GZA
Proactive by Design

GEOTECHNICAL
ENVIRONMENTAL
ECOLOGICAL
WATER
CONSTRUCTION MANAGEMENT

20900 Swenson Drive
Suite 150
Waukesha, WI 53186
T: 262.754.2560
F: 262.754.9711
www.gza.com

September 12, 2017
File No. 20.0152436.11

RECEIVED
SEP 27 2017
BY:

Mr. David Hanson, Waste Management Specialist
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

Subject: Voluntary Party Liability Exemption Revision
Regal Products
11331 West Rogers Street, West Allis, Wisconsin
BRRTS #02-41-000930
FID #241195020
VPLE #06-41-559332

Dear Mr. Hanson:

GZA GeoEnvironmental, Inc. (GZA) is submitting a revised Voluntary Party Liability Exemption (VPLE) application ("Application") for the Orchard Park Real Estate LLC property (previously the Ridgestone Bank property) located at 11331 West Rogers Street in West Allis, Wisconsin ("Site").

Based on a May 17, 2017 email exchange with Mr. Stephen Mueller at the Wisconsin Department of Natural Resources (WDNR) regarding the ownership and the VPLE status of the Site, the submittal of a new VPLE Application would simplify the process for updating the Site information. Mr. Mueller indicated that since Ridgestone Bank was the previous applicant and no longer owns the Site, Orchard Park Real Estate LLC (as new owner) would need to submit its own VPLE Application. Mr. Mueller also indicated that documents, reports and attachments that were previously submitted would not have to be resubmitted with this VPLE Application. As the Site has changed ownership, a copy of the new property deed is included with this submittal. An advanced deposit was previously paid by Ridgestone Bank, therefore, WDNR will waive the advance deposit. A $250 application fee is still required and is included with this submittal.

Should you have any questions, please feel free to contact the undersigned at (262) 754-2560.

Very truly yours,

GZA GeoEnvironmental, Inc.

Clair E. Ruenger, P.G.
Senior Project Manager

James F. Drought, P.H.
Vice President

J:\152400to152499\152436 - Ridgestone Bank\VPLE\FINAL 152436.11 Transmittal Letter-VPLE Revisions 9-12-17.docx

Attachments: VPLE Application
New Property Deed
Application Fee

An Equal Opportunity Employer M/F/V/H

State of Wisconsin
Department of Natural Resources
PO Box 7921, Madison WI 53707-7921
dnr.wi.gov

Voluntary Party Liability Exemption Application

Form 4400-178 (R 11/14)

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 (VPLE). 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 4. 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.).

Section 1: Property Information

BRRTS No. (if known): 02-41-000930

Tax Parcel #: 481-9994-003

FID No. (if known)	Property Name			
241195020	Regal Products			
Address	**City**	**State**	**ZIP Code**	
11331 West Rogers Street	West Allis	WI	53227	
County	**Municipality Name** ◉ City ○ Town ○ Village	**Property is composed of:** ◉ Single Tax Parcel ○ Multiple Tax Parcels	**Property Size**	
Milwaukee	West Allis		1.33 Acres	

Section 2: Applicant Information *(Voluntary Party)*

Organization / Firm / Person	Title		
Rogers West Allis LLC	Owner		
Last Name	**First**	**MI**	**Phone Number (include area code)**
Kostner	Gerald	R	(414) 975-3697
Address			**Fax Number (include area code)**
1579 S 38th Street, Suite 9			
City	**State**	**ZIP Code**	**Email**
Milwaukee	WI	53215	jerry@orchardparkllc.com

Section 3: Ownership Information

Applicant Relationship to Property (select one):

◉ Current Owner ○ Potential/Future Purchaser ○ Previous Owner ○ Other: _____

Section 4: Regulatory Identification *(include ID numbers if known)*

DNR FID	241195020	USEPA ID	
Environmental Repair (ERP)		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: VPLE #06-41-559332

Leave Blank – DNR Use Only

Date Received	☐ Application Fee Received	☐ Deposit Received	☐ Approval to Proceed PMN ☐ Denied (explain) (603) ☐ Withdrawn (explain) (610)
BRRTS Activity Number	BRRTS Activity Name		
FID	Region		Reviewed By / Date
Comments			Project Manager

Section 5 Environmental Consultant Representing Applicant

Organization / Firm / Person			Title	
GZA GeoEnvironmental, Inc.			Senior Project Manager	
Last Name	First		MI	Phone Number (include area code)
Ruenger	Clair		E	(262) 754-2560
Address				Fax Number (include area code)
20900 Swenson Drive, Suite 150				(262) 754-9711
City	State	ZIP Code	Email	
Waukesha	WI	53186	clair.ruenger@gmail.com	

Section 6: Attorney Representing Applicant *(if applicable)*

Organization / Firm / Person			Title	
Husch Blackwell			Partner	
Last Name	First		MI	Phone Number (include area code)
Gallo	Donald		P	(262) 956-6224
Address				Fax Number (include area code)
208000 Swenson Drive, Suite 300				(262) 956-6210
City	State	ZIP Code	Email	
Waukesha	WI	53186	donald.gallo@huschblackwell.com	

Section 7: Past Land Uses and Known or Suspected Contamination Sources *(check all that apply)*

- ☐ Service station
- ☒ Manufacturing
- ☐ Agricultural co-op
- ☐ Dry Cleaner
- ☒ Salvage yard
- ☐ Bulk plant
- ☐ Pipeline
- ☐ Tannery
- ☐ Coal gas manufacturer
- ☐ Electroplater
- ☐ Landfill
- ☒ Foundry sand
- ☐ Underground pipeline or tank
- ☐ Surface spills
- ☐ Above ground pipeline or tank
- ☐ Routine industrial operations
- ☐ Contaminated building
- ☐ Industrial accident
- ☐ Lagoons
- ☐ Fly ash
- ☐ Unknown
- ☒ Other Sand and gravel pit

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.?	○ Yes ◉ No
Does the property contain a hazardous waste treatment, storage or disposal facility that first began operation after the voluntary party acquired the property?	○ Yes ◉ 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?	○ Yes ◉ 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?	○ Yes ◉ No

Section 10: Regulatory Criteria

Has contamination been detected at the property? ◉ Yes ◯ No

If yes, has it been reported to the state? ◉ Yes ◯ No

Agent notified: Charles Krohn Date 03/07/1990

Does it include petroleum from a leaking underground storage tank (LUST)? ◯ Yes ◉ No

Are you using the Petroleum Environmental Cleanup Fund (PECFA) to pay for any portion of the remedial actions? ◯ Yes ◉ No ◯ Undecided

Is there a state or federal enforcement order currently in effect at this property? ◯ Yes ◉ No

Section 11: Attachments and Certification

All listed attachments are required for an application to be complete:

- ☐ a list of past environmental work
- ☒ a non-refundable check for $250 application fee made payable to the Wisconsin DNR
- ☐ a clear map showing location of property
- ☐ a detailed map that clearly indicates the property boundaries
- ☒ 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 Name *(Type or Print)*	Title
Gerald Kostner	Owner

Organization / Firm / Person

Rogers West Allis LLC

Signature Gerald Kostner Date Signed 9-13-17

DOC # 10654050

RECORDED
03/03/2017 10:50 AM

JOHN LA FAVE
REGISTER OF DEEDS
Milwaukee County, WI
AMOUNT: 30.00
TRANSFER FEE: 3290.40
FEE EXEMPT #:
***This document has been electronically recorded and returned to the submitter. **

Document Number

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Name

THIS DEED, made between Byline Bank as successor by merger to Ridgestone Bank ("Grantor," whether one or more), and Rogers West Allis LLC, a Wisconsin limited liability company ("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 Milwaukee County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot 1 of Certified Survey Map No. 651 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on February 17, 1967 in Reel 347 of Certified Survey Maps, at Image 3, as Document No. 4301984, being a redivision of the Southwest quarter of Section 6, Township 6 North, Range 21 East in the City of West Allis, County of Milwaukee, State of Wisconsin.

Recording Area

Name and Return Address

Rogers West Allis LLC
1579 S. 38th St.
Milwaukee, WI 53215

481-9994-003
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: Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied in the year of closing.

Dated 3/3/17.

Byline Bank as successor by merger to Ridgestone Bank

(SEAL) (SEAL)
* * By: Bart Drogon, Assistant Vice President

(SEAL) (SEAL)
* *

AUTHENTICATION

Signature(s)

authenticated on

*

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

THIS INSTRUMENT DRAFTED BY:
Knight Barry Title, Inc. / 871464
Rachel S. Christoph / scrivener

ACKNOWLEDGMENT

STATE OF ~~WISCONSIN~~ Illinois)
) ss.
Cook. COUNTY)

Personally came before me on February 22, 2017, the above-named Bart Drogon to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Maritza Vargas.
*
Notary Public, State of ~~Wisconsin~~ Illinois
My Commission (is permanent) (expires: September 8, 2018)

OFFICIAL SEAL
MARITZA VARGAS
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Sep 8, 2018

(Signatures may be authenticated or acknowledged. Both are not necessary.)
NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED
© 2003 STATE BAR OF WISCONSIN
FORM NO. 1-2003
* Type name below signatures.

Knight-Barry File # 871464

State Bar of Wisconsin Form 1-2003

WARRANTY DEED

Document Number | Document Name

ORIGINAL DOCUMENT RECORDED ELECTRONICALLY
Date: 3/3/17
Doc. No. 10654050
Knight-Barry Title Group
www.knightbarry.com

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Dated 3/3/17.

Byline Bank as successor by merger to Ridgestone Bank

(SEAL) (SEAL)
* * By: Bart Drogon, Assistant Vice President

(SEAL) (SEAL)
* *

AUTHENTICATION

Signature(s)

authenticated on

*

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

THIS INSTRUMENT DRAFTED BY:
Knight Barry Title, Inc. / 871464
Rachel S. Christoph / scrivener

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Maritza Vargas.
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Notary Public, State of ~~Wisconsin~~ Illinois
My Commission (is permanent) (expires: September 8, 2018)

OFFICIAL SEAL
MARITZA VARGAS
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Sep 8, 2018

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

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

© 2003 STATE BAR OF WISCONSIN

* Type name below signatures.

Knight-Barry File # 871464

Electronic Real Estate Transfer Receipt

4JØ4A

Wisconsin Department of Revenue

Instructions

1. Grantors and grantees must review this receipt, noting grantor and grantee responsibilities
2. Mail or deliver the following items:

Milwaukee County *Register of Deeds, 901 N 9TH ST, RM 103, MILWAUKEE, WI 53233-1458*

- This receipt page and a transfer fee of $3,290.40
- The deed or instrument of conveyance and a recording fee of $30.00 (regardless of the number of pages)

To view real estate transfer return details online, visit: https://ww2.revenue.wi.gov/RETRWebPublic/application. You will need your receipt number, total value of real estate transferred, and the last name of one grantor or grantee.

Receipt **4JØ4A**. Filed March 2, 2017, 8:16 AM - **Milwaukee County**. Conveyance date **2017-01-27**.

Value transferred	**$1,096,733**	Transfer fee	**$3,290.40**
Value subject to fee	**$1,096,733**	Fee exemption number	

Grantors	Byline Bank as successor by merger to Ridgestone Bank
Grantees	Rogers West Allis LLC
Tax bill address	Rogers West Allis LLC, 1579 S. 38th St., Milwaukee, Wisconsin 53215
Property Location	11331 W. Rogers St (**City of West Allis**)
Parcels	481-9994-003 (CSM 651/1/)
Legal description	Lot 1 of Certified Survey Map No. 651 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on February 17, 1967 in Reel 347 of Certified Survey Maps, at Image 3, as Document No. 4301984, being a redivision of the Southwest

Grantor responsibilities: Grantors are responsible for paying the proper fee amount—verify the total property value, fee amount and fee exemption before sending this receipt to the county Register of Deeds.

Grantee responsibilities: Grantees assert that this property is not a primary residence, and that the property is not subject to weatherization standards with exclusion code "W-7".

Preparer	Knight Barry Title, Inc./871464, 414-727-4545, rchristoph@knightbarry.com
Grantor agent	Bart Drogon, 999-999-9999
Grantee agent	Gerald Kostner, 999-999-9999

If you have questions on the Real Estate Transfer Return (RETR), visit the Wisconsin Department of Revenue's Real Estate Transfer Fee web page at: revenue.wi.gov/retr/index.html, or contact your County Register of Deeds. To locate your Register of Deeds, visit: wrdaonline.org.

Information on a real estate transfer return is used to administer various Wisconsin laws, including: income tax, real estate transfers, rental unit energy efficiency, lottery tax credit, and general property tax. Whether you are a resident, part-year resident, or non-resident, you must report the transfer of Wisconsin real estate in a taxable transaction on your Wisconsin income tax return. If you are a non-resident, you must file Form 1NPR to report the sale.

Penalties imposed under the following Wisconsin Statutes or Administrative Code:
Using an improper exemption - sec. 77.26(8), Wis. Stats.; falsifying the property value - sec. 77.27, Wis. Stats.; weatherization claim - sec. 101.122(7), Wis. Stats, ch. SPS367.08, Wis. Adm. Code; improperly claiming lottery and gaming credit as primary residence - chapter tax 20.12, Wis. Adm. Code.