

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Adam N. Payne, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



August 4, 2023

Andrew J. Vickers
City Administrator
City of Oak Creek
8040 South 6th Street
Oak Creek, WI 53154

c/o Attorney Lawrence J. Haskin
Haskin & Karls Law Office
7300 South 13th Street #104
Oak Creek, WI 53154

Via Email Mail Only to avickers@oakcreek.wi and lhaskin@haskinkarls.com

Subject: Local Governmental Unit (LGU) Liability Clarification Letter
A Portion of Connell Aluminum Properties LLC, 9100 South 5th Avenue, of Oak Creek,
Wisconsin
Parcel #: PARCEL ID # 8689999001
BRRTS Activity Name: CONNELL ALUMINUM PROPERTIES LLC
BRRTS #s: 07-41-550625, 02-41-000837, 02-41-553761, 03-41-001607, 06-41-560068, 06-41-
561509, FID #: 241379050

Dear Mr. Vickers:

The Wisconsin Department of Natural Resources (DNR) received a request for a liability clarification letter from Larry Haskin, of Haskin & Karls Law Office, on behalf of the city of Oak Creek, on December 20, 2022 (Request). The Request was submitted with the appropriate review fee under Wisconsin Administrative (Wis. Admin.) Code § NR 749.04(1). It is the DNR's understanding, based on the documents submitted, that the city of Oak Creek intends to acquire a portion of the property (Outlot 2) identified above (the Property). The purpose of this letter is to provide the city of Oak Creek with clarification of environmental liabilities associated with the Property. Wisconsin Statute (Wis. Stat.) § 292.55(1)(d)4. authorizes the DNR to issue a letter to a person seeking assistance concerning the liability for environmental pollution at a property. The DNR based this letter on review of environmental reports and other documents that were provided in the Request:

- Liability clarification letter request, completed Form 4400-237, signed December 16, 2022, with a cover letter from Haskin & Karls Law Office dated December 20, 2022.
- City Resolution 12361-111522 approving the purchase of the property owned by Connell Aluminum Properties LLC at 9100 South 5th Avenue for the purpose of blight elimination, which was adopted by the Oak Creek Common Council on November 15, 2022.
- A Certified Survey Map (CSM) dated December 22, 2022, includes the Property (Outlot 2). The CSM was approved by the Oak Creek City Council but has not been recorded.

In addition, DNR reviewed an online parcel map of the Property (source: Oak Creek GIS).

The city of Oak Creek's application requests a determination from the DNR on whether the city of Oak Creek is eligible for the local government unit (LGU) liability exemption identified in Wis. Stat. § 292.11(9)(e), with respect to the Property.

Mr. Vickers, LGU Liability Clarification Letter
 BRRTS #: 07-41-550625
 August 4, 2023

BACKGROUND AND ENVIRONMENTAL SUMMARY

The city of Oak Creek passed Resolution 12361-111522 on November 15, 2022. This Resolution (attached) describes the city's efforts to identify and eliminate blight in Oak Creek Redevelopment District No. 1, and documents that the city intends to take title to the Property for the purpose of blight elimination.

It is DNR's understanding that the city intends to take title to the Property in the near future. Connell Aluminum Properties LLC and the city entered into a Purchase and Sale Agreement for the Property on October 17, 2022. The Property being conveyed to the City is identified as Outlot 2 in the Certified Survey Map (CSM) of the Property, which has been approved by the Oak Creek City Council (but not yet recorded) and is attached to this letter. Outlot 2 is an approximately 1.01 acre portion of the Connell Aluminum Properties LLC property (parent parcel).

The Connell Aluminum Properties LLC property (parent parcel) is about 22.5 acres and is currently vacant. Beginning in the early 1900s through the 1950s, the parent parcel was occupied by Newport Chemicals and American Tar Products/Koppers Products/Koppers Gas and Coke Company. It is believed that these businesses operated a wood treating operation (creosote tar treatment). Between the 1960s and late 1970s, the parent parcel was primarily vacant and was privately held by the Estate of Arthur A. Levin. In 1978, the parent parcel was sold to Vulcan Materials and later owned by Wabash Alloys. Both Vulcan Materials and Wabash Alloys operated aluminum smelters converting recycled aluminum into aluminum alloys.

Site investigation conducted at the parent parcel indicates that historical industrial operations and activities have resulted in the release of volatile organic compounds (VOCs), including benzene, ethylbenzene, and xylene, semi-volatile organic compounds/polycyclic aromatic hydrocarbons (SVOCs/PAHs), including naphthalene and benzo(a)pyrene, RCRA metals and polychlorinated biphenyls (PCBs).

Activities at the parent parcel include:

- Vulcan Materials LF-Wabash Alloys (BRRTS #02-41-000837) –ERP case on the parent parcel. Closed in 2002
- Wabash Alloys (BRRTS #02-42-553761) – Open ERP case with ongoing activities on the parent parcel.
- Wabash Alloys (Vulcan) (BRRTS #03-41-001607) –Leaking underground storage tank (LUST) case on the parent parcel. Closed in 2002.
- Connell Aluminum Properties LLC (BRRTS #06-41-560068) – Voluntary party liability exemption (VPLE) program activities; Connell Aluminum Properties is enrolled in the VPLE program.
- Beazer East/Connell Aluminum Properties LLC (BRRTS # 06-41-5615509) – VPLE program activities; Beazer East, Inc. withdrew from enrollment in the VPLE program in 2021.

LOCAL GOVERNMENT LIABILITY EXEMPTION

Under Wis. Stat. § 292.11, a person who “possesses, controls or causes” a hazardous substance discharge is liable for taking necessary investigative and cleanup actions.

Wis. Stat. § 292.11(9)(e) exempts a local government unit (LGU) that meets applicable criteria from the following responsibilities of owners of property with a hazardous substance discharge:

- The responsibility to take actions necessary to restore the environment and minimize harmful effects of hazardous substance discharges to soil, sediment, groundwater, surface waters and air of the state.
- The responsibility to comply with DNR orders to take action to prevent hazardous substance discharges.

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- The responsibility to reimburse the DNR for actual and necessary expenses incurred to identify, locate, monitor, contain, remove, or dispose of a hazardous substance discharge and to take other emergency actions deemed appropriate under the circumstances.

The primary practical impact of an exemption from these legal responsibilities is that an exempt LGU is not required to complete a Wis. Admin. Code. ch. NR 716 site investigation or a remedial response action. However, an exempt LGU may voluntarily do so.

Wis. Stat. § 292.11(9)(e)(2)(a) provides that the exemption does not apply to hazardous substance discharges caused by the LGU. Property acquisition (pre- and post-acquisition), demolition, and soil disturbing activities on a property with a hazardous substance discharge have the potential to make a pre-existing discharge worse. These types of activities should be discussed with the DNR before they occur, to avoid causing a hazardous substance discharge for which the LGU would be responsible.

Wis. Stat. §§ 292.11(9)(e)(2)b. through d. also states that an LGU will not be exempt from legal responsibility for any hazardous substance discharge caused by the following LGU actions or inactions:

- A failure to take appropriate action to restrict access to the property in order to minimize costs or damages that may result from unauthorized persons entering the property.
- A failure to sample and analyze unidentified substances in containers stored aboveground on the property.
- A failure to remove and properly dispose of, or to place in a different container and properly store, any hazardous substance stored aboveground on the property in a container that is leaking or is likely to leak.

The LGU exemption is only available to local units of government as defined in Wis. Stat. § 292.11(9)(e)(1). This liability exemption is not transferrable from the exempt LGU to future property owners, except to other eligible LGUs. Nonexempt LGU owners and responsible parties are subject to full environmental responsibility and regulation by, at a minimum, Wis. Stat. Ch. 292 and the Wis. Admin. Code chs. NR 700-799. The DNR is aware that the city of Oak Creek has entered a private purchase and sale agreement with Connell for purchase of the Property, in which the city of Oak Creek has agreed to identify itself as the responsible party for environmental contamination on the Property. The DNR reminds the city of Oak Creek that the DNR has statutory authority under Wis. Stat. § 292.11(3) to pursue any party responsible for a hazardous substance discharge and is not bound by any private agreement entered by the city of Oak Creek.

Wis. Stat. § 292.23 authorizes an LGU exemption from certain solid waste management requirements for pre-existing unlicensed solid waste disposal sites. The above-mentioned conditions and limitations of the Wis. Stat. § 292.11(9)(e) LGU exemption apply to the LGU exemption for solid waste, along with other conditions and limitations that are specific to this exemption. Wisconsin Stat. § 292.23 should be reviewed and DNR consulted if any unlicensed solid waste disposal areas exist on the Property.

DETERMINATIONS

Based on the information provided by the city of Oak Creek and reviewed by the DNR, the DNR determined that city of Oak Creek qualifies for an LGU exemption under Wis. Stat. § 292.11(9)(e), for the following reasons:

- The city of Oak Creek meets the definition of a “local governmental unit” as described in Wis. Stat. § 292.11(9)(e)(1) for purposes of qualifying for the LGU exemption
- If the city of Oak Creek acquires the Property, the DNR determines that the City is exempt from certain portions of Wis. Stat. § 292.11 under the LGU exemption for property acquired by an LGU for the purpose of blight elimination, as set forth in Wis. Stat. § 292.11(9)(e)(1m)d.

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Ongoing, Non-Exempt, Responsibilities of a Local Governmental Unit at the Property

Wis. Admin. Code Ch. NR 706 Notification: Neither Wis. Stat. § 292.11(9)(e)1m. nor Wis. Stat. § 292.23 exempt an LGU from Wis. Stat. § 292.11(2), titled “Notice of Discharge.” Therefore, all LGUs must notify the DNR immediately of any known and newly discovered discharge of a hazardous substance to the environment at the Property. See DNR publication *Immediate Reporting Required for Hazardous Substance Spills* (RR-560), available online at dnr.wi.gov, search “RR-560” for additional information about spill and discharge reporting.

Demolition: Before beginning any demolition work at the Property, a pre-inspection is required, along with filing of DNR Form 4500-113, Notification for Demolition. See DNR publication *Planning Your Demolition of Renovation Project: A Guide to Hazard Evaluation, Recycling and Waste Disposal* (WA-651), available online at dnr.wi.gov, search “WA-651” for additional information about demolition activities. Storm water management permits may also be necessary for demolition and construction activities. All LGUs must comply with these requirements.

Federal and State UST Regulations: The LGU exemption statute, Wis. Stat. § 292.11(9)(e), does not exempt an LGU from complying with state and federal laws regulating underground storage tanks, including Wis. Admin. Code Ch. ATCP 93. If you have questions about underground storage tank requirements, contact the Wisconsin Department of Agriculture, Trade and Consumer Protection (the Bureau of Weights and Measures) directly. Wis. Admin. Code Ch. ATCP 93 is available at https://docs.legis.wisconsin.gov/code/admin_code/atcp/090/93.

Use of the Property

If the city of Oak Creek intends to use or redevelop the Property during or after cleanup activities have occurred, or the Property will remain in its current state and be accessible to the public (with or without access permission), the city of Oak Creek should discuss proposed property uses and improvements with the DNR prior to taking any action. To maintain the LGU exemption, Wis. Stat. § 292.11(9)(e)(4) requires exempt LGUs to take actions the DNR determines are necessary to reduce to acceptable levels any substantial threat to public health or safety based on the intended development and use of the Property.

If soil is excavated at the Property, the city of Oak Creek must determine whether the material is classified as a solid or hazardous waste and ensure that any storage, treatment, or disposal complies with applicable state laws. The city of Oak Creek must also comply with long-term continuing obligations, if applicable to the Property.

In addition, if public access to a property is possible, even if not authorized, the LGU may be required to take action to prevent public contact with environmental contaminants to maintain the exemption.

As explained above, it is especially important to consult with the DNR before and during any demolition, excavation, and/or other development work on the Property. The LGU may no longer meet applicable criteria for the exemption if significant public health or safety threats exist as a result of the intended development or use of the Property. Wisconsin Admin. Code § NR 708.17 describes types of protective actions that DNR may direct an LGU to take when development or use is planned for an LGU-exempt property.

Federal Liability Protections

In addition to state liability protections, an LGU may also be eligible for the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability protection in certain situations. To determine what specific actions would satisfy the federal liability requirements under CERCLA, contact either Thomas Krueger at (312) 886-0562 or krueger.thomas@epa.gov, or Larry Kyte at (312) 886-4245 or

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kyte.larry@epa.gov at the U.S. Environmental Protection Agency (EPA). The mailing address is U.S. EPA REGION 5, Office of Regional Counsel (C-14J), 77 W. Jackson Blvd., Chicago, IL 60604-3590. The U.S. EPA may be able to provide you with guidance on whether your current and proposed actions concerning the Property are consistent with federal CERCLA liability exemption conditions.

This Letter is Based on Information Provided to DNR

Any determinations made by the DNR in this letter are based specifically on the information made available to the DNR as part of the Request and are subject to change if other information arises. If new or more extensive contamination is discovered at the Property, the LGU is required to notify the DNR in accordance with Wis. Stat. § 292.11(2). The LGU exemption from environmental liability under Wis. Stat. § 292.11(9)(e) is not transferable from the LGU to future owners or to other responsible parties, other than to another eligible LGU.

CLOSING

This letter, site and case-related information, and DNR contacts can be found online in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW); go to dnr.wi.gov and search "BOTW." Use the BRRTS ID #s found at the top of this letter. The site can also be found on the map view, Remediation and Redevelopment Sites Map (RRSM), by searching "RRSM."

If you have any questions about the letter, please contact David Hanson at (414) 639-4156 or David.Hanson@wisconsin.gov. For questions specific to the LGU exemption, and other local government cleanup tools, contact Michael Prager at (608) 225-7950 or Michael.Prager@wisconsin.gov. For questions related to environmental site investigation and cleanup work at the Property, contact Connor Mulcahy, at (414) 704-4348 or Connor.Mulcahy@wisconsin.gov.

Sincerely,



Jodie Thistle
Chief, Brownfields, Outreach and Policy Section
Remediation and Redevelopment Program

Attachments:
City Resolution 12361-111522
Certified Survey Map of the Property

cc:

Connor Mulcahy, DNR, Remediation and Redevelopment Program – Connor.Mulcahy@wisconsin.gov
Michele Norman, DNR, Remediation and Redevelopment Program – Michele.Norman@wisconsin.gov
David Hanson, DNR, Remediation and Redevelopment Program - David.Hanson@wisconsin.gov
Michael Prager, DNR, Remediation and Redevelopment Program - Michael.Prager@wisconsin.gov

RESOLUTION NO.12361-111522

RESOLUTION APPROVING THE PURCHASE OF 9100 SOUTH 5th AVENUE
FOR THE PURPOSE OF BLIGHT ELIMINATION
(4th District)

WHEREAS, on February 20, 2012, the City of Oak Creek Common Council adopted Resolution No. 11220-022012 approving the Lakefront Development Plan, which established a vision for the lakefront and an overall development framework for the site by identifying general land uses, vehicular and pedestrian connections and ways to provide public access on the waterfront; and

WHEREAS, on May 1, 2012, the Common Council adopted Resolution No. 11246-050112 approving an updated blight study as part of City of Oak Creek Redevelopment District No. 1 and making a finding of the area within the district to be blighted; and

WHEREAS, the property at 9100 South 5th Avenue (the "Property") was deemed blighted as a result of that blight study.

WHEREAS, on October 18, 2022, the Common Council approved the Purchase and Sale Agreement with Connell Aluminum Properties, LLC for the City to purchase the Property.

WHEREAS, the Property was previously owned and operated by Koppers Gas and Coke Company for the manufacturing of tar and chemicals and by Vulcan Materials and Wabash Alloys which conducted aluminum smelting activities on the Property; and

WHEREAS, by virtue of the adoption of Resolution No. 11812-051617 on May 16, 2017, the Common Council approved a Project Plan for TIF District 13 and as part of that Project Plan the Property was found to be blighted; and

WHEREAS, due to the known presence of hazardous substances on the Property, the City wishes to obtain a local government liability exemption authorized by Wis. Stats. §292.11(9)(e); and

WHEREAS, in order to obtain the state law environmental liability exemption, the Property must be acquired by certain methods or purposes, one of which is acquiring the Property for the purpose of blight elimination; and

WHEREAS, Wis. Stats. §66.1333 defines "blighted property"; and

WHEREAS, the Property by reason of age, obsolescence and other factors conducive to ground contamination, is detrimental to the public health, safety, morals or welfare; and

WHEREAS, the Property, by reason of previously documented hazardous discharges and together with other factors, substantially impairs its sound development, constitutes an economic or social liability and is a risk to public health, safety, and welfare in its present condition; and

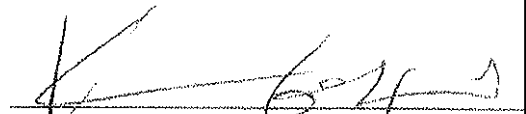
WHEREAS, that determination of a blighted property requires a municipal resolution approving determination.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby determine that the Property is blighted as defined in Wis. Stats. §66.1333.

BE IT FURTHER RESOLVED that the Mayor and Common Council of the City of Oak Creek support the purchase and acquisition of the Property for the purpose of blight elimination.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of November, 2022.

Passed and adopted this 15th day of November, 2022.


Common Council President Kenneth Gehl

Approved this 15th day of November, 2022.


Mayor Daniel J. Bukiewicz

ATTEST:


Catherine A. Roeske, City Clerk

VOTE: Ayes 4 Noes 0

** Aid. Marshall and Aid. Guzikowski were excused.

CERTIFIED SURVEY MAP NO. _____

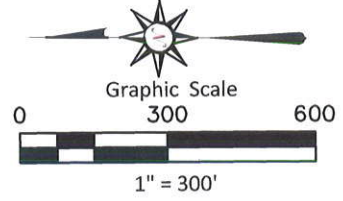
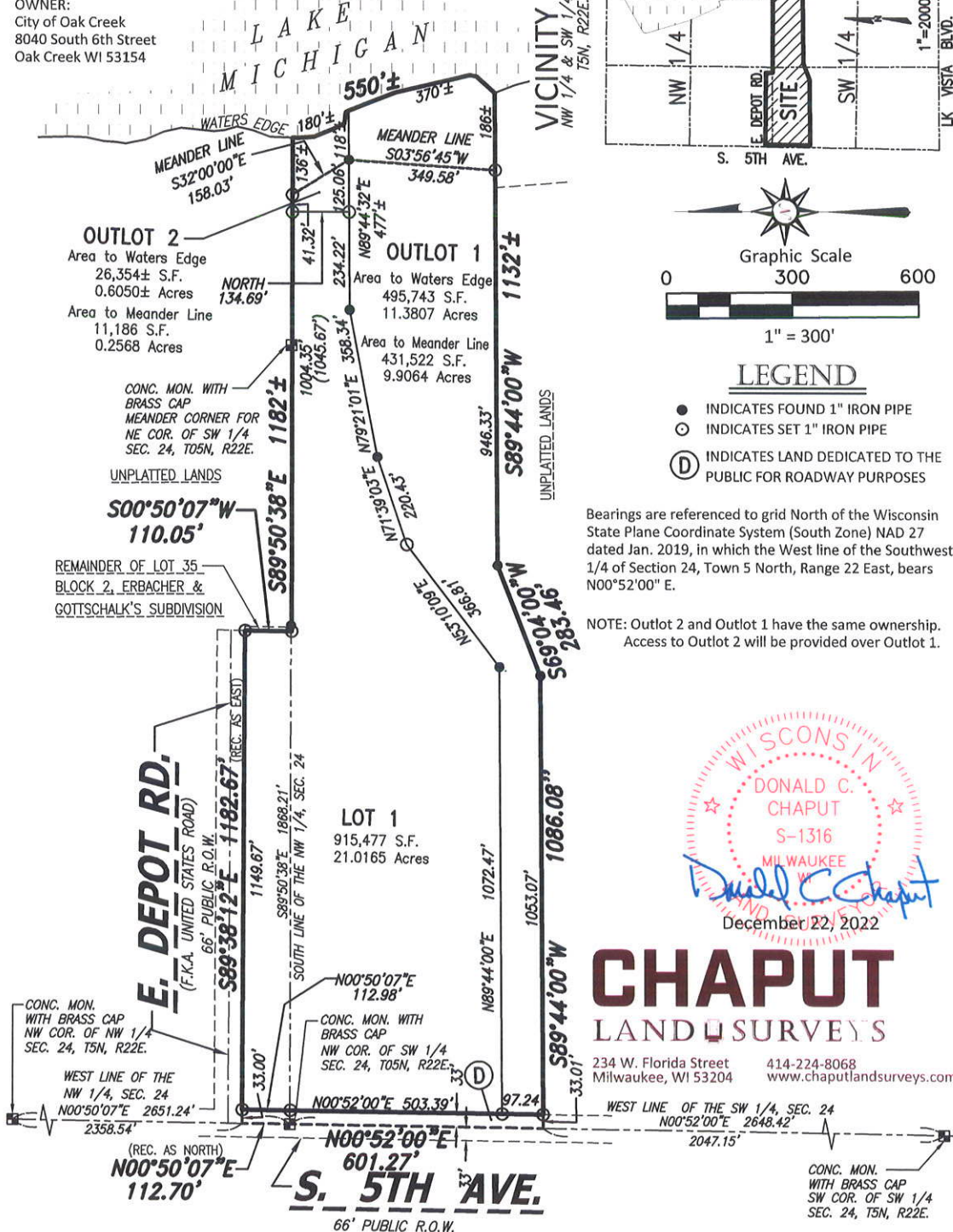
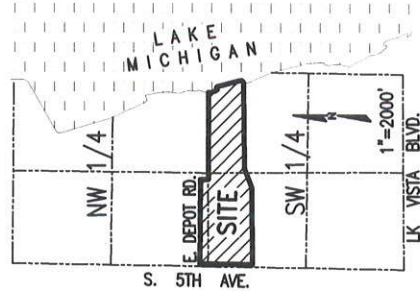
A redivision of Lots 1 to 34 inclusive and part of Lot 35 in Block 2, Erbacher & Gottschalk's Subdivision, Lot 1 and Outlot 1 of Certified Survey Map No. 8554 and lands in the Southwest 1/4 of the Fractional Northwest 1/4 and part of the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 all in Section 24, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER:
Connell Aluminum Properties, LLC
9100 South 5th Avenue
Oak Creek, WI 53154

OWNER:
City of Oak Creek
8040 South 6th Street
Oak Creek WI 53154

See detail on Sheet 2

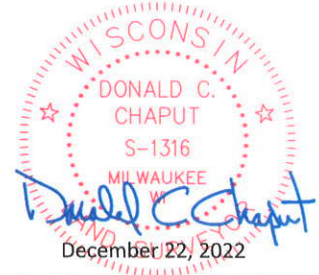
VICINITY MAP
NW 1/4 & SW 1/4 SEC. 24
T5N, R22E.



- LEGEND**
- INDICATES FOUND 1" IRON PIPE
 - INDICATES SET 1" IRON PIPE
 - Ⓧ INDICATES LAND DEDICATED TO THE PUBLIC FOR ROADWAY PURPOSES

Bearings are referenced to grid North of the Wisconsin State Plane Coordinate System (South Zone) NAD 27 dated Jan. 2019, in which the West line of the Southwest 1/4 of Section 24, Town 5 North, Range 22 East, bears N00°52'00" E.

NOTE: Outlot 2 and Outlot 1 have the same ownership. Access to Outlot 2 will be provided over Outlot 1.

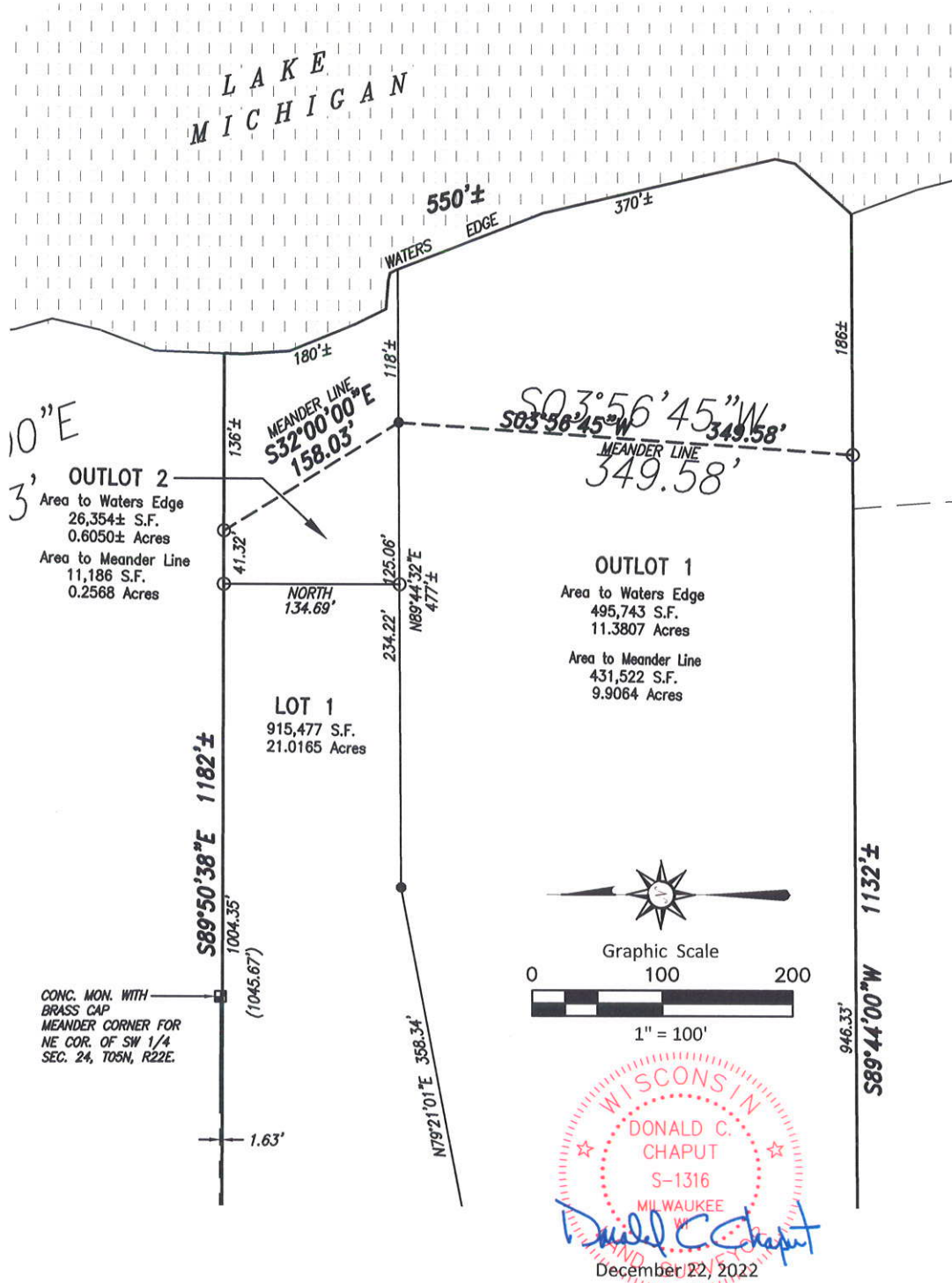


CHAPUT
LAND SURVEYS

234 W. Florida Street 414-224-8068
Milwaukee, WI 53204 www.chaputlandsurveys.com

CERTIFIED SURVEY MAP NO. _____

A redivision of Lots 1 to 34 inclusive and part of Lot 35 in Block 2, Erbacher & Gottschalk's Subdivision, Lot 1 and Outlot 1 of Certified Survey Map No. 8554 and lands in the Southwest 1/4 of the Fractional Northwest 1/4 and part of the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 all in Section 24, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

A redivision of Lots 1 to 34 inclusive and part of Lot 35 in Block 2, Erbacher & Gottschalk's Subdivision, Lot 1 and Outlot 1 of Certified Survey Map No. 8554 and lands in the Southwest 1/4 of the Fractional Northwest 1/4 and part of the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 all in Section 24, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}
:SS
MILWAUKEE COUNTY}

I, DONALD C. CHAPUT, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a redivision of Lots 1 to 34 inclusive and part of Lot 35 in Block 2, Erbacher & Gottschalk's Subdivision, Lot 1 and Outlot 1 of Certified Survey Map No. 8554 and lands in the Southwest 1/4 of the Fractional Northwest 1/4 and part of the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 all in Section 24, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, which is bounded and described as follows:

BEGINNING at the Northwest corner of the Southwest 1/4 corner of said Section 24; thence North 00°50'07" East along the West line of said Northwest 1/4 Section 112.70 feet to a point on the South line of East Depot Road and its extension; thence South 89°38'12" East along said South line 1182.67 feet to a point which is 13.00 feet East of the Northwest corner of Lot 35, Block 2 in Erbacher & Gottschalk's Subdivision; thence South 00°50'07" West 110.05 feet to a point which is 1.63 feet South of the South line of the Northwest 1/4 of Section 24; thence South 89°50'38" East along a line 1.63 feet South of and parallel to the Northwest 1/4 aforesaid 1045.67 feet to a meander corner, said point being North 89°50'38" West 136 feet more or less from the waters edge of Lake Michigan; thence South 32°00'00" East along a meander line 158.03 feet to a meander corner; thence South 03°56'45" West along the meander line 349.58 feet to a meander corner, said point being South 89°44'00" West 186 feet more or less from the waters edge of Lake Michigan; thence South 89°44'00" West 946.33 feet to a point; thence South 69°04'00" West 283.46 feet to a point; thence South 89°44'00" West 1086.08 feet to a point on the West line of the Southwest 1/4 of Section 24; thence North 00°52'00" East along said West line 601.27 feet to the point of beginning. Including those lands lying between the aforesaid meander line and the waters edge of Lake Michigan.

Said lands contain 1,461,130 square feet, or 33.5429 acres to waters edge.

Said lands contain 1,381,740 square feet, or 31.7204 acres to meander line.

THAT I have made the survey, land division and map by the direction of Connell Aluminum Properties, LLC and the City of Oak Creek, owners.

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

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 114 of the City of Oak Creek Municipal Code.

December 22, 2022
DATE




DONALD C. CHAPUT
REGISTERED LAND SURVEYOR S-1316

CERTIFIED SURVEY MAP NO. _____

A redivision of Lots 1 to 34 inclusive and part of Lot 35 in Block 2, Erbacher & Gottschalk's Subdivision, Lot 1 and Outlot 1 of Certified Survey Map No. 8554 and lands in the Southwest 1/4 of the Fractional Northwest 1/4 and part of the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 all in Section 24, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

CONNELL ALUMINUM PROPERTIES, LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the City of Oak Creek.

CONNELL ALUMINUM PROPERTIES, LLC, as owner, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek.

IN WITNESS WHEREOF, CONNELL ALUMINUM PROPERTIES, LLC, has caused these presents to be signed by the hand of _____, President, on this ____ day of _____, 202__

In the presence of:

CONNELL ALUMINUM PROPERTIES, LLC
By: _____, President

(Witness)

_____, President

STATE OF WISCONSIN }
 :SS
MILWAUKEE COUNTY }

Personally came before me this ____ day of _____, 202__, _____, President of CONNELL ALUMINUM PROPERTIES, LLC, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public
State of Wisconsin
My commission expires _____
My commission is permanent.

CONSENT OF CORPORATE MORTGAGEE

_____, a _____ limited liability company, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating the land described on this map and does hereby consent to the above certificate of CONNELL ALUMINUM PROPERTIES, LLC, a Wisconsin limited liability company, OWNER.

CONNELL ALUMINUM PROPERTIES, LLC, a Wisconsin limited liability company

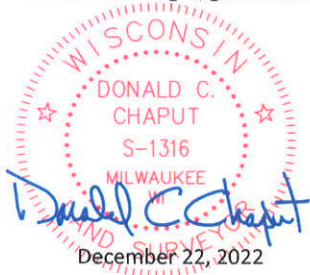
Name: _____

Title: _____

STATE OF _____ }
 :SS
_____ COUNTY }

Personally came before me this ____ day of _____, 202__, _____ of _____, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Notary Public
State of Wisconsin
My commission expires _____
My commission is permanent.



CERTIFIED SURVEY MAP NO. _____

A redivision of Lots 1 to 34 inclusive and part of Lot 35 in Block 2, Erbacher & Gottschalk's Subdivision, Lot 1 and Outlot 1 of Certified Survey Map No. 8554 and lands in the Southwest 1/4 of the Fractional Northwest 1/4 and part of the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 all in Section 24, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

CITY OF OAK CREEK, a Wisconsin Corporation, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said corporation caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the City of Oak Creek.

This agreement shall be binding on the undersigned and assigns.

IN WITNESS WHEREOF, THE CITY OF OAK CREEK, has caused these presents to be signed by the hand of DANIEL BUKIEWICZ, Mayor, on this ____ day of _____, 202_

DANIEL BUKIEWICZ, MAYOR

STATE OF WISCONSIN}
 :SS
MILWAUKEE COUNTY}

Personally came before me this ____ day of _____, 202_, the above named Daniel Bukiewicz and to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Notary Public
State of Wisconsin
My commission expires. _____
My commission is permanent.

PLANNING COMMISSION CERTIFICATE OF APPROVAL

APPROVED by the Planning Commission of the City of Oak Creek on this ____ day of _____, 202_.

DATE

DANIEL BUKIEWICZ, CHAIRMAN

DATE

DOUGLAS W. SEYMOUR, SECRETARY

COMMON COUNCIL CERTIFICATE OF APPROVAL AND ACCEPTANCE OF DEDICATION

APPROVED and acceptance of the dedicated public right-of-way by the Common Council of the City of Oak Creek, per Plan Commission recommendation on this ____ day of _____, 202_, by Resolution No. _____.

DATE

DANIEL BUKIEWICZ, MAYOR

DATE

CATHERINE ROESKE, CITY CLERK

