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DEED RESTRICTION

Document Number

Declaration of Restrictions

In Re: Property Described in Text, Figures and Tables in Exhibit "A".

STATE OF WISCONSIN) ss COUNTY OF MILWAUKEE) Recording Area

Name and Return Address. Lawrence J. Haskin 73005. 13th st, ste 104 Cakcreek, wt 53154

Plantification Number

WHEREAS, E. I. DU PONT DE NEMOURS AND COMPANY, a Delaware corporation, of 1007 Market Street, Wilmington, Delaware, 19898 ("DUPONT"), is the current owner of the above-described property (the "Property"); and

WHEREAS, one or more discharges of Hazardous Substances, as defined herein, have impacted this Property.

WHEREAS, The Property (and adjacent properties) were formerly used for dye manufacturing, coal gasification pilot tests, and potentially other industrial uses, and Hazardous Substances have spilled, leaked, seeped, or entered onto, into or under the ground or groundwater on and around the Property and into Lake Michigan and may still be present on, in or under the Property or under other real property in the vicinity of the Property, as more particularly described in filings made with the Wisconsin Department of Natural Resources (the "WDNR") and U.S. Environmental Protection Agency ("EPA"); and

WHEREAS, DUPONT, as the Property owner, has obtained a Certificate of Completion for remedial actions at the Property from the WDNR and, as appropriate, a determination from the EPA that no further action is required with respect to the Property, upon completion of certain remedial activities (herein referred to as the "Remedial Activities"), and to impose on the Property restrictions which will make it unnecessary to conduct further Remedial Activities on the Property; and

WHEREAS, it is the desire and intention of the Property owner to impose on the Property current and continuing restrictions to restrict the Property to certain identified uses and to prohibit any future owner of the Property from undertaking any activity or implementing any

ORIGINAL DOCUMENT RECORDED ELECTROMICALLY

Date: 12-8-2014

Knight-Barry Title Group www.knightbarry.com

DEED RESTRICTION

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In Re: Property Described in Text, Figures and Tables in Exhibit "A".

STATE OF WISCONSIN) ss COUNTY OF MILWAUKEE)

Recording Area

Name and Return Address.
Lawrence J. Haskin
73005. 13th st, ste 104
Cokareek, wt 53154

PLP-996-002
Parcel Identification Number

WHEREAS, E. I. DU PONT DE NEMOURS AND COMPANY, a Delaware corporation, of 1007 Market Street, Wilmington, Delaware, 19898 ("DUPONT"), is the current owner of the above-described property (the "Property"); and

WHEREAS, one or more discharges of Hazardous Substances, as defined herein, have impacted this Property.

WHEREAS, The Property (and adjacent properties) were formerly used for dye manufacturing, coal gasification pilot tests, and potentially other industrial uses, and Hazardous Substances have spilled, leaked, seeped, or entered onto, into or under the ground or groundwater on and around the Property and into Lake Michigan and may still be present on, in or under the Property or under other real property in the vicinity of the Property, as more particularly described in filings made with the Wisconsin Department of Natural Resources (the "WDNR") and U.S. Environmental Protection Agency ("EPA"); and

WHEREAS, DUPONT, as the Property owner, has obtained a Certificate of Completion for remedial actions at the Property from the WDNR and, as appropriate, a determination from the EPA that no further action is required with respect to the Property, upon completion of certain remedial activities (herein referred to as the "Remedial Activities"), and to impose on the Property restrictions which will make it unnecessary to conduct further Remedial Activities on the Property; and

WHEREAS, it is the desire and intention of the Property owner to impose on the Property current and continuing restrictions to restrict the Property to certain identified uses and to prohibit any future owner of the Property from undertaking any activity or implementing any

land use at the Property (other than its expressly permitted use) that could otherwise require the environment at the Property to be restored to meet any more stringent cleanup standard that would apply to certain specified use of land at the Property; and

NOW THEREFORE, DUPONT, as the owner of the Property, hereby declares that all of the Property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitations and restrictions:

Institutional Controls: Land Use Restricted Areas

The Property is divided into three distinct areas, as identified on Figure A1 in Exhibit A: (i) the Former Newport Chemical Manufacturing Area (the "Eastern Portion", or "FNMCA"), (ii) the Arsenic Excavation Boundary Area (the "AEBA"), and (iii) the Clean Cover Soil Area (the "Western Portion"). Exhibit A also includes tables that contain the Line, Length and Bearing data for Figures A2, A3 and A4. The Barrier Maintenance Plan (BMP) and the Soil Management Plan (SMP) referenced herein are on file with the WDNR. The following presents the land use restrictions associated with each of these areas.

Former Newport Chemical Manufacturing Area (FNMCA) (Eastern Portion of DuPont Property)

The FNMCA is designated on Figure A1 as a diagonal hatched area on the Eastern Portion of the property, extending all the way to Lake Michigan. Figure A2 illustrates the surveyed boundaries of this area. The historically contaminated soil/fill on this portion of the Site is impacted by Volatile Organic Compounds (VOCs), Semi-VOCs, and metals within approximately 15 feet from the ground surface. For this area, the following Land Use Restrictions apply:

A. The FNCMA shall be used exclusively for park, passive recreational use, or open space. All commercial, residential, and industrial development of the FNCMA is prohibited. With the exception of the road to be constructed over the existing clean cover soil material, the location of which is shown on Figure A1, and the utility installation in the Utility-ready Areas as described below, any replacement of clean cover soil material with another barrier, excavation or grading of the land surface, plowing for agricultural cultivation, or construction or placement of a building or other habitable structure is prohibited.

Given the restriction above, certain designated areas of the barrier layer on the eastern portion of the site were constructed in 2013 in anticipation of future use of the property. The location of these designated areas (Utility-ready Areas) is depicted on Figure A5. Construction of the Utility-ready Areas included the excavation and relocation of contaminated soil from proposed future utility corridors prior to placement of the clean soil barrier. The excavations were performed to a depth of at least four (4) feet below final grade, and the excavations were backfilled with clean soil from the approved soil stockpile. Utility-ready Areas were constructed for the following proposed site features on the eastern Allis Chalmers/DuPont site: Future light poles along the proposed perimeter road; water, sewer and electric service for potential restrooms at a designated location; and culverts and storm sewers to control surface water associated with the proposed perimeter road.

The City of Oak Creek, Wisconsin ("City") is permitted to construct a road as shown on Figure A1 in the FNCMA provided the City complies with applicable regulatory approval for barrier

disturbance for such road construction. The road will be built to specifications determined by the City engineer. The road will not disturb contaminated soil located beneath the clean soil cover barrier in the FNCMA.

Construction of small recreational use structures not intended for permanent occupancy, e.g. restroom facilities, kiosks or concession stands are allowed. Additional clean material may be placed on top of the existing remedial barrier, e.g. sand for baseball fields, top soil for landscaping. driving (in a manner that does not bring potentially contaminated soils below the barrier up into or above the clean soil barrier) of recreational amenity items into the subsurface of the FNCMA, such as installation of fence posts, lighting structures, sign posts, baseball backstops, playground equipment, etc., is allowed, but not to depths greater than five (5) feet.

- B. Any groundwater well installation or the withdrawal of groundwater from beneath the FNCMA is prohibited unless expressly required and approved by the WDNR or its successor in writing. Withdrawal of any water from any well required by WDNR is expressly limited to sample collection only, in accordance with industry standard procedures for groundwater sample collection.
- C All owners of the FNCMA shall comply with the obligations and restrictions in the Barrier Maintenance Plan (BMP) relating to the property as approved by WDNR.
- D. No enclosed building or structure shall be constructed on the property unless a WDNR-approved vapor intrusion mitigation system that meets the objective of protecting human health is installed, or as the alternative, a vapor intrusion assessment is performed in accordance with guidelines issued by the WDNR. A vapor mitigation system would not be installed if not required by the finding of the vapor intrusion assessment; contingent upon WDNR's approval of said assessment. Since any vapor intrusion mitigation system needs to be maintained in perpetuity, any future modifications to the buildings need to take in account the long-term integrity of this system.

Arsenic Excavation Boundary Area (AEBA)

The AEBA is designated on Figure A1 as a horizontal hatched area. Figure A3 illustrates the surveyed boundaries of this area. The AEBA is where excavation work was performed in 2003 and 2004 and was backfilled with 1 foot to 10 feet of clean soil barrier. Soils below this barrier contain arsenic concentrations that exceed 40 milligrams per kilogram (mg/kg). For this area, the following Land Use Restrictions apply:

A. Subject to EPAWDNR approval, where appropriate, the City is authorized to construct a road, the location of which is shown on Figure A1. With the exception of the road shown on Figure A1 and described immediately below, any activities that are not park, passive recreational use, or open space are prohibited in the AEBA. All commercial, residential, and industrial development of the AEBA is prohibited. With the exception of the road discussed below, any replacement of cover material with another barrier, excavation or upgrading of the land surface, filling, plowing for agricultural cultivation, or construction or placement of a building or other structure is prohibited.

The City is permitted to construct a road in the location shown on Figure A1 in the AEBA provided the City obtains and complies with applicable regulatory approval by EPA or WDNR for barrier disturbance for such road construction. After EPA or WDNR approval, the road will be built to specifications determined by the City engineer. Barrier soil disturbances required for construction of the road in the AEBA will be managed according to the Barrier Maintenance Plan (BMP) for this Site and applicable state and federal law.

- B. Any groundwater well installation or the withdrawal of groundwater from beneath the AEBA shall be prohibited unless expressly required and approved by the WDNR or EPA in writing for groundwater sampling. Withdrawal of any water from any well required by WDNR or EPA is expressly limited to sample collection only, in accordance with industry standard procedures for groundwater sample collection.
- C. All owners of the AEBA shall comply with the obligations and restrictions in the BMP relating to the property, as approved by WDNR.

Clean Cover Soil Area (Western Portion)

The Western Portion is designated on Figure A1 as a vertical hatched area in the Western Portion of the property. Figure A4 illustrates the surveyed boundaries of this area along. These soils have been covered by a minimum 2-foot clean soil barrier to prevent direct contact. For this area, the following Land Use Restrictions apply:

- A. Subject to paragraph B below, all types of development shall be permitted in the CCSA. All owners of the CCSA shall comply with the obligations and restrictions in the BMP and the Soil Management Plan (SMP) relating to the property, as approved by the WDNR.
- B. Industrial, commercial, condominium, and residential development on the CCSA shall be permitted; provided, however, that any such residential development shall be limited to multi-family housing with the land under common ownership where there is an oversight body responsible for enforcing compliance with the BMP and SMP for each such residential development. No single family homes will be permitted.
- C. Any groundwater well installation or the withdrawal of groundwater from beneath the CCSA is prohibited unless expressly required and approved by the WDNR in writing. Withdrawal of any water from any well required by WDNR is expressly limited to sample collection only, in accordance with industry standard procedures for groundwater sample collection.
- D. Any enclosed buildings or structures on the CCSA that are intended for occupancy, including, but not limited to, industrial, residential or commercial buildings, restroom facilities, kiosks or concession stands, shall not be constructed unless a WDNR-approved vapor intrusion mitigation system that meets the objective of protecting human health is installed, or as the alternative, a vapor intrusion assessment is performed in accordance with guidelines issued by the State of Wisconsin. A vapor mitigation system would not be installed if not required by the finding of the vapor intrusion assessment; contingent upon WDNR's approval of said assessment. Since any vapor intrusion mitigation system needs to be maintained in perpetuity, any future modifications to the buildings need to take in account the long-term integrity of this system.
- E. Any construction or excavation activities on the CCSA shall comply with the SMP for the property, as approved by WDNR.

For the purposes of this Deed Restriction, the term "<u>Hazardous Substances</u>" means any petroleum and liquid hydrocarbon substance, product, matter, solid, liquid, gas, chemical, hazardous or toxic substance, waste, material, pollutant, contaminant or agent as defined or used

in any applicable environmental laws whose presence in the groundwater, surface waters, air, soil, or sediments gives rise to a statutory or common law right of action for property damage, negligence, health or safety hazard to persons, cleanup obligation or response action or otherwise, and shall include without limitation any substance which would be considered to be oil" and/or "hazardous materials" or "hazardous substances," "pollutant" and "contaminants" (as these terms are defined pursuant to any applicable Environmental Laws). Notwithstanding any exclusions or exemptions under any environmental laws, the term "Hazardous Substances" includes asbestos, NORM, petroleum, including crude oil or any fraction thereof, natural gas, natural gas liquids, liquefied natural gas or synthetic gas usable for fuel (or mixtures thereof), metals, or solvents.

This Declaration of Restrictions is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring or using any interest in any portion of the Property by any means. This restriction inures to the benefit of and is enforceable by DUPONT, and the WDNR, and their respective successors. Acting independently or collectively, DUPONT or the WDNR or their respective successors, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate any provision of this covenant, to prevent or abate such violation or to recover damages for such violation, including their reasonable costs of enforcement of this covenant, such costs to include, without limitation, their reasonable attorneys' fees.

By signing this document, Christopher J. Heck asserts that he is duly authorized to sign this document on behalf of DuPont.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 4tday of December, 2014.

DU PONT DE NEMOURS AND COMPANY

Signature

Christopher J. Heck

Manager - Corporate Real Estate

Printed Name

Subscribed and sworn to before me

this \ day of

Notary Public/State of

isconsin

My Commission:

LOIS A. SMITH NOTARY PUBLIC

STATE OF DELAWARE

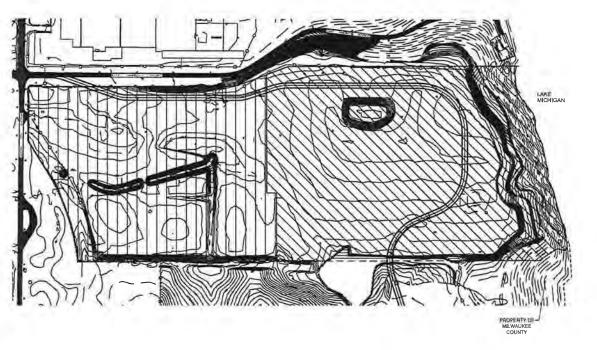
My commission expires July 18, 2015

Exhibit A TO DECLARATION OF RESTRICTIONS (E.I. DuPont De Nemours and Company)

Real Property

That part of the Southwest 1/4 and the Southeast 1/4 of Section 24, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Northwest corner of the Southwest 1/4 of said Section; thence South 00 degrees, 51 minutes, 52 seconds West along the West line of the Southwest 1/4 of said Section, 601.27 feet to a point; thence North 89 degrees, 43 minutes, 52 seconds East, 33.01 feet to a point on the East line of South 5th Avenue and the point of beginning of the land to be described; thence continuing North 89 degrees, 43 minutes, 52 seconds East, 1053.26 feet to a point; thence North 69 degrees, 03 minutes, 52 seconds East, 283.46 feet to a point; thence North 89 degrees, 43 minutes, 52 seconds East, 904.70 feet to a point on a meander line of Lake Michigan; thence South 04 degrees, 25 minutes, 31 seconds East along said meander line, 992.64 feet to a point; thence South 89 degrees, 46 minutes, 05 seconds West, 2050.18 feet to a point; thence Northwesterly 468.04 feet along the arc of a curve whose center lies to the West, whose radius is 960.00 feet and whose chord bears North 18 degrees, 10 minutes, 07 seconds West, 463.42 feet to a point; thence North 32 degrees, 08 minutes, 08 seconds West, 204.44 feet to a point on the East line of South 5th Avenue; thence North 00 degrees, 51 minutes, 52 seconds East along the East line of South 5th Avenue and parallel to the West line of the Southwest 1/4 of said Section, 274.11 feet to the point of beginning, including those lands between the a fore-described meander line and the shore of Lake Michigan.

Excepting therefrom: All that part of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 24, Township 5 North, Range 22 East, located in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of said Southwest 1/4; thence North 00°52'00" East along the west line of said Southwest 1/4, 411.93 feet; thence South 89°08'00" East, 2909.67 feet to the point of beginning: Thence along the following courses: North 32°44'44" West, 107.71 feet; North 28°11'19" West, 148.79 feet; North 24°04'06" West, 97.05 feet; North 22°33'08" West, 95.76 feet; North 21°16'36" West, 117.61 feet; North 19°05'55" West, 76.98 feet; North 23°13'38" West, 61.65 feet; North 01°29'41" East, 61.59 feet; North 06°19'06" East, 51.99 feet; North 25°37'42" East, 24.09 feet; North 35°56'09" East, 14.88 feet; North 43°13'38" East, 44.34 feet; North 55°56'46" East, 66.25 feet; North 64°44'25" East, 18.72 feet; South 73°32'04" East, 22.46 feet; South 76°56'27" East, 12.54 feet; North 47°49'08" East, 13.40 feet; North 12°06'33" East, 30.52 feet; North 02°11'27" East, 9.64 feet; South 67°41'38" East, 4.95 feet; South 13°37'42" East, 11.47 feet; South 03°19'11" East, 86.00 feet; South 03°43'58" East, 86.02 feet; South 47°10'42" West, 57.54 feet; South 07°01'47" East, 61.64 feet; South 01°06'33" West, 82.53 feet; South 2°11'20" West, 81.62 feet; South 21°20'07" West, 75.01 feet; South 12°33'32" East, 21.57 feet; South 29°40'18" East, 157.35 feet; South 26°27'42" East, 82.94 feet; South 28°17'10" East, 106.79 feet; South 10°07'18" East, 16.35 feet; South 08°53'49" West, 40.84 feet to the point of beginning.









Class Cover Suit Area (CCSA) who are portioned Durbins amounts and parts of EPEC property

FOR REPRESENTATION PURPOSES ONLY. NOT TO BE CONSTRUED AS ACTUAL SIZE



BRILL	TITE
LITTEL	U
BRILL	Iron Hill Corp

URS Corporation fron Hill Corporate Center 4051 Ogletown Road, Suite 300 Newark, Delaware 19713 Phone: 302-781-5900 BARRIER MAINTENANCE PLAN
APPENDIX A - INSTITUTIONAL CONTROLS

ALLIS CHALMERS/DUPONT SITE OAK CREEK, WISCONSIN

18986417 BATE 8/29/14 FIGURE No:

A1

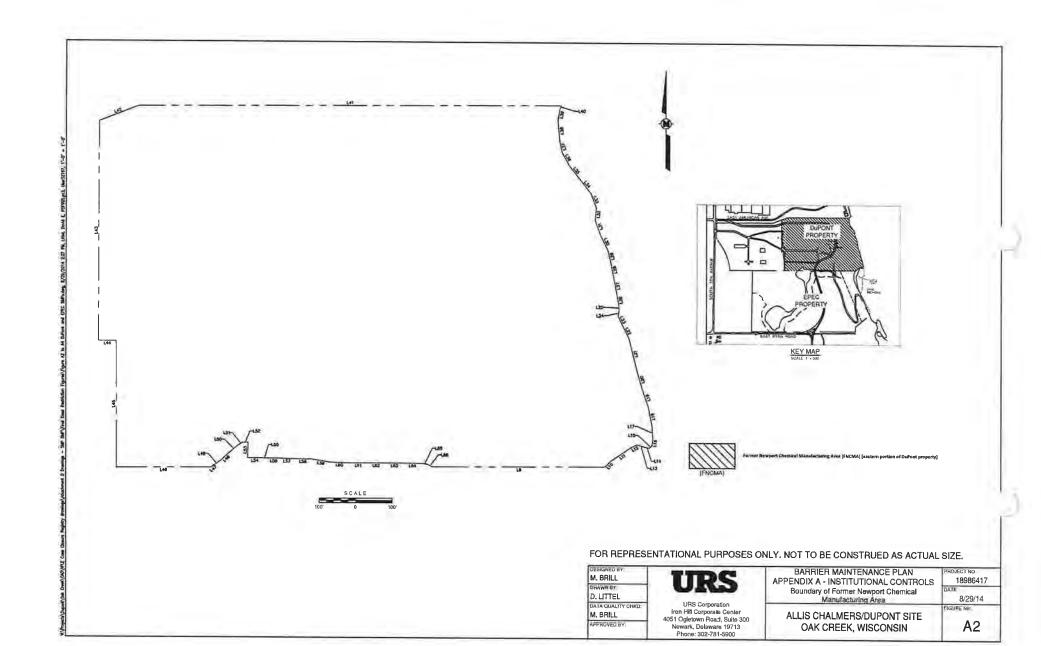


TABLE A2 - LINE AND CURVE TABLE FOR FIGURE A2

Line	and	Curve Table	
Line #/Curve #	Length	Bearing/Delta	Radius
L9	471.47	S89° 46' 15.65"W	
L10	22.28	S43' 13' 38.00"W	
L11	66.25	S55' 56' 46.00"W	
L12	18.72	S64° 44' 25.00"W	
L13	22.46	N73° 32' 04.00"W	
L14	12.54	N76° 56° 27.00"W	
L15	9.88	S47' 49' 08.00"W	
L16	16.89	S7" 55' 41.21"W	
L17	38.06	S3° 37′ 57.08″E	
L18	51.19	S10° 39' 09.32"E	
L19	53.64	S18° 51' 49.59"E	
L20	50.07	S16' 09' 48.38"E	
L21	95.27	S14" 04' 23.18"E	
L22	36.30	S26° 45' 07.38"E	
L23	30.34	S25" 12' 29.31"E	
L24	15.53	S10° 24' 17.60"W	
L25	11.80	S4" 41' 21.65"E	
L26	28.99	S9° 26' 01.04"E	1
L27	49.66	S11' 12' 32.24"E	
L28	40.11	S11" 13' 07.25"E	

Line	and (Curve Table	
Line #/Curve #	Length	Bearing/Delta	Rodius
L29	34.97	S12° 20' 33.55"E	1
L30	48.26	S25° 46' 51.38"E	
L31	43.02	S19° 41′ 12.37″E	
L32	33.97	S5° 13′ 55.82″W	
L33	42.79	S20° 47' 24.17"E	
L34	50.06	S37° 52' 56.82"E	
L35	46.85	S37° 22' 06.29"E	
L36	39.63	S28° 53' 31.94"E	
L37	30.76	S12° 06' 40.37"E	T
L38	57.86	S5° 22' 12.81"E	
L39	34.23	S9° 44′ 17.58″W	
L40	7.33	S29° 13′ 33.27″W	
L41	1156.82	N89° 43' 51.73"E	
L42	116.51	N69° 03' 51.73"E	
L43	600.77	NO' 00' 00.00"E	
L44	49.34	N90° 00' 00.00"W	
L45	347.29	NO" 00' 00.00"E	
L46	261.25	S89" 46' 15.65"W	
L47	3.75	S50° 49' 35.00"W	
L48	28.60	S53' 31' 51.00"W	

Line	and	Curve Table	
Line #/Curve #	Length	Bearing/Delta	Radius
L49	28.32	S47° 51' 45.00"W	,E=
L50	37.64	S50° 23′ 22.00″W	
L51	11.66	S59° 02' 10.00"W	
L52	15.00	N90° 00' 00.00"W	
L53	42.01	N1° 21' 50.00"E	
L54	39.00	N90° 00' 00.00"W	
L55	14.04	N85° 54' 52.00"W	
L56	36.00	N90° 00' 00.00"W	
L57	37.01	N88° 27' 07.00"W	
L58	50.01	N88° 51' 15.00"W	
L59	50.64	N80° 54' 35.00"W	
L60	50.04	N87° 42' 34.00"W	12.74
L61	50.00	N90° 00' 00.00"W	
L62	50.00	N90° 00' 00.00"W	
L63	50.00	N90° 00' 00.00"W	
L64	50.01	N88° 51' 15.00"W	
L65	16.12	N82° 52' 30.00"W	
L66	15.24	N58° 34' 14.00"W	

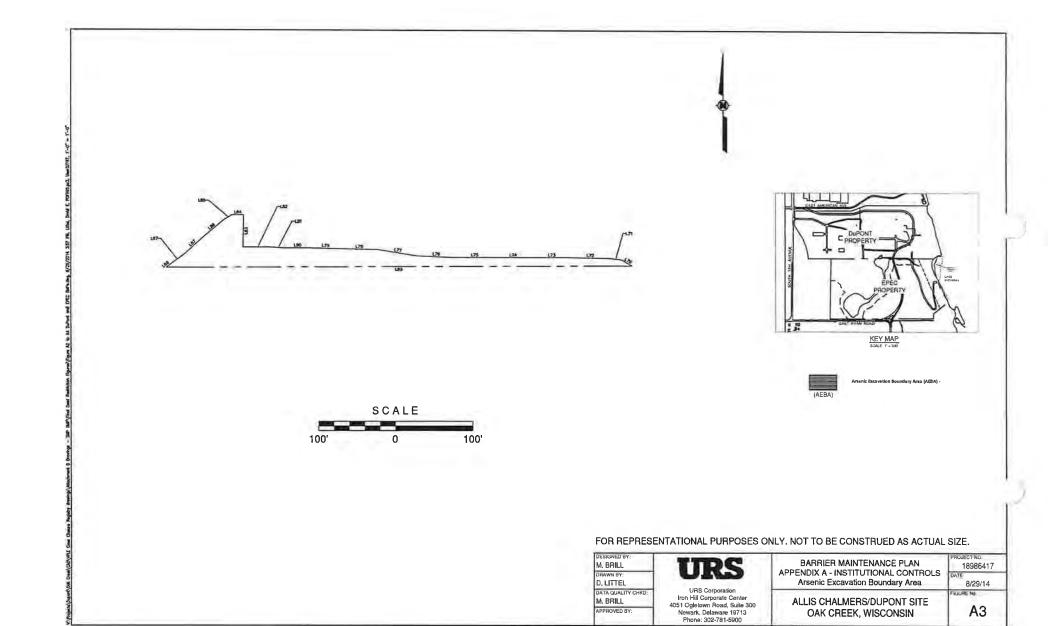


TABLE A3 - LINE AND CURVE TABLE FOR FIGURE A3

Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L67	28.60	N53° 31' 51.00"E	
L68	3.75	N50° 49' 35.00"E	
L69	604.91	S89° 46' 15.65"W	
L70	15.24	S58' 34' 14.00"E	
L71	16.12	S82° 52' 30.00"E	
L72	50.01	S88° 51' 15.00"E	
L73	50.00	N90° 00' 00.00"E	
L74	50.00	N90° 00' 00.00"E	
L75	50.00	N90° 00' 00.00"E	
L76	50.04	S87° 42' 34.00"E	
L77	50.64	S80° 54' 35.00"E	
L78	50.01	S88° 51' 15.00"E	
L79	37.01	S88° 27' 07.00"E	1
L80	36.00	N90° 00' 00.00"E	
L81	14.04	S85° 54′ 52.00″E	
L82	39.00	N90° 00' 00.00"E	
L83	42.01	S1° 21′ 50.00"W	
L84	15.00	N90° 00' 00.00"E	
L85	11.66	N59° 02' 10.00"E	
L86	37.64	N50° 23' 22.00"E	

Line and Curve Table			
Line #/Curve #	Length	Bearing/Delta	Radius
L87	28.32	N47° 51' 45.00"E	

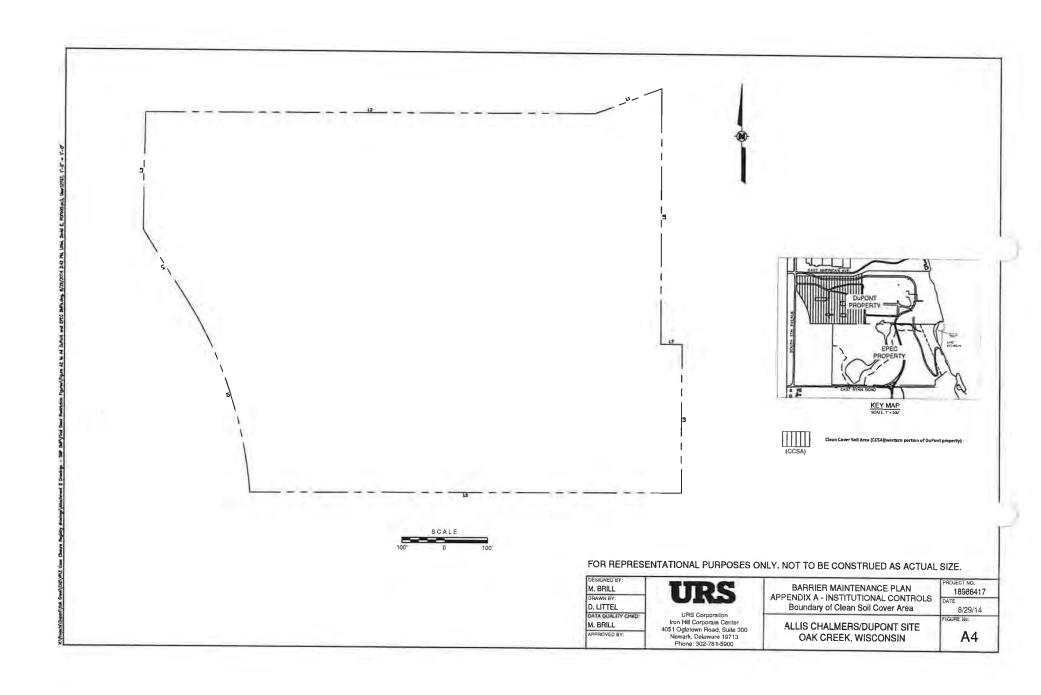


TABLE A4 - LINE AND CURVE TABLE FOR FIGURE A4

Line	e and (Curve Table	
Line #/Curve #	Length	Bearing/Delta	Radius
L1	166.95	N69° 03' 51.73"E	
L2	1053.26	N89° 43' 51.73"E	
L3	274.10	N0° 51′ 51.73″E	
L4	204.44	N32° 08' 08.27"W	
C1	468.04	27.93	960.00
L5	1009.40	S89° 46′ 15.65″W	
L6	347.29	S0° 00' 00.00"E	
L7	49.34	N90° 00' 00.00"E	
L8	600.77	S0° 00' 00.00"E	

A5

OAK CREEK, WISCONSIN