

Notice: As required by ch. NR 754, Wis. Stats., voluntary parties must complete this form and pay an insurance fee in order to obtain the Voluntary Party Liability Exemption (VPLE) under s. 292.15(2)(ae), Stats., for sites where groundwater contamination exceeds enforcement standards and the department determines that natural attenuation will restore groundwater quality. This form must be completed by parties seeking a Certificate of Completion. The form should not be submitted until the voluntary party has completed the environmental investigation and remedial action and the DNR has approved the request for case closure. Personally identifiable information that is submitted to the DNR will become a public record and may be used by the DNR in the administration and enforcement of the hazardous substance spill program in addition to the liability exemption program.

Submit this form and the appropriate insurance fee, as specified in the annual VPLE Insurance Fee Schedule, together to the following address:

VPLE Coordinator
Bureau for Remediation and Redevelopment
Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

1. Property Information

VPLE Property Name
Kwik Trip Bakery Expansion

BRRTS Activity Numbers (if there are multiple parcels, please list all BRRTS numbers that begin with 06 or 6)
06-32-560495

Street Address
2326 & 2338 Commerce Street

City La Crosse	State WI	ZIP Code 54603
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Size (see fact sheet and fee schedule) 1 - 4.99 acres above 5 acres

Has the DNR approved the RAP? Yes No

Indicate which former use category and fee you think would be appropriate for your site using the definitions and information in the fact sheet and fee schedule. Note, however, that the DNR will make the final determination on the form use category and fee.

Former Use Category <input type="radio"/> residential <input type="radio"/> heavy industrial <input checked="" type="radio"/> light industrial <input type="radio"/> commercial <input type="radio"/> agricultural	Fee \$12,210.00
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Are you seeking Certificates for more than one legally defined parcel of land?
 Yes No If yes, how many Certificates of Completion are you requesting?

DNR Region <input type="radio"/> SER <input type="radio"/> SCR <input type="radio"/> NOR <input type="radio"/> NER <input checked="" type="radio"/> WCR	DNR Project Manager (name) Pat Collins
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2. Voluntary Party

Organization / Firm Name City of La Crosse		Title	
Last Name Desmond	First John	MI G	Telephone Number (608) 789-7511
Street Address Attn: City of La Crosse - Legal Dept., 400 La Crosse Street			Fax Number
City La Crosse	State WI	ZIP Code 54601	E-Mail Address attorney@cityoflacrosse.org

2a. Additional Voluntary Parties

Organization / Firm Name Desmond and Desmond		Title	
Last Name Desmond	First John	MI G	Telephone Number (608) 317-0480
Street Address 620 Cass Street			Fax Number
City La Crosse	State WI	ZIP Code 54601	E-Mail Address jdesmond1951@msn.com

3. Current Property Owner

Does the voluntary party (listed in #2) currently own the property?
 Yes No *(If No, please list the party who currently owns the property.)*

Organization / Firm Name			Title	
Last Name	First	MI	Telephone Number	
Street Address			Fax Number	
City	State WI	ZIP Code	E-Mail Address	

4. Future Property Owner

Does the current property owner (listed in #3) plan to maintain ownership of the property?
 Yes No Unknown *(If No, please list the party who is expected to own the property after the current owner.)*

Organization / Firm Name			Title	
Last Name	First	MI	Telephone Number	
Street Address			Fax Number	
City	State WI	ZIP Code	E-Mail Address	

Attachments (application will not be considered complete unless all attachments are included)

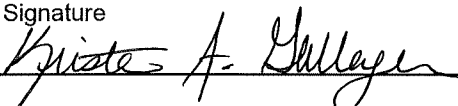
- Please attach:
- the applicable insurance fee made payable to the Wisconsin Department of Natural Resources
 - the legal property description of the property or properties receiving the certificate of Completion
 - a chronological list of all former uses of the property

Certification

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

I certify that to the best of my knowledge all the requirements of s. 292.15(2)(ae)1 through 6. Stats., have been met.

I hereby request that the DNR issue a Certificate of Completion for the remedial action completed at the property identified in the application under s. 292.15(2)(ae), Stats.

Voluntary party's Name (type or print) City of La Crosse	Title Deputy City Attorney, Krista A. Gallagher
Signature 	Date Signed 08/04/2017

Any questions regarding this form or the insurance requirements described in ch. NR 754, Wis. Adm. Code., shall be directed to the DNR VPLE site project manager or to the DNR Land Recycling Team Leader at (608) 261-4927. Copies of the Annual VPLE Insurance Fee Schedule can be obtained from the DNR VPLE site project manager or the DNR Land Recycling Team Leader or see our website: <http://dnr.wi.gov/topic/brownfields/vple.html>



LEGAL DEPARTMENT

City of La Crosse, Sixth Floor City Hall
400 La Crosse Street, La Crosse, WI 54601
Ph: 608.789.7511 Fax: 608.789.7390
Email: attorney@cityoflacrosse.org

Stephen F. Matty
City Attorney

Krista A. Gallagher
Deputy City Attorney

Paul M. Fredrickson
Assistant City Attorney

August 4, 2017

VPLE Coordinator
Bureau for Remediation and Redevelopment
Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921



RE: VPLE Environmental Insurance Application for Kwik Trip Bakery Expansion
BRTTS #06-32-560495

Dear Sir or Madam:

Enclosed please find a VPLE Environmental Insurance Application and fee in the amount of \$12,210 for the property known as the Kwik Trip Bakery Expansion, BRTTS #06-32-560495. This application is being submitted on behalf of the City of La Crosse and Desmond & Desmond (John G. Desmond) as the Voluntary Parties.

If you require anything further, please let me know. I look forward to hearing from you regarding the application. My contact information is as follows:

Krista A. Gallagher, Deputy City Attorney
City of La Crosse
400 La Crosse Street
La Crosse, WI 54601
Direct phone: (608) 789-7383
Email: gallagerk@cityoflacrosse.org

Thank you.

Sincerely,


Krista A. Gallagher
Deputy City Attorney

VPLE Environmental Insurance Application: Kwik Trip Bakery Expansion
BRRTS Number: 06-32-560495
Address: 2326 & 2338 Commerce Street, La Crosse, WI
Voluntary Parties: City of La Crosse; Desmond and Desmond (John G. Desmond)

Former uses of the property:

Research indicates that from at least 1938 until the late 1960s, the property and vicinity were used for agricultural purposes. During the early 1970s, Commerce Street was constructed, which is oriented north to south along the western boundary of the property. During the mid-1970s, a building was constructed on the property and Desmond and Desmond leased the property from owner Albert Miller from approximately 1976 - 1979. Desmond and Desmond purchased the property from Albert Miller in approximately 1980. By 1982, a warehouse addition was constructed on the east side of the Desmond building and by the early 1990s, the Desmond warehouse was completed. The business operated as a dry cleaning business until such operations ceased at the property in 2003. The property was sold by Desmond and Desmond to Durhman Properties, LLC in March of 2005. The City acquired the property in March of 2010 from Durhman Properties, LLC via eminent domain. In 2011, the building was removed from the property to construct the extension of Cunningham Street and allow for the expansion of the Kwik Trip Bakery. Currently the property is occupied by the northwestern portion of the Kwik Trip Bakery building and gravel surfaced parking.

(Information obtained from Braun Intertec, John G. Desmond, and La Crosse County land records.)

DESMOND / AL MILLER PROPERTY

Lot 3 and a part of Lot 2 of Block 5 of the First Addition to Couleesites Industrial Addition located in the SW ¼ of the SW ¼ of Section 16, Township 16 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin described as follows:

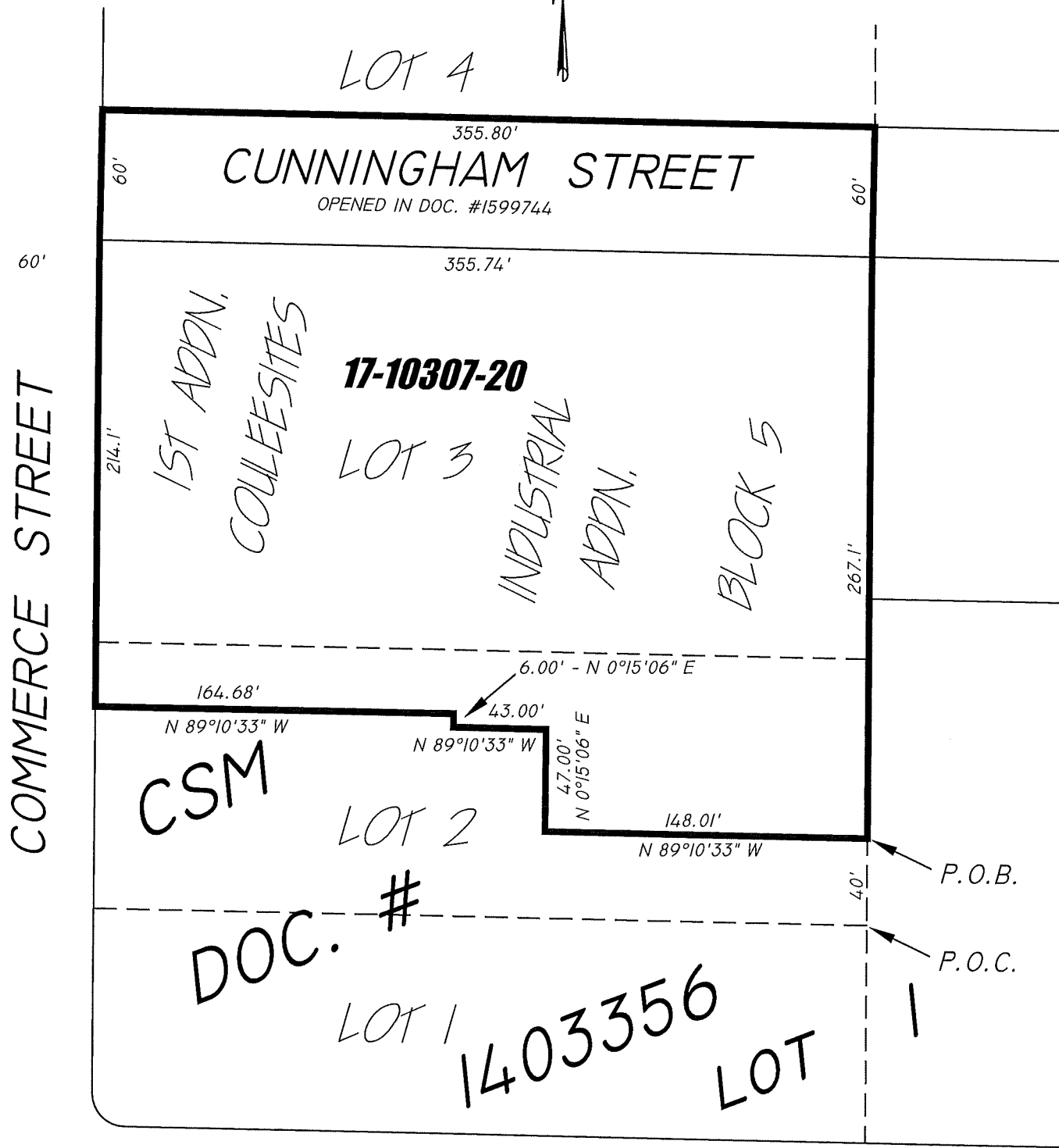
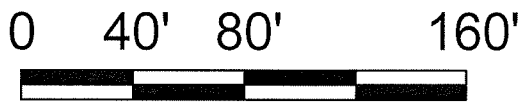
Commencing at the Southeast corner of said Lot 2 of Block 5; thence North along the East line of Lot 2, 40' to the North line of Lot 1 of a Certified Survey map described in Document #1403356 (volume 12, page 1) of County records and also the Point of Beginning of this parcel description;

thence N 89°10'33" W, 148.01'; thence N 0°15'06" E, 47.00';
thence N 89°10'33" W, 43.00'; thence N 0°15'06" E, 6.00';
thence N 89°10'33" W, 164.68' to the Northwest corner of Lot 1 of said Certified Survey Map said point also being located on the East right of way line of Commerce Street; thence North along said East right of way line of Commerce Street, 214.1' more or less to its intersection with the South right of way line of Cunningham Street opened in Document #1599744 of County records; thence continuing North along said East right of way line 60' to the intersection with the North right of way line of said Cunningham Street; thence East along said North right of way line of Cunningham Street, 355.80'; thence South 60' to the intersection of the South right of way line of Cunningham Street and the East line of Lot 3 of Block 5; thence South along the East lines of said Lots 3 and 2 of Block 5, 267.1' more or less to the point of beginning.

Described parcel is approximately 2.42 acres.

Drafted by: jmc 5/1/2017

S:_PROJECTS\2017 MISC\2017-021 Desmond Cleanup Site VPLE insurance Legal\Desmond - Miller Parcel VPLE Legal Description.docx



LOT 4

CUNNINGHAM STREET

OPENED IN DOC. #1599744

COMMERCE STREET

1ST ADDN.
COULEESITES

17-10307-20

LOT 3

INDUSTRIAL
ADDN.

BLOCK 5

CSM

LOT 2

DOC. #

LOT 1

1403356

LOT 1

PALACE STREET

P.O.B.

P.O.C.