR CHANGES AND ALL INFORMATION CONTACT THE PROJECT MANAGER.
 ENVIRONMENTAL RECORDS ARE MAINTAINED AND SHALL BE REPRODUCED BY ANY DISCLOSURE TO THE
 MAXIMUM EXTENT WHICH IS FEASIBLE.

DATE: 07/27/04 DRAWN BY: KJA TASK NUMBER: 100

BOREHOLE & MONITORING WELL LOCATIONS

JUDGE ENTERPRISES, LLC
 FORMER CHAPPEL FORMAL WEAR
 BROOKFIELD, WISCONSIN

PROJECT NUMBER: JEL 01-2203-2669 FIGURE 1

1990978

1990978

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

(Space above this line for Recorder's use)

94 SEP -1 PM 12:06
REEL 1981 IMAGE 0353
REEL _____ IMAGE _____

SPECIAL WARRANTY DEED

Michael J. Haulinger
REGISTER OF DEEDS

For the consideration of Ten Dollars, and other valuable consideration, CROWN LIFE INSURANCE COMPANY, a Canadian corporation (Grantor), conveys to JUDGE ENTERPRISES, LLC (Grantee), the following described real property situated in Waukesha County, Wisconsin, together with all rights and privileges appurtenant thereto:

See the legal description set forth in Exhibit A attached and incorporated by this reference (the Property).

*pd
18*

SUBJECT TO: All taxes, assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions and restrictions, obligations and liabilities as may appear of record (including, without limitation, those uses described on Exhibit B attached and incorporated hereto) and possible future adverse rights of adjoining owners in so much of the Property which lies north of a wall due to the fact that part of the wall along the north boundary line of the Property lies south of said north boundary line.

Grantor warrants the title to the Property to Grantee against all acts of the Grantor and no other, subject to the matters set forth above.

Dated this 31st day of August, 1994.

Grantor:

CROWN LIFE INSURANCE
COMPANY, a Canadian corporation

TRANSFER

\$12,000.00
FEE

By *Robert Fraser*
Its Assistant Vice-President, Dispositions
Asset Management Group

By *Nigel A.C. Howard*
Its NIGEL A.C. HOWARD
VICE PRESIDENT
MORTGAGES AND ASSET MANAGEMENT GROUP

wp

PROVINCE OF)
: SS
County SASK.)

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT FRASER and NIGEL A. G. HOWARD of CROWN LIFE INSURANCE COMPANY, a Canadian corporation, known to me to be the persons and officers whose names are subscribed to the foregoing instruments and acknowledged to me that the same was the act of the said CROWN LIFE INSURANCE COMPANY, a Canadian corporation, and that they executed the same as the act of such corporation for the purposes and considerations therein expressed, and in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 29th day of August, 1994.

Theresa M. Dawson
Notary Public in and for the PROVINCE
County of SASK.

Theresa M. Dawson
Printed Name of Notary
My Commission is expired May 31/97

This instrument was drafted by ~~and after recording should be~~ returned to:-

William T. Shroyer, Esq.
Reinhart, Boerner, Van Deuren,
Norris & Rieselbach, s.c.
1000 North Water Street
Suite 2100
Milwaukee, WI 53202
(414) 298-1000

After recording return to:
L. J. Jost, Esq.
Quarles & Brady
411 E. Wisconsin Ave.
Milwaukee WI 53202

EXHIBIT A

Description of the Property

Parcel A:

Parcel 2 of Certified Survey Map No. 4859, recorded in Volume 39 of Certified Survey Maps on page 211, as Document No. 1325226, being a division of a part of the Northeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 28, Town 7 North, Range 20 East, City of Brookfield, County of Waukesha, State of Wisconsin, together with the ingress and egress easement over Parcel 1 of Certified Survey Map No. 4859, recorded as Document No. 1325226 contained in Document No. 1325227, and also together with the parking easement on Parcel 1 of Certified Survey Map No. 4859, recorded as Document No. 1325226, as contained in Document No. 1325275.

EXCEPT that part conveyed to the State of Wisconsin by Warranty Deed recorded as Document No. 1725668.

Parcel B:

Non-exclusive easement for parking over that portion of Parcel 1 of said Certified Survey Map No. 4859, bounded and described as follows:

Beginning at a point being the Southwest corner of Parcel 1 of said Certified Survey Map No. 4859; thence North 00°07'20" West 149.99 feet to a point; thence North 89°58'14" East 224.37 feet to a point; thence South 00°54'00" West 40.88 feet to a point; thence North 89°09'58" West 30.00 feet to a point; thence South 00°54'00" West 71.23 feet to a point; thence North 89°09'58" West 110.00 feet to a point; thence South 00°54'00" West 40.00 feet to a point; thence South 89°58'14" West 81.68 feet to the point of beginning.

Tax Key No. BRC 1120.995

ADDRESS: 17335 West Bluemound Road

EXHIBIT B

PERMITTED ENCUMBRANCES

1. General taxes for the year 1994 and future years, municipal and zoning ordinances.
2. Easement and Obligations imposed upon the insured in Mutual access easements granted by Anderson Bros. dated December 11, 1985 and recorded December 13, 1985 on Reel 722, Image 181, as Document No. 1325227.
3. Right-of-way Grant granted by Bluemound Centre Partners, et al. to Wisconsin Bell, Inc. its successors and/or assigns dated September 1, 1988 and recorded September 7, 1988 on Reel 1038, Image 5, as Document No. 1499151.
4. Easement and Obligations imposed upon the insured in Mutual Parking Easement granted by Anderson Bros., a partnership, et al. dated December 12, 1985 and recorded December 13, 1985 on Reel 722, Image 298, as Document No. 1325275, and as shown on Certified Survey Map No. 4859, recorded as Document No. 1325226.
5. Utility easement granted by Ed. Schmutz, et al. to The Milwaukee Electric Railway and Light Company, its successors and assigns dated May 17, 1927 and recorded August 4, 1927 in Volume 203 of Deeds on page 614, as Document No. 152028.
6. Utility easement granted by R. Lange and Mary Lange, his wife to The Milwaukee Electric Railway and Light Company, its successors and assigns dated July 7, 1927 and recorded September 28, 1927 in Volume 210 of Deeds on page 321, as Document No. 153057.
7. Utility easement granted by Ed. Schmutz, et al. to The Milwaukee Electric Railway and Light Company, its successors and/or assigns dated July 20, 1927 and recorded September 28, 1927 in Volume 210 of Deeds on page 322, as Document No. 153058.
8. Limitations imposed upon ingress to and egress from the premises described in Schedule A hereof to State Trunk Highway "18" as set forth in finding, determination and declaration by State Highway Commission of

Wisconsin recorded as Document No. 354772, wherein said highway is designated as a controlled-access highway under the provision of Section 84.25 of the Wisconsin Statutes.

9. Obligations imposed upon the insured in Right-of-Way Agreement entered into by and between Mobil Oil Corporation, its successors and assigns and Anderson Bros., a co-partnership, its successors and assigns dated October 12, 1971 and recorded November 4, 1971 in Volume 1249 of Deeds on page 357, as Document No. 801535.

10. Terms, conditions and provisions contained in Authorization for access to or across a controlled access highway granted by the Department of Transportation dated August 15, 1983 and recorded August 16, 1983 on Reel 560, Image 357, as Document No. 1225629.

11. Agreement recorded as Document No. 1615443.

12. Tenants in possession and their respective rights in the Property.

13. Common Ownership Plumbing System Inspection and Enforcement Easement granted by Anderson Bros. to the State of Wisconsin, Department of Industry, Labor and Human Relations, Bureau of Plumbing, dated October 30, 1984 and recorded November 26, 1984 on Reel 644, Image 174, as Document No. 1278927.

14. Well Agreement recorded as Document No. 1694631.

15. Rights of Flanner & Hafsoos Music House, Ltd., and those claiming under them under lease dated July 27, 1993 as evidenced by Memorandum of Exclusivity dated November 1, 1993 and recorded November 10, 1993, on Reel 1823, Image 16, as Document No. 1901240.

The rights of Flanner & Hafsoos are encumbered by: Security interest of Firststar Bank Milwaukee, N.A., 777 East Wisconsin Ave., Milwaukee, WI 53202, secured party, as disclosed by Financing Statement filed on July 20, 1994 as No. 762128 executed by Flanner & Hafsoos Music House, Ltd., 17445 West Bluemound Road, Brookfield, WI 53005, debtor.

Parcel 1: A portion of the Northeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 28, Town 7 North, Range 20 East, City of Brookfield, Wisconsin, State of Wisconsin. Except that part conveyed to the State of Wisconsin by Warranty Deed recorded as Document No. 1725868.

Parcel 2: Non-exclusive easement for ingress and egress as delineated by Document No. 132227

Parcel 3: Non-exclusive parking easement as delineated by Document No. 132275

Key No. BRG 1120, 85 Property Address: 17345 West Bluehound Road

Title Commitment No. 118874 & 8 EXCEPTION 14: AN EASEMENT GRANTED TO MILWAUKEE ELECTRIC RAILWAY AND LIGHT COMPANY THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, DIRECT AND MAINTAIN A LINE OF POLLS TOGETHER WITH THE NECESSARY ANCHORS, CUV WIRES AND BRACE POLES STRONG AND MAINTAIN THEREON THROUGHOUT THE PURPOSE OF SUPPLYING POWER TO OTHER SUCH PURPOSES AS ELECTRIC CURRENT IS NOW OR MAY BE USED ALONG CAULDRON ROAD BEING A PART OF THE SECTION 28, TOWN 7 NORTH, RANGE 20 EAST, TOWN OF BROOKFIELD, WISCONSIN COUNTY, WISCONSIN, ACCORDING TO THE REPRESENTATION IN 1927 IN THE OFFICE OF THE REGISTER OF DEEDS FOR WISCONSIN COUNTY IN VOLUME 102 OF DEEDS ON PAGE 281 INCLUDING AS DOCUMENT NO. 15871. EXACT LOCATION IS UNKNOWN.

The undersigned hereby certifies that the map and survey on which this is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" established and adopted by ALTA, NSPS and ACSM in 1990, and includes items 1, 2, 3, 4, 5, 6, 7(a), 8, 9, 10, 11, 13, 14, 15 and 18 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, the undersigned hereby further certifies that the survey measurements were made in accordance with the Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys.

Donald W. Lenz, Inc. No. 100 5-2000
711 West Main Street
Waukesha, WI 53188

If this seal is not red in color, this plan is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.

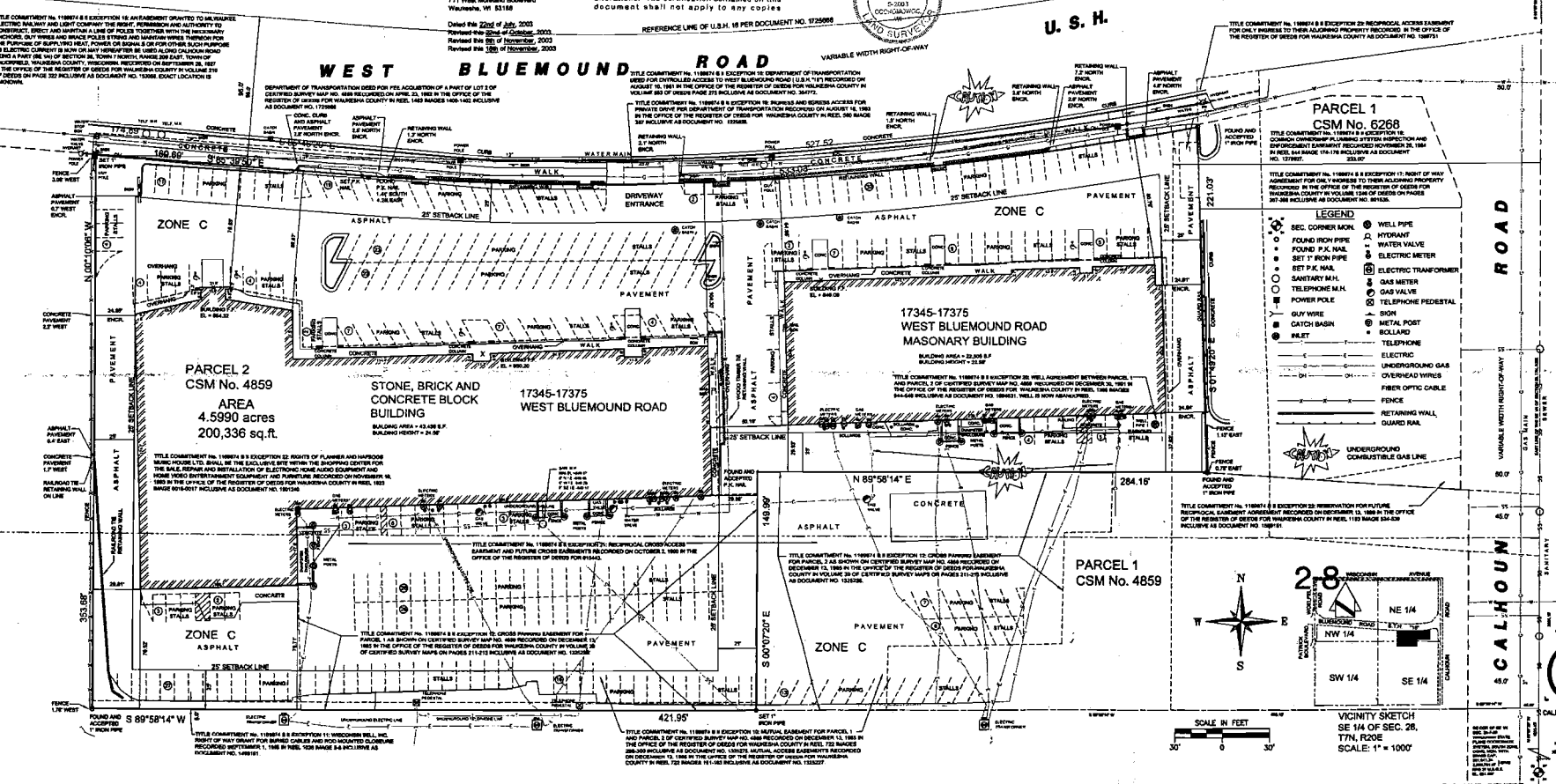
Surveyed the 22nd of July, 2003
Revised the 22nd of October, 2003
Revised the 18th of November, 2003
Revised the 18th of November, 2003

REFERENCE LINE OF U.S.H. 18 PER DOCUMENT NO. 1725868

VARIABLE WIDTH RIGHT-OF-WAY

THE INFORMATION SHOWN ON THIS DRAWING CONCERNING THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES AS NECESSARY TO AVOID DAMAGE THEREON.

THE INFORMATION SHOWN ON THIS DRAWING CONCERNING THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES AS NECESSARY TO AVOID DAMAGE THEREON.



REFERENCE BENCHMARK 48.81 OF CONCRETE MONUMENT WITH BRASS CAP LOCATED 1222.27 SOUTH AND 484.12 EAST ON CALHOUN ROAD FROM THE SE PROPERTY CORNER (U.S.G. DATUM).

REFERENCE MERIDIAN: THE EAST LINE OF THE SE 1/4 OF SECTION 28, T7N, R20E WAS AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°58'14" WEST.

THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE).

THIS PROPERTY LIES IN ZONE C PER FEMA 60478 FLOOD HAZARD RISK MAP DATED AUGUST 11, 1983. EXISTING LANDS ARE NOT IN A FLOODPLAIN OR FLOOD ZONE.

NOTES:

1. THE TITLE POLICY PROVIDED TO JAHNEK & JAHNEK ASSOC., INC. WAS COMPLETED BY CHICAGO TITLE INSURANCE COMPANY, INC.

2. DIGGERS HOTLINE TICKET NO. 8723665 WAS USED TO MARK THE PROPERTY OF UNDERGROUND UTILITIES ON JULY 15, 2003. CONTRACTOR/OWNER SHOULD CONTACT DIGGERS HOTLINE PHONE NO. 1-800-242-8611 TO REMARK THE PROPERTY BEFORE ANY EXCAVATION OR DEMOLITION.

3. UTILITY LOCATIONS WERE MARKED BY DIGGERS HOTLINE AND MAPS WERE FURNISHED BY:

WISCONSIN DIGGERS HOTLINE
ADDRESS: 231 W. MICHIGAN AVENUE, MILWAUKEE, WI 53202
PHONE: 1-800-242-8127

CITY OF BROOKFIELD UTILITIES
ADDRESS: 300 NORTH CALHOUN ROAD, BROOKFIELD, WI 53005-2005
PHONE: (262) 782-9939

TIME WARNER CABLE
3200 NORTH DR. MARTIN LUTHER KING JR. DRIVE, MILWAUKEE, WI 53212
PHONE: (414) 277-4000

MR. ENRIGES
ADDRESS: 722 N. BROADWAY AVENUE, MILWAUKEE, WI 53208-4399
PHONE: 1-400-257-0902

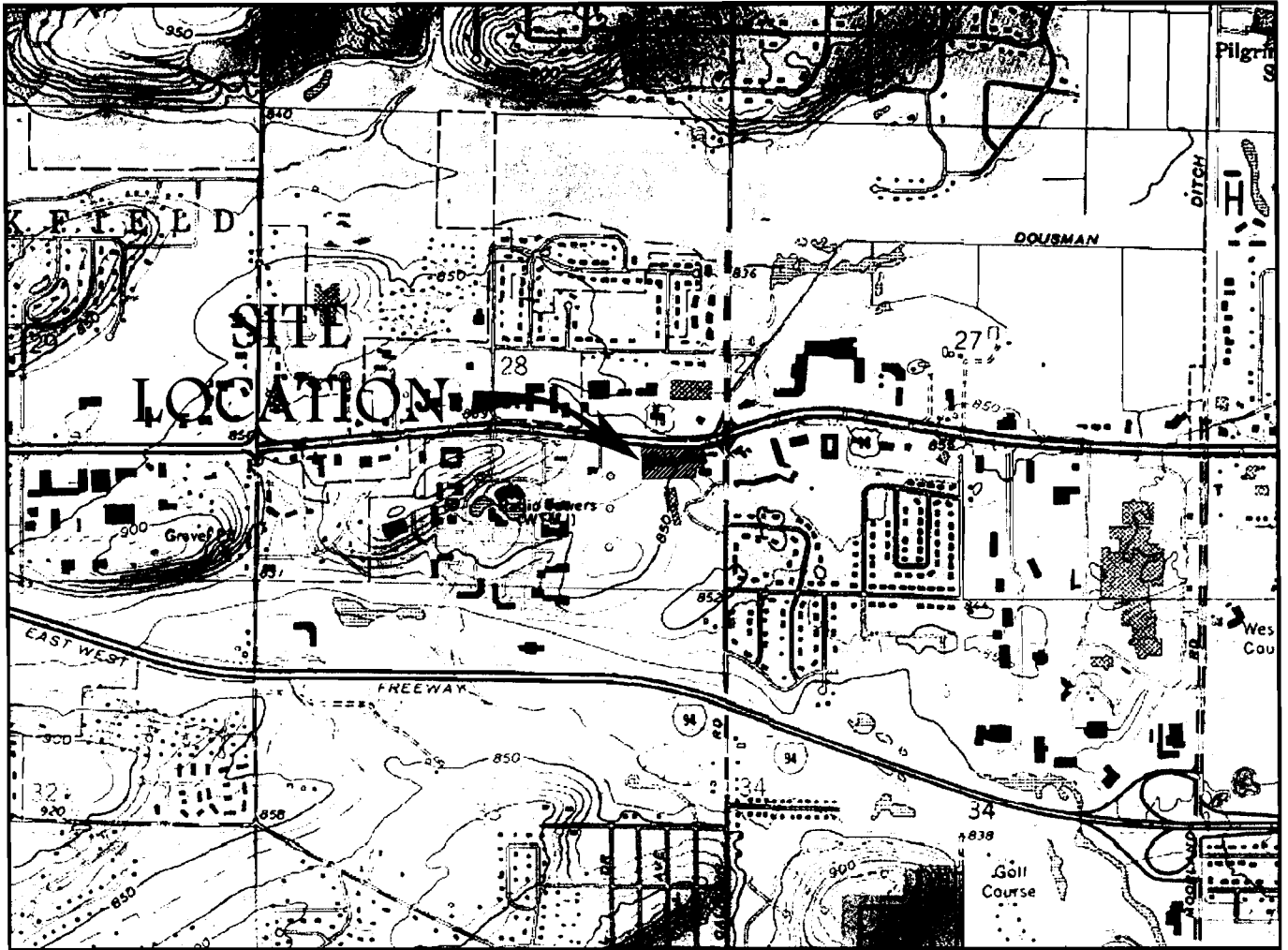
SRC
ADDRESS: 722 N. BROADWAY AVENUE, MILWAUKEE, WI 53208-4399
PHONE: 1-400-257-0902

TDS METROCOM
2075 CROSSROADS CIRCLE, SUITE 800, WAUWATOSA, WI 53186
PHONE: 1-400-257-0902

THE INFORMATION SHOWN ON THIS DRAWING CONCERNING THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES AS NECESSARY TO AVOID DAMAGE THEREON.

RE: BLUEHOUND CENTRE
ALTA/ACSM LAND TITLE SURVEY
FOR: RICHTER REALTY AND INVESTMENT, INC.
PART OF THE SE 1/4 OF SEC. 28, T.7N., R.20E.
CITY OF BROOKFIELD, WISCONSIN COUNTY, WISCONSIN

JAHNEK & JAHNEK ASSOCIATES INC.
PLANNERS & PROFESSIONALS, INC.
711 W. MICHIGAN BLVD., MILWAUKEE, WISCONSIN 53202
TEL: (414) 257-0907 FAX: (414) 257-0908
WWW.JAHNEKANDJAHNEK.COM DATE: AUGUST 15, 2003



SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET

NATIONAL GEODETIC VERTICAL DATUM OF 1929



QUADRANGLE LOCATION

BASE MAP SOURCE: USGS 7.5 MINUTE QUADRANGLE, WAUKESHA, WISCONSIN, 1994 (NATIONAL GEOGRAPHIC HOLDINGS, INC.)

Northern Environmental SM

Hydrologists • Engineers • Geologists • Scientists • Surveyors

12075 North Corporate Parkway, Suite 210, Mequon, Wisconsin 53092

Phone: 800-776-7140 Fax 262-241-8222

WISCONSIN MICHIGAN ILLINOIS IOWA

SITE LOCATION & LOCAL TOPOGRAPHY

JUDGE ENTERPRISES, LLC
FORMER CHAPPEL FORMAL WEAR
BROOKFIELD, WISCONSIN

CREATION DATE: 01/06/04

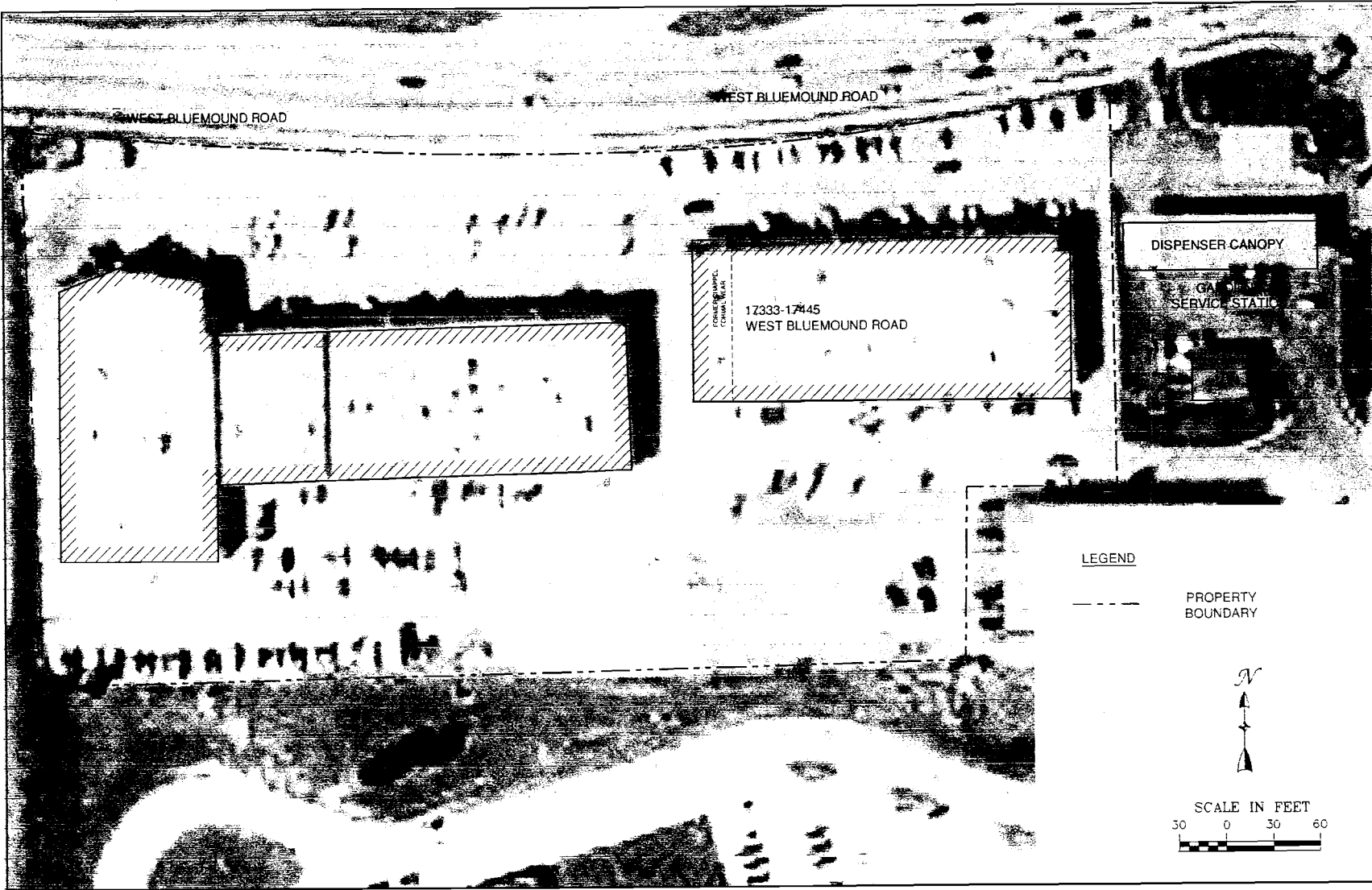
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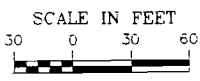
PROJECT NUMBER: JEL01-2203-2669

FIGURE 1



LEGEND

----- PROPERTY BOUNDARY



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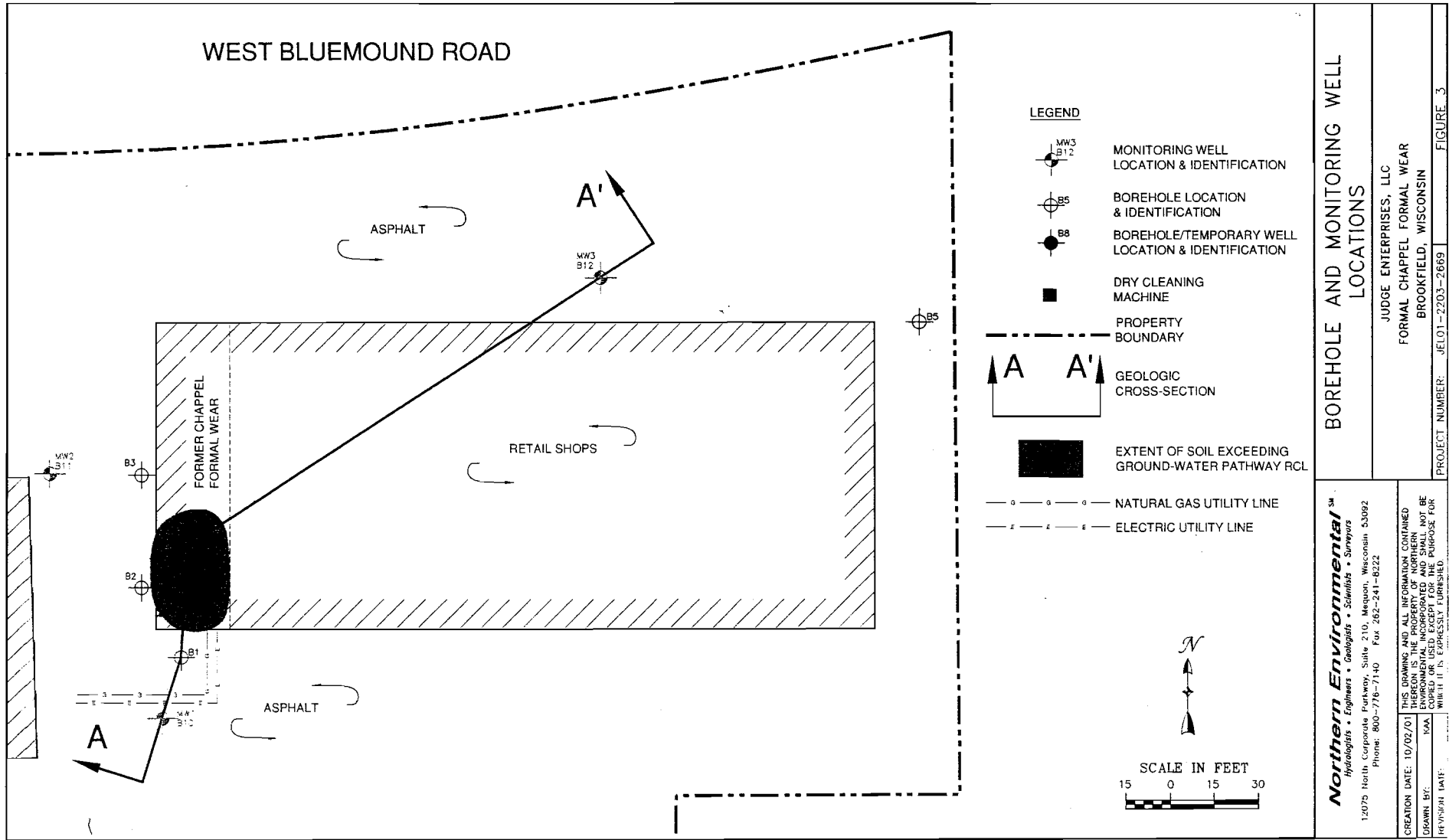
SITE LAYOUT

JUDGE ENTERPRISES, LLC
 FORMER CHAPPEL FORMAL WEAR
 BROOKFIELD, WISCONSIN

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FIGURE 2



BOREHOLE AND MONITORING WELL LOCATIONS

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Table 3 Ground-Water Quality Data, Former Chappel Formal Wear, Brookfield, Wisconsin

Sample Point	Date Sampled	Detected Regulated VOCs (micrograms per liter)		
		cis 1,2-Dichloroethene	Tetrachloroethene	Trichloroethene
MW1 *	12/16/03	<0.83	<0.45	<0.48
	12/16/03	<0.83	<0.45	<0.48
MW2	12/16/03	<0.83	<0.45	<0.48
MW3	12/16/03	<0.83	<0.45	<0.48
B8	12/16/03	6.1	19	1.4
NR 140, Wis. Adm. Code PAL		7	0.5	0.5
NR 140, Wis. Adm. Code ES		70	5	5

Note:

<x = concentration less than laboratory detection limit of x

* = duplicate sample

XXX = exceeds Chapter NR 140, Wisconsin Administrative Code (NR 140, Wis. Adm. Code) preventive action limit (PAL)

XXX = exceeds NR 140, Wis. Adm. Code enforcement standard (ES)

Table 1 Bluemound Centre Soil Analytical Results August 11 and 12, 2003				
Sample Number	Depth (feet BGS)	Analyze	Result (mg/kg)	EPA Region 9 Preliminary Remediation Goal Residential (mg/kg)
B-6	0.5	Tetrachloroethylene	0.941	1.5
B-7	1.5	Cis-1,2-Dichloroethene	3.04	43
B-7	1.5	Vinyl Chloride	2.07	0.079

Table 2 Bluemound Centre Groundwater Analytical Results August 11 and 12, 2003				
Sample Number	Depth (feet BGS)	Analyze	Result (ug/L)	WDNR Groundwater Enforcement Standard (ug/L)
B-2	14	Chloromethane	0.29	3.0
B-2	14	Tetrachloroethylene	12	5.0
B-2	14	Toluene	0.36	1,000
B-2	14	Trichloroethene	1.0	5.0
B-6	8	Benzene	0.25	5.0
B-6	8	Chloromethane	0.27	3.0
B-6	8	Cis-1,2-dichloroethene	5.5	70
B-6	8	Tetrachloroethylene	19	5.0
B-6	8	Toluene	0.42	1,000
B-6	8	Trichloroethene	1.3	5.0
B-6	8	Vinyl Chloride	0.36	0.2

Table 2 Soil Sample Field Screening and Laboratory Analytical Results, Former Chappel Formal Wear, Brookfield, Wisconsin

Borehole Number	Sample Number	Depth (feet)	Date Collected	PID Headspace Analysis			Detected Volatile Organic Compounds Tetrachloroethene (µg/kg)	Soil Type
				Time Collected	Time Analyzed	Response (iui)		
B8	S801	0-2	11/24/03	0737	1020	2	-	Gravelly sand, fill
	S802	2-4	11/24/03	0738	1020	2	-	Gravelly sand, fill
	S803	4-6	11/24/03	0755	1021	1	-	Gravelly sand, fill
	S804	6-8	11/24/03	0755	1021	1	-	Gravelly sand, fill
	S805	8-10	11/24/03	0800	1022	0	-	Gravelly sand, fill
	S806	10-12	11/24/03	0800	1022	1	-	Silty clay, till
	S807	12-14	11/24/03	0813	1023	0	<25	Silty clay, till
B9	S901	0-2	11/24/03	0840	1025	1	-	Gravelly sand, fill
	S902	2-4	11/24/03	0840	1025	1	110	Gravelly sand, fill
	S903	4-6	11/24/03	0843	1025	0	-	Silty clay, till
	S904	6-8	11/24/03	0843	1026	1	-	Silty clay, till
	S905	8-10	11/24/03	0900	1026	1	-	Silty clay, till
	S906	10-12	11/24/03	0900	1026	0	-	Silty clay, till
B10	S1001	2.5-4.5	11/24/03	0914	1005	3	-	Silty clay, till
	S1002	5-7	11/24/03	0915	1005	1	-	Silty clay, till
	S1003	7.5-9.5	11/24/03	0923	1005	1	<25	Silty clay, till
	S1004	10-12	11/24/03	0936	1006	1	-	Silty clay, till
	S1005	12.5-14.5	11/24/03	0937	1006	3	-	Silty clay, till
	S1006	15.5-17.5	11/24/03	0945	1006	2	-	Silty clay, till
B11	S1101	2.5-4.5	11/24/03	1045	1140	1	-	Silty clay, till
	S1102	5-7	11/24/03	1050	1140	1	-	Silty clay, till
	S1103	7.5-9.5	11/24/03	1057	1140	2	<25	Silty clay, till
	S1104	10-12	11/24/03	1103	1141	1	-	Silty clay, till
	S1105	12.5-14.5	11/24/03	1111	1141	1	-	Silty clay, till
	S1106	15-17	11/24/03	1117	1141	1	-	Silty clay, till
B12	S1201	2.5-4.5	11/24/03	1211	1253	2	-	Silty sand, fill
	S1202	5-7	11/24/03	1214	1255	2	-	Silty clay, till
	S1203	7.5-9.5	11/24/03	1220	1255	1	<25	Silty clay, till
	S1204	10-12	11/24/03	1225	1255	1	-	Silty clay, till
	S1205	12.5-14.5	11/24/03	1233	1255	1	-	Silty clay, till

Note:

- PID = photoionization detector
- iui = instrument units as isobutylene
- µg/kg = micrograms per kilogram
- = not laboratory analyzed
- <x = compound not detected to a detection limit of x

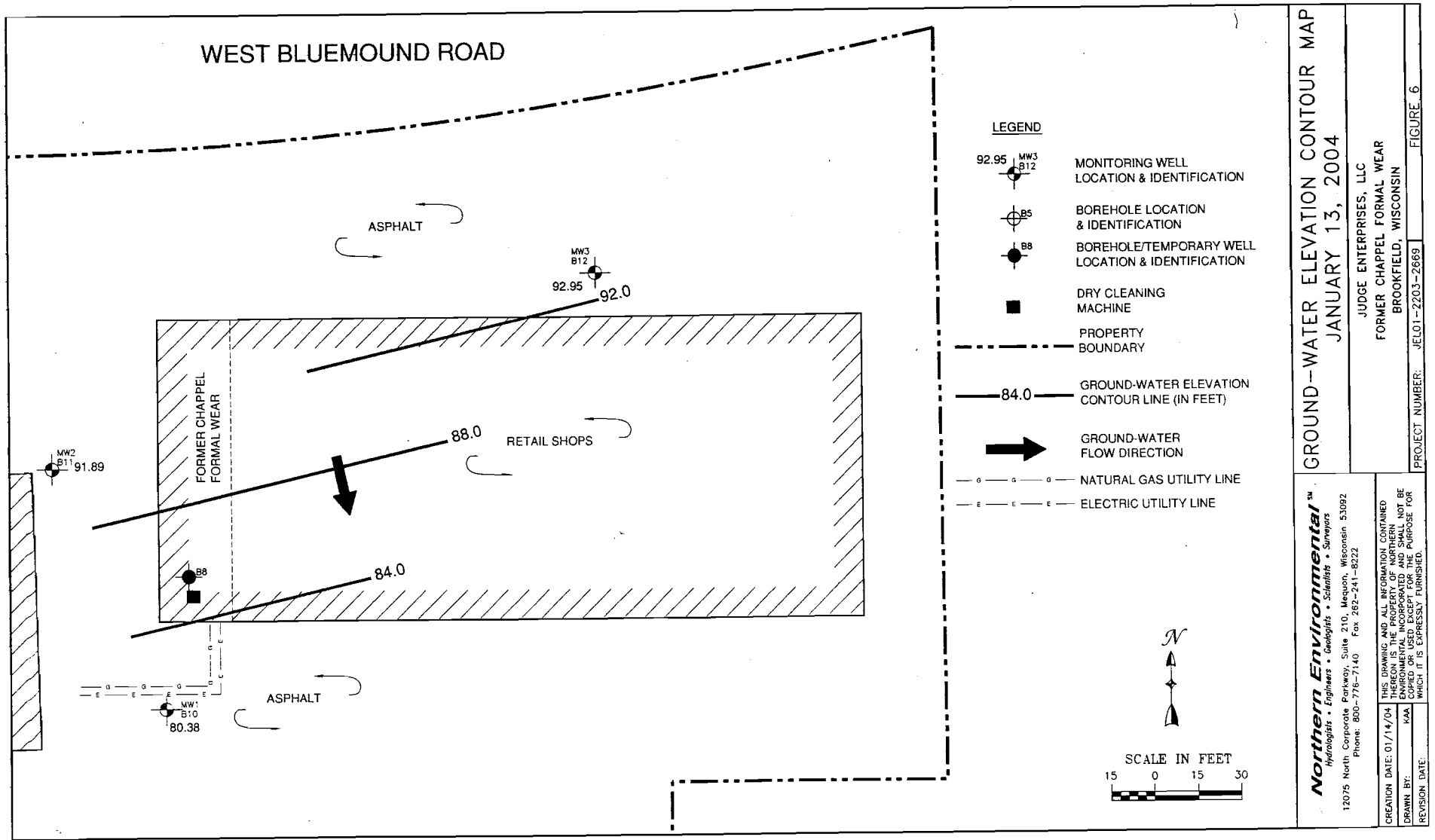
Table 1 Ground-Water Elevation Data, Former Chappel Formal Wear, Brookfield, Wisconsin

Well ID	Date	Ground Surface Elevation* (feet)	Reference Point Elevation ** (feet)	Depth to Water	Ground-Water Elevation
MW1	12/16/03 01/13/04	96.39	95.53	14.80 15.20	80.73 80.33
MW2	12/16/03 01/13/04	98.00	97.40	7.55 5.51	89.85 91.89
MW3	12/16/03 01/13/04	98.82	97.95	4.62 5.00	93.33 92.95
B8	12/16/03	-	98.86	4.00	94.86

Note:

* Benchmark is the corner ledge brick of Great Clips nearest to U.S. mail box. Benchmark assigned an elevation of 100 feet.

** Reference point is north side of PVC riser



GROUND-WATER ELEVATION CONTOUR MAP
JANUARY 13, 2004

JUDGE ENTERPRISES, LLC
 FORMER CHAPPEL FORMAL WEAR
 BROOKFIELD, WISCONSIN

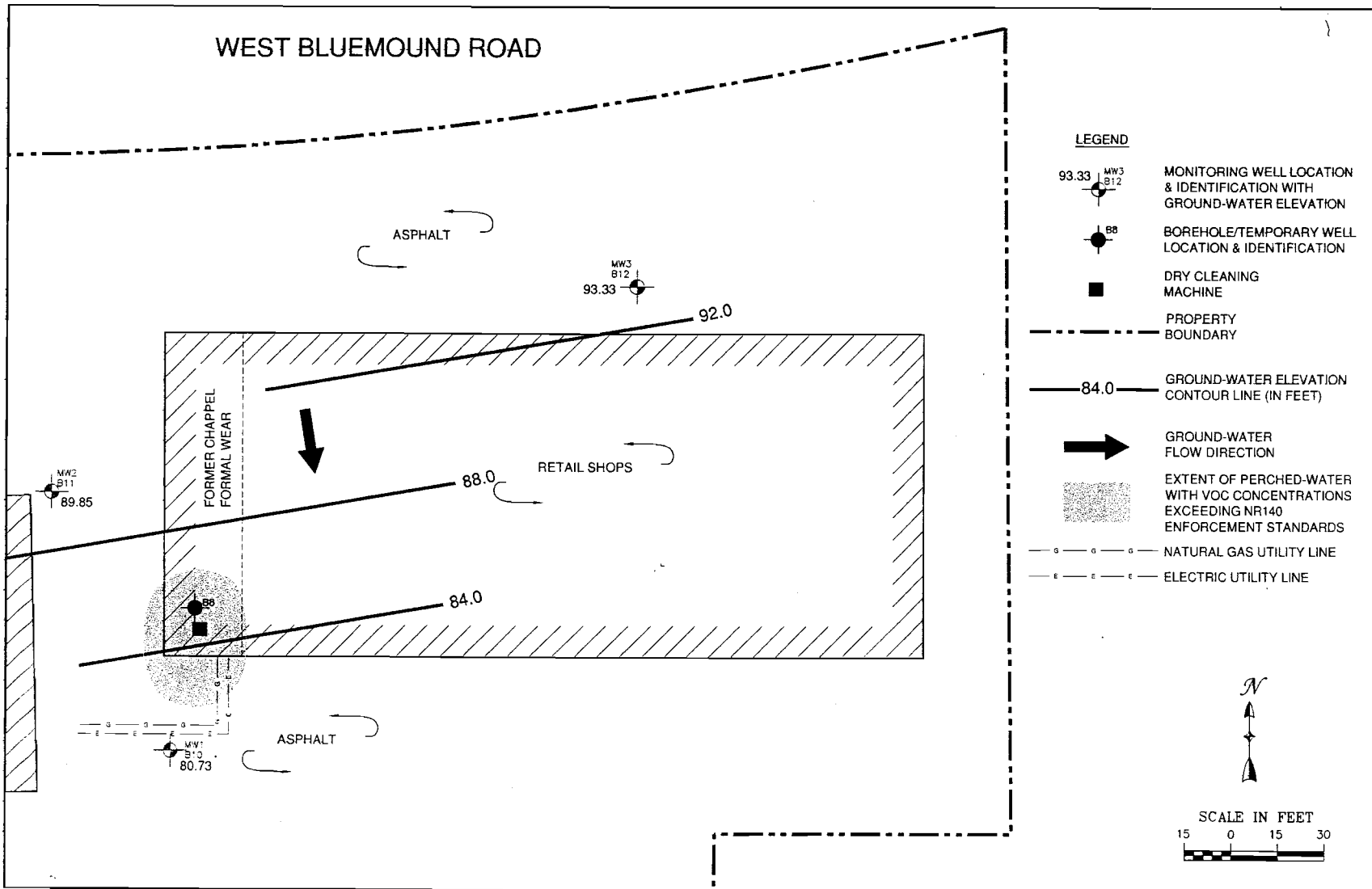
PROJECT NUMBER: JEL01-2203-2669 **FIGURE 6**

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GROUND-WATER ELEVATION CONTOUR MAP
DECEMBER 16, 2003

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 FORMER CHAPPEL FORMAL WEAR
 BROOKFIELD, WISCONSIN

PROJECT NUMBER: JEL01-2203-2669 **FIGURE 5**

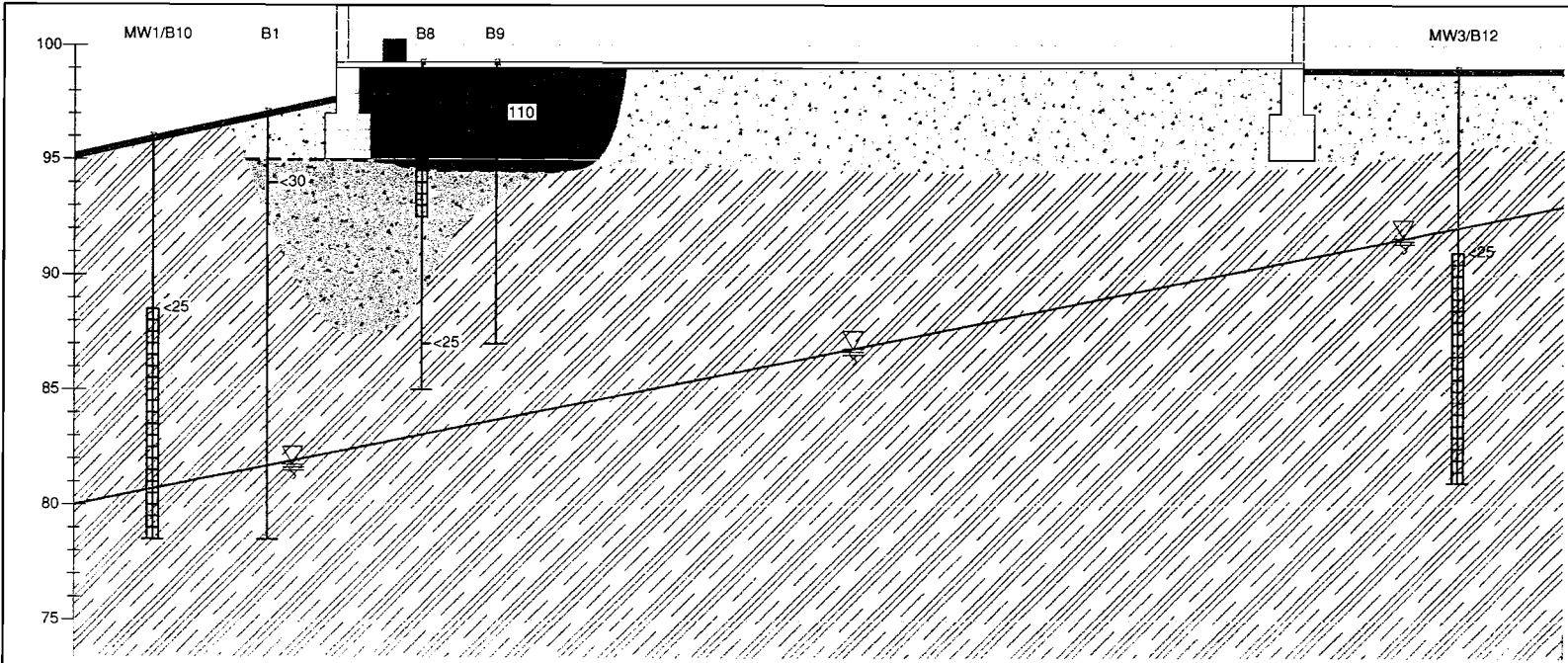
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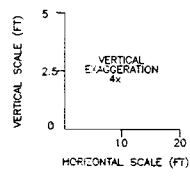
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S: CAD Mequon Projects\JEL 2003 04_0106_2_1_5.dwg, Figure 5, 2/3/2004 2:37:07 PM



LEGEND

- ASPHALT
- CONCRETE
- GRAVELLY SILTY SAND FILL
- SILTY CLAY TILL
- UNSATURATED SOIL WITH PCE CONCENTRATIONS EXCEEDING GROUND-WATER PATHWAY RCL
- PERCHED WATER WITH VOC CONCENTRATIONS EXCEEDING NR 140 ENFORCEMENT STANDARDS
- MONITORING WELL WITH SCREENED INTERVAL
- DRY-CLEANING MACHINE
- <25 PCE CONCENTRATION IN SOIL
- PERCHED WATER ELEVATION
- WATER TABLE ELEVATION



GEOLOGIC CROSS SECTION A-A'

JUDGE ENTERPRISES, LLC
 FORMER CHAPPEL FORMAL WEAR
 BROOKFIELD, WISCONSIN
 PROJECT NUMBER: JFL01-2203-2669
 FIGURE 4

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Small text at the bottom left corner, likely a reference or version number.

**FORMER CHAPPEL FORMAL WEAR
17385 West Bluemound Road
Brookfield, Wisconsin 53005**

WDNR BRRTS #02-68-513154

Required Information for GIS Registry

Parcel Identification: BR C1120995
Geographic Position: WTM91 Coordinates = 672447, 286470
Legal Description: See attached Warranty Deed and Land Title Survey

Signed Statement by Responsible Party

I certify that the legal description in the attached Warranty Deed and Land Title Survey are, to the best of my knowledge, complete and accurate and describes the Former Chappel Formal Wear site.



Thomas L. Richter
Judge Enterprises, LLC