

Notice: Pursuant to s. 292.15, Wis. Stats., and s. NR 750.05, Wis. Adm. Code, this form is required by the Department of Natural Resources (DNR) to be submitted when requesting approval to participate in the voluntary party liability exemption. Failure to complete this application in its entirety may delay its review and/or may result in denial. Participation in this program is voluntary. If completing this form, refer to the instructions beginning on page 3. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records Law (ss. 19.31-19.39, Wis. Stats.).

Complete one application for each legally defined property.

Section 1: Property Information

Property Name Former Desmond's Mens Wear			Address 2338 Commerce St. and 2326 Commerce St.		
City La Crosse	State WI	ZIP Code 54603	County La Crosse	Property Size (in acres) 1.94	

Public Land Survey Coordinates

¼ NE SE NW SW SW	¼ NE SE NW SW SW	Section 16	Township 16N	Range 7	E/W W
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Section 2: Applicant Information (Voluntary Party)

Organization / Firm / Person City of La Crosse		Title Mayor			
Last Name Kabat	First Name Tim	MI	Phone Number (including area code) (608) 789-7500		
Street Address 400 La Crosse Street			Fax Number (including area code) (608) 789-8261		
City La Crosse	State WI	ZIP Code 54601	Email Address kabatt@cityoflacrosse.org		

Section 3: Ownership Information

Applicant Relationship to Property (check one)

Current Owner Potential / Future Purchaser Previous Owner Other _____

Section 4: Regulatory Identification (include ID Numbers, if known)

DNR FID	6320125460	USEPA ID	
Environmental Repair (ERP)	02-32-000203	Hazardous Substance Spill	
Leaking Ungd. Storage Tank (LUST)		Brownfield Env'l. Asmt. Pilot	
Solid Waste		Municipal Negotiation & Cost Recovery	
Hazardous Waste		Superfund Remedial (NPL)	
Wastewater-surface water (WPDES)		Abandoned Containers	
Wastewater-groundwater (WPDES)		Superfund Site Evaluation (CERCLA)	
DCOM PECFA Claim Number		Municipal Grants Program	
DATCP Agricultural Contamination		Contaminated Sediments	

Other:

For Office Use DNR USE ONLY

Date Received 05/20/2013	Application Fee Received <input checked="" type="checkbox"/>	Deposit Received <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Approval to Proceed PMN _____
BRRTS Activity Number 06-31-560495	BRRTS Activity Name Kwik Trip Bakery Exp.		<input type="checkbox"/> Denied (explain) (603)
FID 632025460	Region WCR		<input type="checkbox"/> Withdrawn (explain) (610)
Comments	Reviewed By L. Brumberg	Date 05/23/13	Project Manager Doug Joseph

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Section 5: Environmental Consultant Representing Applicant

Organization / Firm Braun Intertec Corporation			Title Principal	
Last Name Gretebeck		First Mark		MI L.
Street Address 2309 Palace Street				Telephone Number (including Area Code) (608) 781-7277
City La Crosse				Fax Number (including Area Code) (608) 7817279
State WI	ZIP Code 54603	E-Mail Address mgretebeck@braunintertec.com		

Section 6: Attorney Representing Applicant (If Applicable)

Organization / Firm City of La Crosse			Title City Attorney	
Last Name Matty		First Stephen		MI F.
Street Address 400 La Crosse Street				Phone Number (inc. area code) (608) 789-7511
City La Crosse				Fax Number (including Area Code) (608) 789-7390
State WI	ZIP Code 54601	E-Mail Address attorney@cityoflacrosse.org		

Section 7: Past Land Uses and Known or Suspected Contamination Sources

- | | | |
|---|--|--|
| <input type="checkbox"/> Service station | <input type="checkbox"/> Coal gas manufacturer | <input type="checkbox"/> Contaminated building |
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Electroplater | <input type="checkbox"/> Industrial accident |
| <input type="checkbox"/> Agricultural co-op. | <input type="checkbox"/> Landfill | <input type="checkbox"/> Lagoons |
| <input checked="" type="checkbox"/> Dry Cleaner | <input type="checkbox"/> Foundry sand | <input type="checkbox"/> Electroplater |
| <input type="checkbox"/> Salvage yard | <input type="checkbox"/> Underground pipeline or tank | <input type="checkbox"/> Fly ash |
| <input type="checkbox"/> Bulk plant | <input type="checkbox"/> Surface spills | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Pipeline | <input type="checkbox"/> Above ground pipeline or tank | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Tannery | <input type="checkbox"/> Routine industrial operations | |

Section 8: Solid Waste

Does the property contain a solid waste site or facility as defined in s. 289.01(35), Wis. Stats.?

Yes No Name: _____ License Number: _____

If 'Yes', does the site currently have an active or passive system in place for leachate, groundwater or gas treatment, collection or monitoring?

Yes No Describe system: _____

Section 9: Site Eligibility *If any boxes are checked "Yes", the site is not eligible for VPLE, see instructions for more information.*

Does the property contain a solid waste facility or site that meets definition of an approved facility under 289.01(3), Wis. Stats.?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the property contain a hazardous waste treatment, storage or disposal facility that first began operation after the voluntary party acquired the property?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the property contain a licensed hazardous waste treatment, storage or disposal facility operated on the property before the date on which the voluntary party acquired the property, and that is operated after the date on which the voluntary party acquired the property?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the property contain a hazardous waste disposal facility that has been issued a license under s. 144.441 (2), 1995 Wis. Stats., or s. 289.41 (1m), Wis. Stats., or rules promulgated under those sections, for a period of long-term care following closure of the facility?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

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Section 10: Regulatory Criteria

Has contamination been detected at the property?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, has it been reported to the state?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Agency notified **Wisconsin Department of Natural Resources**

Date **10/27/89 and 7/28/04**

Does it include petroleum from a leaking underground storage tank (LUST)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Are you using the Petroleum Environmental Cleanup Fund (PECFA) to pay for any portion of the remedial actions?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Undecided
Is there a state or federal enforcement order currently in effect at this property?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Section 11: Attachments and Certification

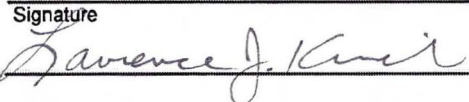
- I have attached:
- 1) a list of past environmental work;
 - 2) a non-refundable check for \$250 application fee made payable to the Wisconsin DNR;
 - 3) a clear map showing location of property;
 - 4) a detailed map that clearly indicates the property boundaries; and
 - 5) a copy of the property deed

I certify that I have read and am familiar with the information on this application and that the information is true, accurate and complete to the best of my knowledge.

I hereby request assistance from DNR in reviewing the environmental response actions that have been or will be taken to obtain protection of limited liability, as provided in s. 292.15, Wis. Stats.

I recognize that to obtain this limited liability exemption that the environmental response actions taken will need to comply with the applicable provisions of ch. NR 700, Wis. Adm. Code, and will require a Phase I and II environmental assessment to be conducted for the property.

I recognize that I will be responsible for paying fees to DNR for assistance provided to me as provided under ch. NR 750, Wis. Adm. Code.

Applicant's Name (Type or Print) LAWRENCE J. KIRCH	Title DIRECTOR OF PLANNING & DEVELOPMENT
Signature 	Date Signed 5-16-13

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General Voluntary Party Liability Exemption Application Instructions

Use this application to apply for the Voluntary Party Liability Exemption (VPLE) under s. 292.15, Wis. Stats. In order to receive this liability exemption, applicants must conduct an environmental investigation of the entire property and any hazardous substances on the property must be cleaned up. Environmental work performed under the program is subject to department review and approval. Applicants will be responsible for paying fees to cover the cost of department review. The liability exemption is effective upon completion of the cleanup, if the voluntary party complies with all of the statutory requirements of ss. 292.15 and 292.11, Stats.

Type or clearly print your answers to all questions. Line-by-line instructions are provided below. Submit the completed application and a \$250 application fee payable to the Department of Natural Resources. Submit a separate application and fee for each property being considered for an exemption. A property is defined as a contiguous area of land the entire legal description of which is found in one deed. If you are planning on investigating and remediating adjacent properties, you must submit one application and a \$250 fee for each legally defined piece of property. You may, however, submit technical reports for more than one property together, if the properties are part of the same project. If more than one party wants to apply for VPLE for the same property, submit one application form and fee for each party. If you are planning on changing the property boundaries, contact the Department to discuss how to submit applications for your project.

Fact sheet #2, "Voluntary Party Remediation and Exemption from Liability" (Publication number RR-506) describes the VPLE process and associated fees. For more information please contact the regional contact listed below or visit dnr.wi.gov/org/aw/rr/liability/vple.htm. Please mail this completed application form with the \$250 application fee and supporting materials to the appropriate local DNR regional office (see map).

Contact the individual listed with any questions about this form or a specific situation involving contaminated property.

DNR NORTHERN REGION

Attn: RR Program Assistant Department of Natural Resources
107 Sutliff Avenue
Rhinelander WI 54501
Carrie Stoltz (715) 365-8942

DNR NORTHEAST REGION

Attn: RR Program Assistant Department of Natural Resources
2984 Shawano Avenue
Green Bay WI 54313
Annette Weissbach (920) 662-5165

DNR SOUTH CENTRAL REGION

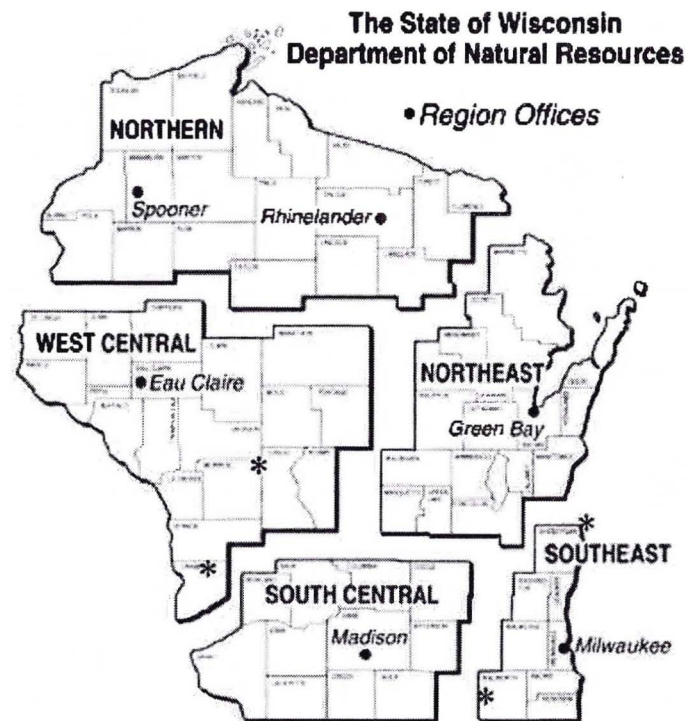
Attn: RR Program Assistant Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg WI 53711
Janet DiMaggio (608) 275-3295

DNR SOUTHEAST REGION

Attn: RR Program Assistant Department of Natural Resources
2300 North Martin Luther King Drive
Milwaukee WI 53212
Margaret Brunette (414) 263-8557

DNR WEST CENTRAL REGION

Attn: RR Program Assistant Department of Natural Resources
1300 Clairemont Ave. Eau Claire WI 54702
Loren Brumberg (715) 839-3770



* Note: For remediation questions in Sheboygan Co., please contact our Northeast Region Office. For Walworth Co., please contact our South Central Office.

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VPLE Application Section-by-Section Instructions

Section 1: Property Information - Complete the information regarding the property for which you are seeking a liability exemption. The public land survey location (quarter quarter section location) coordinates of the property must be provided. Please submit a separate application for each property. A property is usually a single parcel of land with the entire legal description found on one deed.

Section 2: Applicant Information- Voluntary Party - Provide contact information about the applicant. The applicant is the person or organization seeking Department review and approval of the response actions that will be taken to receive the liability exemption. Once the application has been processed by the DNR, the applicant will be considered the Voluntary Party for this property. The Voluntary Party is responsible for payment of any fees to the DNR. Unless the DNR is notified to the contrary, all bills and correspondence as part of the VPLE process will be sent to the Voluntary Party. If more than one party is applying for the VPLE for the same property, each party must submit a separate application form and \$250 fee.

Section 7: Past Land Uses & Known or Suspected Contamination Sources - Indicate any activities or operations that took place on the property in the past, and any known or suspected sources of contamination at the property if known (check as many as apply). Include uses/sources not listed in the space provided.

Section 8: Solid Waste - Indicate whether or not there is a solid waste facility on the property such as a landfill or historic fill site. Sites with solid waste facilities may be eligible for VPLE as long as the site does not meet one of the factors listed in Section 10. In addition, some sites with solid waste facilities may not be eligible to complete the VPLE process due to technical issues associated with the environmental clean up at the site. Waste sites must be able to obtain a ch. NR 726, Wis. Adm. Code, site closure in order to receive the VPLE protections. It must do so without the reliance on any active remedial system to ensure compliance with environmental and public health standards, such as active treatment or collection systems relating to groundwater, leachate or gas. Indicate whether such a system is in place now, the existence of such a system will not exclude a site from beginning the VPLE process and such a site could obtain VPLE if the voluntary party can demonstrate that such a system is no longer necessary.

Section 9: Site Eligibility

While most contaminated properties can go through the VPLE process, properties with the following types of waste sites or facilities are **NOT** eligible for the VPLE:

- a solid waste facility or site that is an approved facility as defined in s. 289.01(3), Wis. Stats.;
- a hazardous waste treatment, storage or disposal facility that first began operation after the voluntary party acquired the property;
- a licensed hazardous waste treatment, storage or disposal facility operated on the property before the date on which the voluntary party acquired the property and that is operated after the date on which the voluntary party acquired the property; and
- any hazardous waste disposal facility that has been issued a license under s. 144.441 (2), 1995 Wis. Stats., or s. 289.41 (1m), Wis. Stats., or rules promulgated under those sections, for a period of long-term care following closure of the facility.

Check the lists and database on the following webpages to see if the property includes one of these ineligible solid or hazardous waste sites.

- **VPLE Webpage:**
dnr.wi.gov/org/aw/rr/liability/vple.htm
- **Solid and Hazardous Waste Information System (SHWIMS)**
sotw.dnr.state.wi.us/sotw/Welcome.do

Section 10: Regulatory Criteria - If contamination is present or was present in the past, indicate whether it was reported to the state. Indicate which agency (e.g. DNR, emergency government) the contamination was reported to and when the report was made to that agency. Indicate if an enforcement order is currently in effect for the property or if one has been issued in the past, as well as the issuing agency (e.g. DNR, DATCP, DSPS) and the date of the order. Note that an order is a formal legal document that is distinct from a simple letter notifying a party of its legal responsibility to clean up a property.

Section 11: Attachments and Certification - All listed attachments are required for an application to be complete. Attach: 1) a list of all technical reports documenting past environmental work at the property including the date and title of the report and the consultant who prepared it; 2) the application fee in the form of a check or money order payable to the Department of Natural Resources for \$250; 3) a copy of a clearly identified public survey map for the property (e.g. the property shown on a portion of the relevant USGS topographic map; plat maps may be used for rural properties); 4) a detailed map that clearly indicates the property boundary of the property for which you are seeking the liability exemption (e.g. a certified survey map, subdivision plat map, or other type of map); and 5) a copy of the deed that includes a legal property description for the property for which you are seeking the liability exemption. The applicant/ Voluntary Party should read and sign the certification. If an agent signs, submit a description and evidence of the legal relationship between the agent and the applicant.


Wisconsin Department of Natural Resources


Environmental Cleanup & Brownfields Redevelopment

BRRTS on the Web

The Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web is a searchable database containing information on the investigation and cleanup of potential and confirmed contamination to soil and groundwater in Wisconsin.

Navigation: [BOTW Home](#) >> [Basic Search](#) >> [Search Results](#) >> 02-32-000203 Activity Details

02-32-000203 DESMONDS MENS WEAR						
ERP - OPEN						
Location Name (Click name to view details and other activities)				County	WDNR Region	
MIDWEST GARMENT INC				LA CROSSE	WEST CNTRL	
Address				Municipality		
2338 COMMERCE ST				LA CROSSE		
Public Land Survey System			Latitude	Google Maps	RR Sites Map	
SW 1/4 of the SW 1/4 of Sec 16, T16N, R07W			43.8567654	CLICK TO VIEW	CLICK TO VIEW	
Additional Location Description			Longitude	Facility ID	Size (Acres)	
NONE			-91.2270709	632025460	UNKNOWN	
Jurisdiction	PECFA No.	EPA Cerclis ID	Start Date	End Date	Last Action	
DNR RR			1989-10-27		2013-05-01	
Characteristics						
EPA NPL Site?	DSPS Tracked?	Eligible for PECFA Funds?	Above Ground Storage Tank?	Drycleaner?	Co-Contamination?	On GIS Registry? 
No	No	No	No	Yes	No	No
Actions						
Place Cursor Over Code to View Description						
Date	Code	Name	Comment			
1989-10-27	1	Notification	PEARL WHISTLER (LAX) WAS LEAD CONTACT FOR DNR.			
1990-02-06	12	Activity Formerly Closed	-			
2004-07-28	1	Notification/2	-			
2004-08-23	13	Activity Reopened	RP RE-OPENER LETTER SENT			
2004-10-12	30	Site Investigation Workplan Go Ahead (notice to proceed)	-			
2004-10-12	35	Site Investigation Workplan Received (w/out Fee)	-			
2004-12-15	37	SI Report Received (w/out Fee)	-			
2004-12-16	99	Miscellaneous	VERBALLY APPROVED SI			
2005-05-31	37	SI Report Received (w/out Fee)/2	-			
2005-08-17	97	Request for Technical Assistance Received with Fee	TECHNICAL ASSISTANCE FEE RECEIVED AND MEETING HELD AT SHAW ENVIRONMENTAL OFFICE IN LA CROSSE			
2005-08-17	98	Technical Assistance Provided	TECHNICAL ASSISTANCE FEE RECEIVED AND MEETING HELD AT SHAW ENVIRONMENTAL OFFICE IN LA CROSSE			
2005-08-18	99	Miscellaneous/2	LETTER SENT BY WDNR SUMMARIZING 8-17-05 MEETING			
2006-03-02	35	Site Investigation Workplan Received (w/out Fee)/2	SIWP REC'D W/O FEE			
2006-03-21	99	Miscellaneous/3	EXPANDED SIWP APPROVED			
2006-08-24	43	Status Report Received	-			
2006-08-31	300	Informal Review Performed for a Non-Fee Related Submittal	STATUS REPORT REVIEWED			
2006-10-31	99	Miscellaneous/4	SEE SPILL 04-32-047659.			
2006-11-03	35	Site Investigation Workplan Received (w/out Fee)/3	-			
2006-11-16	99	Miscellaneous/5	POTENTIAL CLAIM NOTIFICATION REC'D.			
2007-01-07	99	Miscellaneous/6	DENIAL OF POTENTIAL CLAIM.			
2007-02-27	99	Miscellaneous/7	2ND POTENTIAL CLAIM NOTIFICATION REC'D			
2007-02-28	99	Miscellaneous/8	DENIAL OF 2ND POTENTIAL CLAIM			
2007-03-12	99	Miscellaneous/9	3RD POTENTIAL CLAIM NOTIFICATION REC'D			

2007-04-26	99	Miscellaneous/10	DENIED 3RD POTENTIAL CLAIM
2007-11-02	3	Notice of Noncompliance (NON)	-
2007-11-06	99	Miscellaneous/11	EMAIL FROM SHAW TO DNR INDICATING THEIR INTEND TO COMPLETE GW INVESTIGATION ON WEST SIDE OF RR TRACK
2007-11-07	99	Miscellaneous/12	EMAIL FROM DNR TO SHAW RECOMMENDING GW VERTICAL PROFILE PROTOCOL FOR SI ON WEST SIDE OF TRACKS
2008-01-08	99	Miscellaneous/13	EMAIL FROM DNR TO SHAW INDICATING THAT SIWP HAS YET TO BE INITIATED & THE REQ'S OF THE NON.
2008-01-08	99	Miscellaneous/13	EMAIL FROM SHAW REQUESTING ADD'L CLARIFICATION TO THEIR MULTIPLE VERSIONS OF THE SIWP.
2008-01-09	99	Miscellaneous/15	EMAIL FROM DNR CLARIFYING DNR'S APPROVAL OF THE SIWP.
2008-01-14	30	Site Investigation Workplan Go Ahead (notice to proceed)/2	NTP SENT EMAIL FOR THE AMENDED SIWP.
2008-01-14	35	Site Investigation Workplan Received (w/out Fee)/4	AMENDED SIWP REC'D
2008-02-01	99	Miscellaneous/16	EMAIL FROM SHAW INDICATING THE SIWP'S IMPLEMENTATION IS SCHEDULED FOR 2/11/08.
2008-03-05	43	Status Report Received/2	GW RESULTS REC'D FOR THE EXPANDED GW SI WEST OF RR TRACKS.
2008-04-02	39	Remedial Action Options Report received (w/out Fee)	RAOR REC'D
2009-03-17	300	Informal Review Performed for a Non-Fee Related Submittal/2	REVIEW OF RAOR.
2009-03-24	43	Status Report Received/3	GW SAMPLING DATA FOR MAY 2008 & JAN 2009 REC'D.
2009-03-25	40	Remedial Action Options Report Approved	RAOR NOTICE TO PROCEED.
2010-06-30	43	Status Report Received/4	GW STATUS REPORT
2010-08-12	300	Informal Review Performed for a Non-Fee Related Submittal/3	REVIEW OF GW STATUS REPORT
2011-08-03	99	Miscellaneous/17	LETTER SENT REQUESTING XSI FOR SOIL & GW
2011-08-16	37	SI Report Received (w/out Fee)/3	XSIR FOR SOIL REC'D W/O FEE
2011-08-16	300	Informal Review Performed for a Non-Fee Related Submittal/4	SIR
2011-08-17	99	Miscellaneous/18	EMAIL SENT TO ALL PARTIES REQUESTING MEETING TO DISCUSS REMEDIATION NECESSARY AT SITE
2011-08-29	35	Site Investigation Workplan Received (w/out Fee)/5	SIWP FOR GW REC'D W/O FEE
2011-08-30	30	Site Investigation Workplan Go Ahead (notice to proceed)/3	EMAIL SENT
2011-08-30	300	Informal Review Performed for a Non-Fee Related Submittal/5	SIWP
2011-09-07	130	DNR Regulatory Reminder Sent	Vapor Intrusion (VI) Assessment Notification Ltr Sent
2011-10-28	43	Status Report Received/5	-
2011-11-15	300	Informal Review Performed for a Non-Fee Related Submittal/6	-
2012-05-07	43	Status Report Received/6	GW MONITORING REPORT REC'D
2012-05-17	300	Informal Review Performed for a Non-Fee Related Submittal/7	-
2012-10-10	99	Miscellaneous/19	SENT ABILITY TO PAY LETTER AND FORMS
2013-03-06	148	Remedial Action Design Report Received with Fee	CH# 807615
2013-03-11	149	Remedial Action Design Report Approved	RAP APPROVED
2013-04-10	99	Miscellaneous/20	LETTER REC'D RE: J. DESMOND'S NEW ATTORNEY'S LETTER TO THE LA CROSSE CITY COUNCIL DATED 04-09-2013
2013-04-24	99	Miscellaneous/21	CONCEPTUAL RAOR REC'D W/O FEE
2013-05-01	99	Miscellaneous/22	EMAIL SENT TO LA CROSSE COUNTY LANDFILL W/CONTAINED-OUT DETERMINATION
<p>Documents</p> <p>Click Document Name or URL to Open</p> <p>Please note: not all files listed are available to be viewed on-line.</p>			
Category : Name			File Type
Vapor Intrusion Letters : 0232000203_VI_Letter.pdf			



Impacts				
Type	Comment			
Groundwater Contamination	-			
Off-Site Contamination (Potential)	POTENTIAL OFFSITE VAPOR ISSUES			
Soil Contamination	-			
Vapor Intrusion Pathway	CONFIRMED ON-SITE VI			
Substances				
Substance	Type	Amount Released	Units	
Volatile Organic Compounds	VOC			
Who				
Click Project Manager Name to Compose Email				
Role	Name/Address			
Responsible Party	JOHN DESMOND 620 CASS ST LA CROSSE, WI 54601			
Project Manager	DOUG JOSEPH 1300 W CLAIREMONT AVE EAU CLAIRE, WI 54702			
Quick Response Codes				
Scan to Transfer Information to Your Wireless Device				
	 Page URL	 Google Maps		

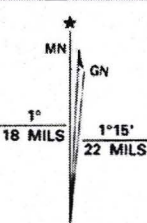
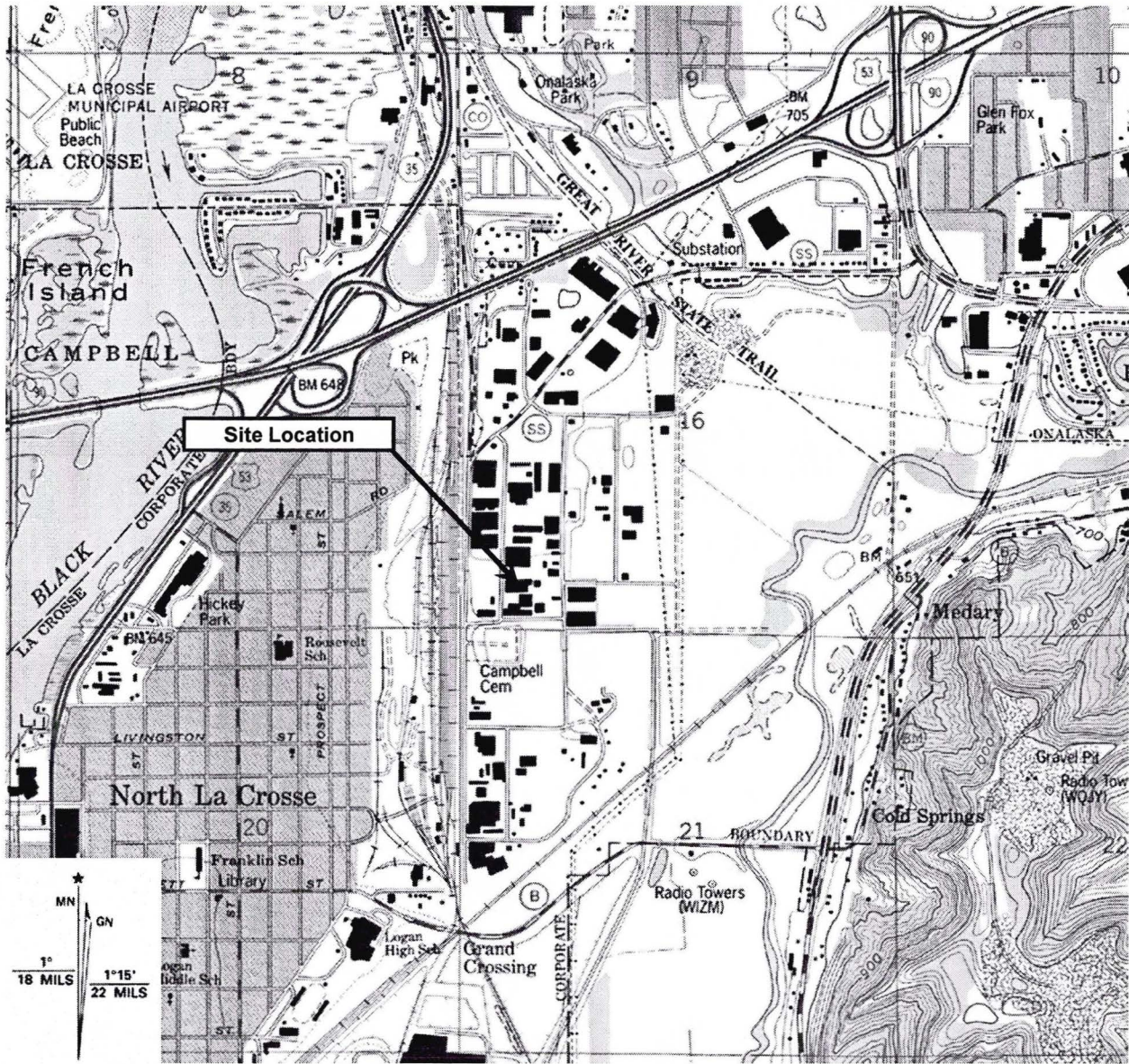
BRRTS data comes from various sources, both internal and external to DNR. There may be omissions and errors in the data and delays in updating new information. Please see the [disclaimers page](#) for more information.

The Official Internet site for the Wisconsin Department of Natural Resources
 101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621

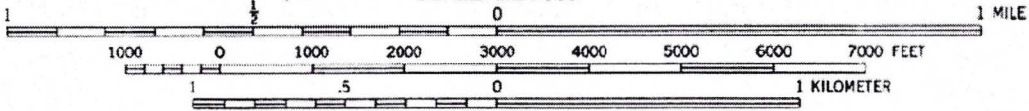
Release 2.12.5 | 08/01/2012

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

LA CROSSE QUADRANGLE
WISCONSIN-MINNESOTA
7.5 MINUTE SERIES (TOPOGRAPHIC)



SCALE 1:24 000



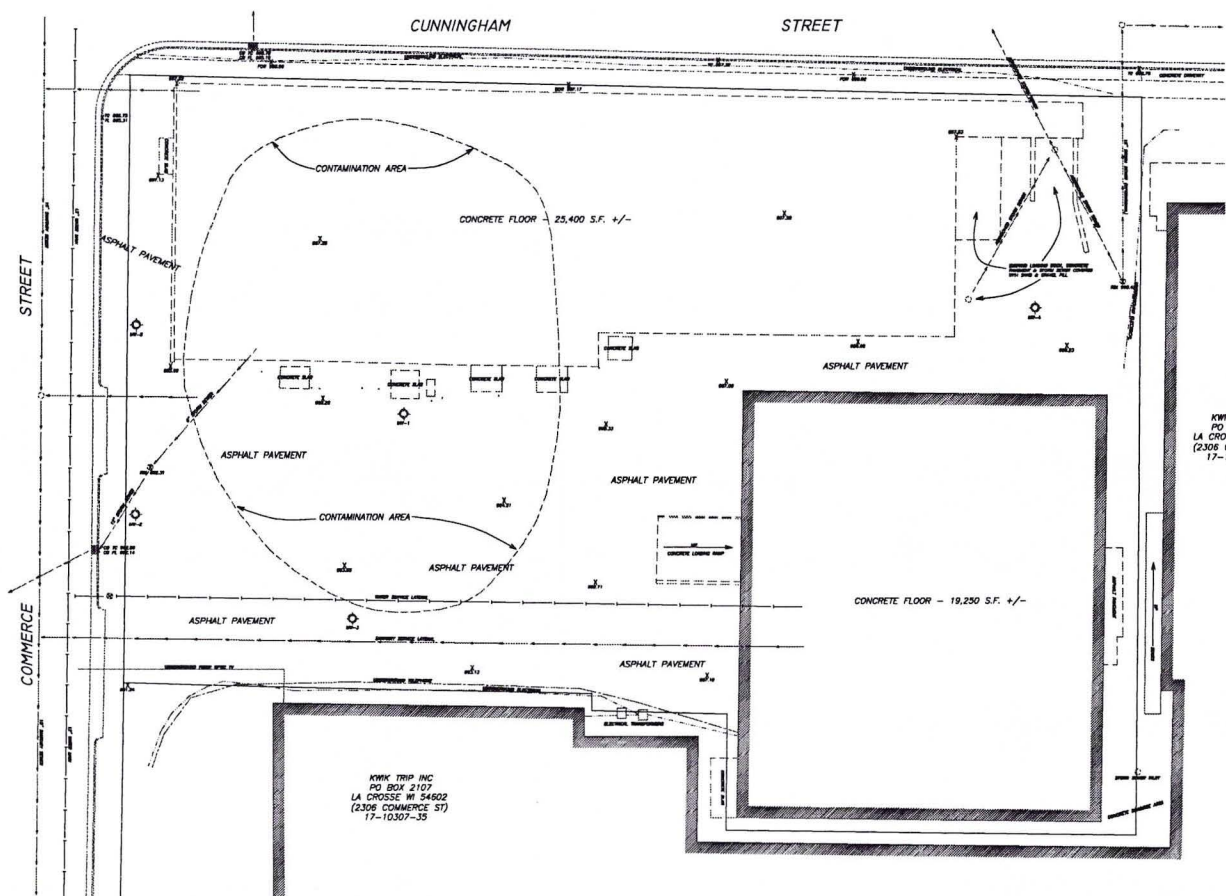
CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 10-FOOT CONTOURS



BRAUN[™]
INTERTEC

Site Location Map
Former Desmond's Formal Wear Facility
2238 Commerce Street
La Crosse, Wisconsin

	DATE	SHEET
DRAWN BY: KLH	6/30/2010	
APP'D BY: KDN	6/30/2010	OF
JOB NO. LC-09-03752		
DWG. NO.	FIGURE NO.	
SCALE		1



ED #	13-030	OWNER NAME	KWIK TRIP FREEZER EXPANSION		
PROJECT No.	EXISTING CONDITIONS				
LOCATION	KWIK TRIP FREEZER EXPANSION SITE CLEAN-UP				
REVISION	DATE				
ENGINEERING DEPT.					
City of La Crosse, Wis.					
FIELD	DESIGNED	BY	DATE		
BOOK	DRAWN	ESCALINATOR	BY	DATE	
NUMBER	CHECKED	TRIAL	BY	DATE	
PAGE	REVISION				
SHEET NO. 1 TOTAL SHEETS 3					

LEGAL DESCRIPTION
FOR
KWIK TRIP EXPANSION
COMMERCE STREET

Part of Lots 2 and 3, Block 5, First Addition to Couleesites Industrial Addition, located in the SW 1/4 of the SW 1/4, Section 16, T16N-R7W, City of La Crosse, La Crosse County, Wisconsin, more particularly described as follows:

Commencing at the northeast corner of said Lot 3, thence south, along the east line of said Lot 3, 60 feet to the south line of Cunningham Street and the point of beginning:

thence, continuing south along the east line of said Lots 3 and 2, to a point 40 feet north of the southeast corner of said Lot 2;

thence west 148 feet;

thence north 47 feet;

thence west 43 feet;

thence north 6 feet;

thence west 165 feet more or less to the east line of Commerce Street;

thence north, along the east line of said Commerce Street to the south line of

Cunningham Street and a point 60 feet south of the northwest corner of said Lot 3;

thence east, along the south line of Cunningham Street to the point of beginning.

EDF 2013-019 MISC

Drafted: SMD

Checked: JMC

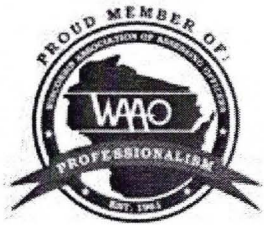
05/13/13

Kirch, Larry

From: Schlafer, Mark
Sent: Thursday, May 16, 2013 10:02 AM
To: Kirch, Larry; Reinhart, David
Subject: FW: Kwik Trip Expansion Legal Description Commerce Street

fyi

Mark Schlafer
City Assessor
400 La Crosse St
La Crosse WI 54601
608-789-7548 ph; 608-789-8123 fx
schlaferm@cityoflacrosse.org



From: Pamela Hollnagel [<mailto:hollnagel.pam@co.la-crosse.wi.us>]
Sent: Thursday, May 16, 2013 9:49 AM
To: Schlafer, Mark
Cc: Gale, Dawn
Subject: RE: Kwik Trip Expansion Legal Description Commerce Street

Good morning,

I deleted 17-10307-50 for 2013 & added it to 17-10307-20 for 2013. For now I left both addresses on until someone tells me different. The combination is finished and ready to have the assessments put back on the parcel. Thanks

Pamela K. Hollnagel, Real Property Lister
County of LaCrosse
Zoning, Planning & Land Information Department
400 4th St N - Room 3170
LaCrosse WI 54601-3200
phone: (608) 785-5510 or fax (608) 785-5922
email: hollnagel.pam@co.la-crosse.wi.us
website: www.co.la-crosse.wi.us

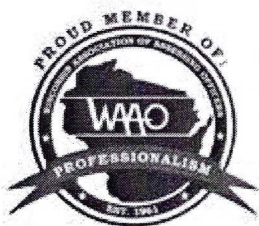
From: Schlafer, Mark [<mailto:schlaferm@cityoflacrosse.org>]
Sent: Wednesday, May 15, 2013 10:27 AM
To: Pamela Hollnagel
Cc: Gale Dawn
Subject: FW: Kwik Trip Expansion Legal Description Commerce Street

Hi Pam,

The City is requesting a combination of two of their parcels on Commerce Street for 2013. Inspection and I approve. The address is to be determined.

17-10307-020 2326 Commerce St
17-10307-050 2338 Commerce St
Thank you.
Mark

Mark Schlafer
City Assessor
400 La Crosse St
La Crosse WI 54601
608-789-7548 ph; 608-789-8123 fx
schlaferm@cityoflacrosse.org



From: Kirch, Larry
Sent: Tuesday, May 14, 2013 4:44 PM
To: Schlafer, Mark; Reinhart, David
Subject: FW: Kwik Trip Expansion Legal Description Commerce Street

David, Mark

Are you two ok with combining the legal descriptions for the former Desmond/Durhman property and ALM Limited Family Partnership into one tax parcel. The addresses are 2326 and 2338 respectively.

If you are OK, I will send over to the County.

Larry

From: Dunnum, Scott
Sent: Tuesday, May 14, 2013 1:35 PM
To: Kirch, Larry; Buddenhagen, Brenda
Subject: Kwik Trip Expansion Legal Description Commerce Street

Larry,

Attached is a copy of the Legal Description you requested. I have also sent it to Brenda in Legal.

Scott

PRIVATE AND CONFIDENTIAL

This e-mail and attachments are intended for the addressed recipient only.

If you are not the correct recipient please notify the sender of the delivery error and delete this message.

Improper disclosure, copying, distribution, retransmission, or use of information from this e-mail is Prohibited, and may result in liability and damages for misuse of this information.

Document Number
AWARD OF DAMAGES
By THE CITY OF LA CROSSE
Statute No. s. 32.05(7)

This award of damages is made pursuant to a relocation order of the City of La Crosse dated February 8, 2010 and filed in the office of the County Clerk of La Crosse County, for the acquisition of land and interests for the street opening of Cunningham Street between Larsen Street and Oak Street in the City of La Crosse, La Crosse County, Wisconsin.

The City of La Crosse, having determined it necessary to acquire for the purpose set forth in and in accordance with said relocation order, has ordered the City of La Crosse to acquire, in the name of the City of La Crosse, a parcel of real estate and/or rights therein as set forth, in and to which the following persons have an interest:

- Durham Properties, LLC, 2162 Grand View Blvd, Onalaska, WI 54650;
- Hospitality International, Inc. (d/b/a L.B. White Co., Inc.), W6636 L.B. White Rd, Onalaska, WI 54650;
- Kaplan Professional (Schweser Study Program), 332 Front Street So. #501, La Crosse, WI 54601
- FirstGroup America, Inc. (d/b/a First Student), 600 Vine St, #1400, Cincinnati, OH 45202

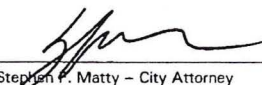
The interest acquired by this award is:
Lot 2 of the Certified Survey Map No. 46, Volume 12, City of La Crosse, La Crosse County, Wisconsin.

And

Part of the First Addition to Couleesites Industrial Addition to the City of La Crosse being part of Lot 3, Block 5 , La Crosse County, Wisconsin, described as follows: Beginning at the northeast corner of Lot 3 as the point of beginning; thence South 0 degrees 13 minutes 18 seconds East 158.16 feet; thence North 89 degrees 37 minutes 30 seconds West 165.63 feet; thence South 0 degrees 12 minutes 28 seconds East 30 feet; thence North 89 degrees 37 minutes 30 seconds West 190.09 feet to the east right-of-way of Commerce Street; thence North 0 degrees 13 minutes 31 seconds West 188.17 feet to the northwest corner of Lot 3; thence South 89 degrees 37 minutes 30 seconds East 355.74 feet to the point of beginning.

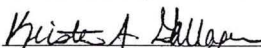
Said parcels of real estate and/or interests therein will be occupied by City of La Crosse or its agents on Monday, March 1, 2010. The City of La Crosse having complied with all jurisdictional requirements pursuant to law, makes this award of damages to the above persons having an interest in said parcel of real estate, in the sum of One Million Five Hundred Fifty Thousand Dollars (\$1,550,000.00), for the acquisition of said parcel of real estate and/or interests therein as set forth.

CITY OF LA CROSSE:


Stephen F. Matty - City Attorney
Dated: March 1, 2010.

STATE OF WISCONSIN)
) ss.
COUNTY OF LA CROSSE)

Personally came before me this above-named Stephen F. Matty, on the 1st day of March, 2010, known to me to be the City Attorney of the City of La Crosse and acting in said capacity, and known by me to be the person who executed the foregoing instrument and acknowledged the same.


Notary Public, State of Wisconsin
My commission: is permanent.

This instrument was drafted by: Krista A. Gallagher, Assistant City Attorney



1545257

LACROSSE COUNTY
REGISTER OF DEEDS
CHERYL A. MCBRIDE

RECORDED ON
03/01/2010 03:26PM
REC FEE: 11.00
EXEMPT #:
PAGES: 1

This space is reserved for recording data

#112

Return to

City Attorney
400 La Crosse Street
La Crosse WI 54601

Parcel Identification Number/Tax Key Number

17-10306-52 & 17-10307-50

FILED
La Crosse County, WI
MAR 01 2010
PAM. DOTKE
CLERK OF COURT



State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

1614879

LACROSSE COUNTY
REGISTER OF DEEDS
CHERYL A. MCBRIDE

RECORDED ON
01/28/2013 02:17PM
REC FEE: 30.00
TRANSFER FEE: 1338.00
EXEMPT #:
PAGES: 2

THIS DEED, made between ALM Family Limited Partnership, a Wisconsin limited partnership

_____ ("Grantor," whether one or more),
and City of La Crosse

_____ ("Grantee," whether one or more).
Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in La Crosse County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

****SEE ATTACHED LEGAL DESCRIPTION ADDENDUM**

Recording Area

**198*

Name and Return Address

New Castle Title
750 N. 3rd Street, Suite E
La Crosse, WI 54601

17-10307-020

12760

Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except: easements, restrictions & highway deeds of record, municipal & zoning ordinances & agreements entered into under them, recorded plat, building & use restrictions & covenants & except lands sold, taken or used for road or highway purposes.

Dated January 9, 2013

ALM FAMILY LIMITED PARTNERSHIP

Albert L. Miller, Partner (SEAL) _____ (SEAL)
By: Albert L. Miller, Partner *

_____ (SEAL) _____ (SEAL)
* _____ *

AUTHENTICATION

Signature(s) _____
authenticated on _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
LaCrosse) ss.
COUNTY)

Personally came before me on Jan. 9, 2013,
the above-named Albert L. Miller

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

THIS INSTRUMENT DRAFTED BY:

Attorney Darla A. Krzoska
Bosshard Parke Ltd.

* *Dawn Faherty*
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: 4-6-2014)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

LaRow, Jacob

From: Brumberg, Loren A - DNR [Loren.Brumberg@Wisconsin.gov]
Sent: Thursday, May 16, 2013 3:49 PM
To: LaRow, Jacob; Kirch, Larry
Subject: WDNR VPLE Fees

Jacob/Larry

The purpose of the message is identify the application and review fees due the WDNR from the City of La Crosse under the Voluntary Party Liability Exemption (VPLE) Program associated with the former Patros Steel Supply Co., Inc. site and the Kwik Trip Bakery Expansion (Desmond) site.

The application fee has been paid for the former Patros Steel Supply Co., Inc. site, however the WDNR is still due the \$3,000.00 advanced deposit in accordance with s. 292.15(5), Wis. Stats., and s. NR 750.07, Wis. Adm. Code.

The application for the Kwik Trip Bakery Expansion (Desmond) site should be accompanied by a check for the \$250.00 application fee and the \$3,000.00 advanced deposit in accordance with s. 292.15(5), Wis. Stats., and ch. NR 750, Wis. Adm. Code.

Thanks.

* Loren A. Brumberg
Land Recycling Specialist
Remediation & Redevelopment
Wisconsin Department of Natural Resources
(*) phone: (715) 839-3770
(*) fax: (715) 839-6076
(*) e-mail: loren.brumberg@wisconsin.gov