



# City of Madison

## Proposed Demolition

Location  
902 Dempsey Road

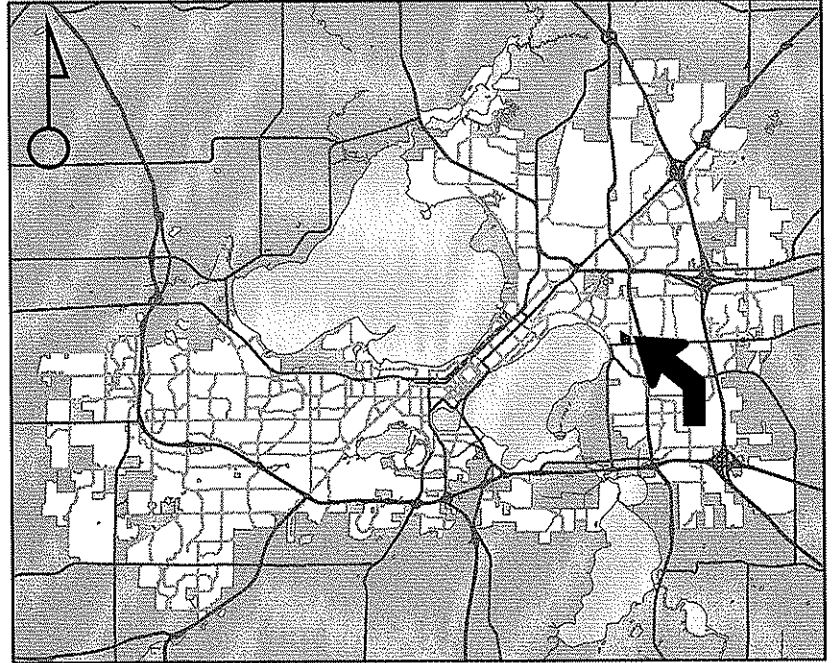
Project Name  
Royster-Clark Demolition

Applicant  
Darren Couture – Agrium U.S., Inc

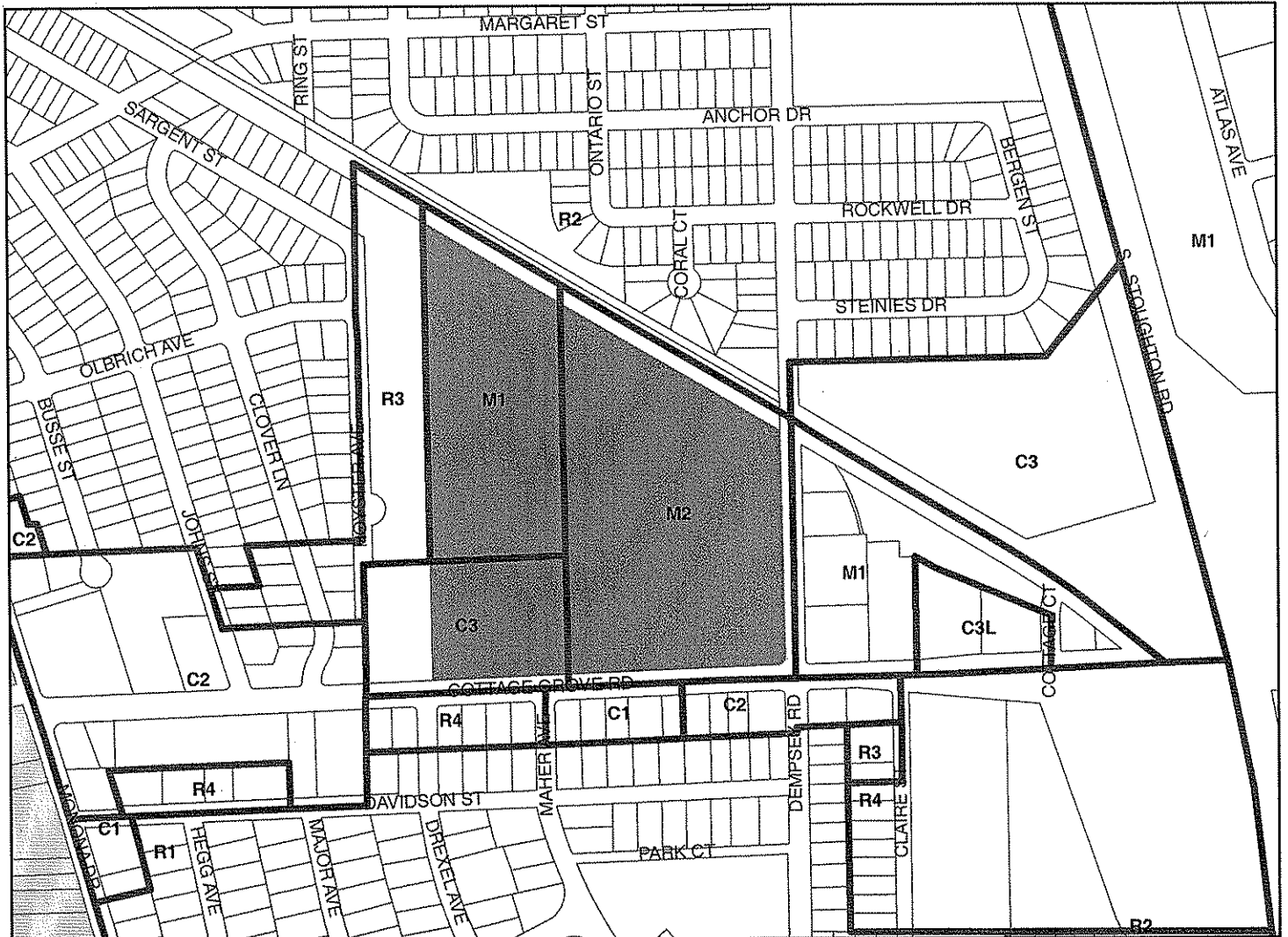
Existing Use  
Vacant Manufacturing Building

Proposed Use  
Demolish Buildings Associated with the Former Royster-Clark Facility. There is No Future Use Proposed for the Property.

Public Hearing Date  
Plan Commission  
03 November 2008



For Questions Contact: Heather Stouder at: 266-5974 or [hstouder@cityofmadison.com](mailto:hstouder@cityofmadison.com) or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 21 October 2008 //



# LAND USE APPLICATION Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100  
PO Box 2985; Madison, Wisconsin 53701-2985  
Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at [www.cityofmadison.com/planning/plan.html](http://www.cityofmadison.com/planning/plan.html)
- All zoning application packages should be filed directly with the Zoning Administrator's desk.
- All applications will be reviewed against the applicable standards found in the City Ordinances to determine if the project can be approved.

## FOR OFFICE USE ONLY:

Amt. Paid: \$550.00 Receipt No. 94390  
Date Received 8/19/08  
Received By SLK  
Parcel No. 0710 092-2506 4  
Aldermanic District 15-Larry Palm  
GQ OK  
Zoning District M2  
**For Complete Submittal**  
Application  Letter of Intent   
IDUP NA Legal Descript.   
Plan Sets  Zoning Text NA  
Alder Notification \_\_\_\_\_ Waiver \_\_\_\_\_  
Ngrbrhd. Assn Not. \_\_\_\_\_ Waiver \_\_\_\_\_  
Date Sign Issued \_\_\_\_\_

1. Project Address: 902 Dempsey Road Project Area in Acres: 26.6

Project Title (if any): ROYSTER CLARK DEMOLITION

2. This is an application for: (check at least one)

Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)

<input type="checkbox"/> Rezoning from _____ to _____	<input type="checkbox"/> Rezoning from _____ to PUD/PCD-SIP
<input type="checkbox"/> Rezoning from _____ to PUD/PCD-GDP	<input type="checkbox"/> Rezoning from PUD/PCD-GDP to PUD/PCD-SIP

Conditional Use     Demolition Permit     Other Requests (Specify): \_\_\_\_\_

### 3. Applicant, Agent & Property Owner Information:

Applicant's Name: DAREN COUTURE Company: AGRIUM U.S. INC.  
Street Address: 9613131 LAKE FRASER DRIVE SE City/State: Calgary AB Zip: T2J 7E8  
Telephone: (403) 225-7233 Fax: (403) 225-7626 Email: DCOUTURE@AGRIUM.COM

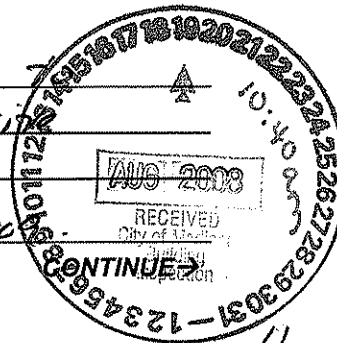
Project Contact Person: DAREN COUTURE Company: Agrium  
Street Address: 13131 LAKE FRASER DRIVE SE City/State: Calgary AB Zip: T2J 7E8  
Telephone: (403) 225-7233 Fax: (403) 225-7626 Email: dcouture@agrium.com

Property Owner (if not applicant): \_\_\_\_\_  
Street Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

### 4. Project Information:

Provide a general description of the project and all proposed uses of the site: Please Refer to NOTIFICATION OF DEMOLITION PERMIT for "ROYSTER CLARK" SITE

Development Schedule: Commencement Q4 2008 Completion Q3 2009



**5. Required Submittals:**

- Site Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:
  - **Seven (7) copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
  - **Seven (7) copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
  - **One (1) copy** of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper
- Letter of Intent: Twelve (12) copies** describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.
- Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor.
- Filing Fee: \$ 550<sup>00</sup>** See the fee schedule on the application cover page. Make checks payable to: *City Treasurer.*

**IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:**

- For any applications proposing demolition of existing (principal) buildings, photos of the structure(s) to be demolished shall be submitted with your application. Be advised that a *Reuse and Recycling Plan* approved by the City's Recycling Coordinator is required to be approved by the City prior to issuance of wrecking permits.
- A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate **INCLUSIONARY DWELLING UNIT PLAN** application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.
- A *Zoning Text* must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

**FOR ALL APPLICATIONS:** All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as **INDIVIDUAL** Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to [pcapplications@cityofmadison.com](mailto:pcapplications@cityofmadison.com). The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

**6. Applicant Declarations:**

- Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:
  - The site is located within the limits of Rayster Clark Special Area Plan, which recommends: TO BE DETERMINED for this property.

- Pre-application Notification:** Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:
  - List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices: Aug. 5/2008
  - LARRY Palm - July 30/08, Eastmoreland Community & Lake Edge Neighborhood Associations
  - If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.

- Pre-application Meeting with staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning Counter and Planning Unit staff; note staff persons and date.
  - Planner Michael Wardenich Date July 22/08 | Zoning Staff Matt Tucker Date July 22/08

**The signer attests that this form has been completed accurately and all required materials have been submitted:**

Printed Name DAVID COSTURA Date Sept. 5, 2008  
 Signature [Signature] Relation to Property Owner Owner Representative  
 Authorizing Signature of Property Owner [Signature] Date Sept. 5, 2008

**APPLICANT RESPONSE TO CONDITIONS FROM PLANNING DIVISION REPORT  
DATED 10-28-08**

**RECOMMENDATION**

If, after considering the comments of reviewing agencies and other materials in the Plan Commission packet, and hearing the testimony at the public hearing, the Plan Commission concludes that the concerns expressed regarding the proposed partial demolition on the Royster-Clark site can be satisfactorily addressed, the Planning Division recommends that the Plan Commission find that the demolition standards can be met and **approve** requested partial demolition of the buildings and other above-grade structures located at 902 Dempsey Road and 510 Cottage Grove Road, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies
2. Final demolition site plans that clearly indicate existing and post-demolition conditions shall be submitted for Planning Division staff approval prior to the issuance of a demolition permit. These plans must reflect the intent to remove all elevated non-concrete structures not specified in the permit application that would create a potential safety hazard if they remain on the site. These structures include, but may not be limited to:
  - The large propane tank located near the main granulation building (**included in RFP Package for demolition**).
  - The overhead conveyor apparatus located between the granulation building and the storage domes (**included in RFP Package for demolition**).

**All above ground structures to be removed, the only remaining items will be Concrete foundations.**

3. Prior to the issuance of a demolition permit, the applicant shall prepare a detailed plan for review by Wisconsin Department of Natural Resources staff ensuring that the demolition process will meet all applicable air quality regulations and standards related to asbestos, lead paint, and fertilizer residues that may be present in the buildings. At least ten days prior to any demolition activity, the applicant shall submit to the Wisconsin DNR staff a Notification of Demolition and/or Renovation form (Form 4500-113). This form can be found at the following link: <http://dnr.wi.gov/air/compenf/asbestos/asbes&a.htm> **NOTE: This is part of the RFP package to bidders and is a standard legal requirement for Demo contractors to engage the local regulatory agencies in advance of demolition work.**
4. The applicant shall submit a specific work plan to address the concerns identified by the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Natural Resources regarding the potential percolation of water through potentially contaminated soils beneath the existing structures. The work plan shall include, but may not be limited to, one or more of the following approaches:
  - A. The applicant shall complete the soil borings and testing of soil beneath all building floors that will be exposed to the weather by the demolition as required to determine the exact location and extent of any contamination beneath the buildings. This is the preferred option, as it would make the future full remediation of the site more efficient, and would also address Wisconsin Department of Natural Resources requirements to investigate the potential for contamination beneath existing structures before the State would assume liability for the site. **NOTE: There has been sampling in all accessible areas already. Our capping plan proposes**

**APPLICANT RESPONSE TO CONDITIONS FROM PLANNING DIVISION REPORT  
DATED 10-28-08**

**sampling in the below grade pits when they are accessible after building demolition.**

- i. Prior to beginning the soil borings, the applicant must first submit a soil boring work plan and timeline for approval by Wisconsin Department of Natural Resources and Wisconsin Department of Agriculture, Trade and Consumer Protection staff. **BT<sup>2</sup> will commit to doing this.**
  - ii. Where it is determined that no contamination (or an acceptable level of contamination) exists beneath the building, those floors may be left unprotected from the weather following the demolition of the building.
  - iii. For buildings beneath which unacceptable levels of contamination are found in the soils, the applicant shall, with the approval of the Wisconsin Department of Agriculture, Trade and Consumer Protection and Wisconsin Department of Natural Resources, either:
    - a. Remove all, or necessary portions of, the concrete building floors and all contaminated soil from the building site, fill the area with clean soil, and seed the area. This is the preferred option. Or
    - b. The applicant shall identify and effectively seal all cracks and fissures in concrete building floors through which rain water or melting snow could enter the soil beneath the building to ensure that infiltration cannot occur. **This can be done**
- B. If the location and extent of soil contamination under existing buildings remains unknown, the applicant shall identify and effectively seal all cracks and fissures in the concrete building floors of all buildings to be demolished beneath which any extent of soil contamination is either known to exist or reasonably-suspected based on available information. **This will be done.**
- C. The applicant may propose an acceptable alternative strategy to eliminate the potential that water may percolate through building floors and carry contaminants present in the soil beneath deeper toward the groundwater.

The work plan shall include a specific schedule to ensure that there will be a minimum time lag during which building floors will be exposed to the weather, but effective steps as described above to prevent water infiltration have not been implemented. If partial demolition is required in order to provide access to building interiors for soil boring equipment, it is recommended that this demolition not include portions of the roof to the extent feasible. . **Sampling and analysis can be done onsite with "real-time" data. A plan can be in place to take one action if samples contain an acceptable concentration of nitrogen or a different action if samples contain an unacceptable concentration of nitrogen.**

The work plan shall be approved by staff of the City Planning Division and Building Inspection Division, the Wisconsin Department of Agriculture, Trade and Consumer Protection, and the Wisconsin Department of Natural Resources prior to the issuance of a demolition permit.

5. Regardless of the approaches selected to meet Condition No. 4 as applied to the other building floors, soil conditions beneath the large below-grade pit in the main building shall

**APPLICANT RESPONSE TO CONDITIONS FROM PLANNING DIVISION REPORT  
DATED 10-28-08**

be thoroughly tested to determine the extent of possible contamination. If there is soil contamination beneath or in near proximity to the pit, the proposed solution of cracking the concrete floor of the pit to allow water to drain out shall not be implemented; and in no case shall water be allowed to accumulate in the pit. The pit is an attractive nuisance that will become more accessible when the building is removed regardless of the intended additional fencing, and staff consider the removal of the pit structure entirely, removal of any contaminated soils, and filling the hole to be the best approach. Alternatively, the applicant shall provide another solution that prevents unauthorized access to the pit, prevents water from accumulating in the pit, and prevents water from percolating through the floor of the pit into any soils that have not been determined to be free of unacceptable contamination. The plan for dealing with the pit shall also be approved by staff of the City Planning Division and Building Inspection Division, the Wisconsin Department of Agriculture, Trade and Consumer Protection, and the Wisconsin Department of Natural Resources prior to issuance of a demolition permit. **BT<sup>2</sup> recommends that the pit be filled regardless of the contamination concentrations to eliminate the attractive nuisance. The compacted clay cap could be eliminated to save costs should soil below the pits be determined to be "clean".**

6. A Reuse and Recycling Plan shall be reviewed by Planning Division staff and approved by the City of Madison Recycling Coordinator prior to the issuance of a demolition permit. **NOTE: Reuse & recycling plan will be provided by approved demolition contractor.**
7. If the plans as required in Condition Nos. 2, 4, 5, and 6 are not submitted within 90 days of Plan Commission approval of the demolition permit, or the demolition permit is not obtained within 180 days, or the requested partial demolition is not completed within 360 days of Plan Commission approval of the permit, this approval shall be null and void. **NOTE: Please clearly indicate to whom (which person) the data related to Conditions 2, 4, 5 & 6 are to be submitted to, and the process to validate receipt & acceptance of said conditions.**
8. Outstanding notices from the City of Madison Building Inspection Division to repair and secure the existing fence around the property shall be completed and approved prior to issuance of a demolition permit, and before December 1, 2008 in any case. The repairs are intended both to secure the site and to present an attractive appearance by replacing or repairing loose or damaged fence components (fence fabric, posts, rails, gates, etc.). This fence shall be maintained in a sound and attractive condition until such time as the site is redeveloped and/or the demolition is completed and the site restored. **NOTE: Please provide the specific issue related to fencing which is of concern. I have not received any notice of fencing issues since Jan, 2008. We repaired several areas of the entire perimeter fencing in March, 2008.**
9. The applicant shall designate a local property representative for the site who will be responsible for **communicating maintenance requirements at** the site and responding in a timely manner to complaints or citations regarding site conditions from City staff. **City Staff need to send any notices directly to Daren Couture (Owner representative) via e-mail to dcouture@agrium.com.** This requirement is in response to difficulties with representatives of the current property owner ensuring timely response to day-to-day management issues when no one close to the site has authority to take the necessary actions.

**APPLICANT RESPONSE TO CONDITIONS FROM PLANNING DIVISION REPORT  
DATED 10-28-08**

10. A second demolition permit will be required at a future time for the removal of concrete building floors, foundations and other above-grade structures, surface parking lots and other pavement, the rail spurs, and other infrastructure remaining on the site after the present partial demolition. The second permit application will be reviewed for consistency with all the requirements of Section 28.12(12). **NOTE: This permit will very likely be obtained by a Buyer of the property.**
11. **The Owner (Agrium U.S. Inc.) shall make reasonable commercial efforts to market the property for sale to prospective buyers upon issuance of the first partial demolition permit by the City. If after 36 months from the date of issuance of the first partial demolition permit, the property has not been sold and there are no formal purchase offers under consideration by Agrium or purchase and sale transactions under negotiation, and at the end of such 36 month period Agrium is not been making reasonable efforts to attempt to sell the property, Agrium shall then, within a reasonable period of time, make application for the necessary permits to remove all remaining building floors, foundations and other above grade structures, surface parking lots and other pavement, the rail spurs and other infrastructure remaining on the site, and restore the site as required to adequately prevent erosion. The second demolition permit application will be reviewed for consistency with all the requirements of Section 28.12(12).**





October 22, 2008

Mr. Rick Graham  
WDATCP, Environmental Quality Section  
P.O. Box 8911  
Madison, WI 53708-8911

**SUBJECT: Concrete Pit Cover Design  
Royster-Clark Madison Property  
WDATCP #02402110601  
BRRS #06-13-550137  
BT<sup>2</sup> Project #3234**

Dear Mr. Graham:

The purpose of this letter is to propose an engineered cover for a portion of the main building at the Royster-Clark Madison site. A large portion of the north end of this building contains large material storage vaults or pits. The pits are constructed with concrete and are currently empty with the exception of wood walls that separate some areas of the pits. It is suspected that nitrogen is present in the soil below the pits, however, the presence of contamination below the pits has not been confirmed because the pits have been inaccessible for sampling.

Agrium US, Inc. (Agrium), has applied to the City of Madison for a permit to demolish the site buildings. Agrium wishes to remove the buildings while leaving concrete slabs and foundations in place. While there is documented soil contamination below several site buildings, we believe that at-grade concrete slabs will continue to serve as an adequate infiltration barrier to prevent further groundwater contamination. However, the concrete pits in the main building will collect water in the absence of the building structure and allow water to permeate through cracks and seams. If there is contaminated soil below the concrete pits, the permeating water could lead to additional groundwater contamination.

To prevent additional groundwater contamination as a result of building demolition, we propose the following actions for the concrete pit area of the main building:

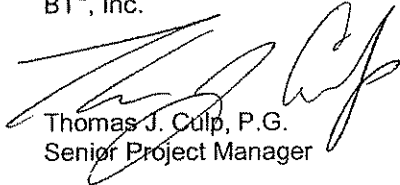
- Demolish the building and all concrete structures down to the site ground surface.
- Conduct soil borings and soil sampling through the bottom of the concrete pits and below the concrete floors of the loading dock level of the building to determine the degree and extent of soil contamination prior to backfilling. If soil below the loading dock level of the building is contaminated, the final location will be documented for future remediation.
- Place soil from loading dock level into concrete pits.
- Fill pits to ground surface with imported general fill.
- Install an engineered cover over the pit area. The cover will consist of 12" of compacted clay and 4" of topsoil. The entire cover will be graded to slope approximately 2% away from the center to promote surface runoff. Vegetation will be planted over the cap to stabilize the topsoil layer to prevent erosion.
- Continue semiannual groundwater monitoring program to ensure the cap is effective.

The proposed cover design is shown on **Figure 1**. The cover will prevent infiltration of water into the concrete pits and thus prevent additional groundwater contamination in the same way the building roof does now.

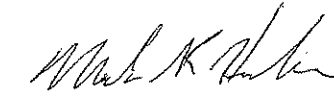
Mr. Rick Graham  
October 22, 2008  
Page 2

If you have any questions regarding this proposed cover design, please contact us at (608) 224-2830.

Sincerely,  
BT<sup>2</sup>, Inc.



Thomas J. Culp, P.G.  
Senior Project Manager

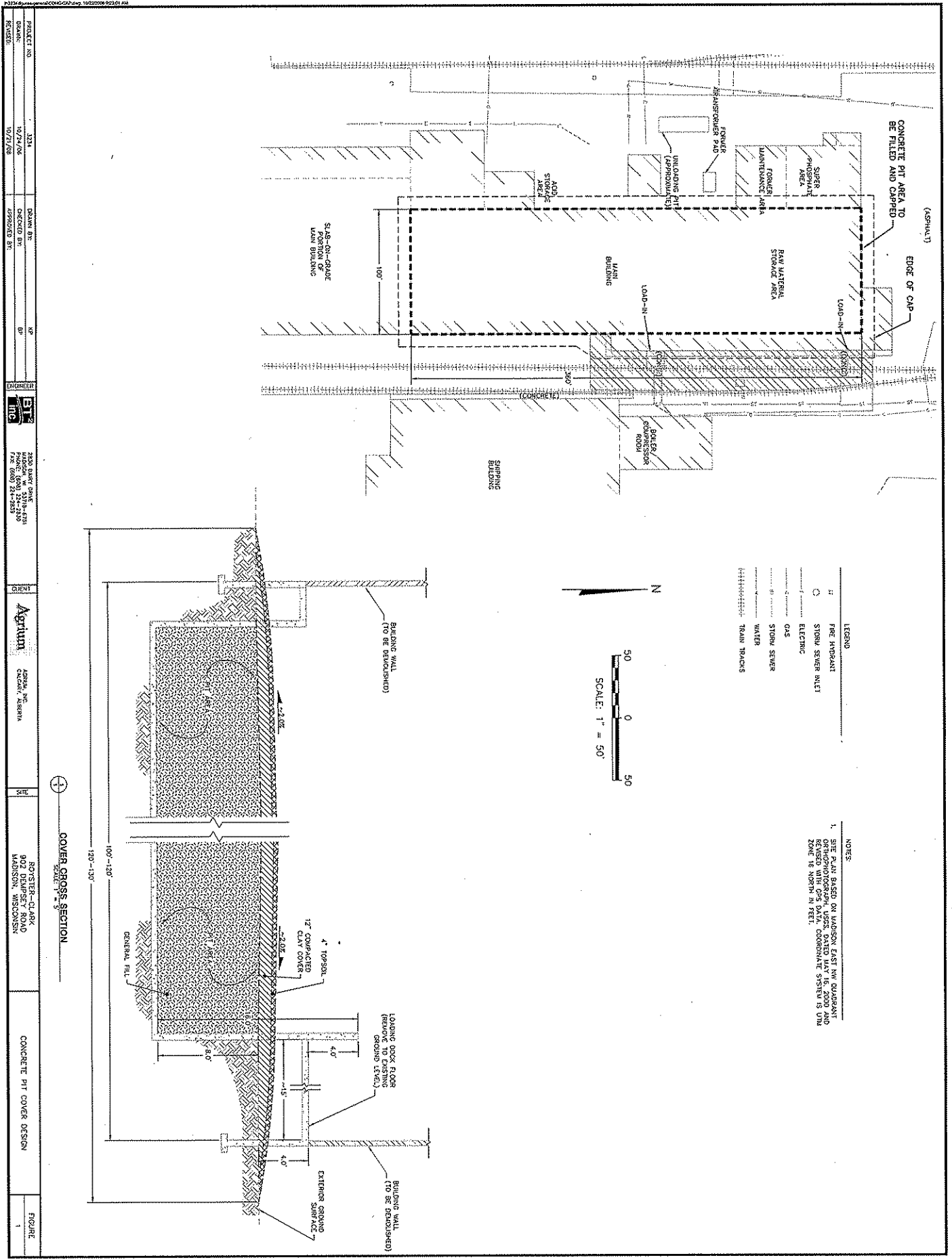


Mark R. Huber, P.E.  
Principal, Senior Engineer

Enclosures: Figure 1 – Concrete Pit Cover Design

cc: Wendell Wojner, WDNR  
Daren Couture, Agrium US, Inc.

SMS/TJC  
i:\3234\correspondence - agency\graham\_capping\_plan\_081021\_ltr.doc



LEGEND

⊕	FIRE HYDRANT
○	STORM SEWER INLET
—	ELECTRIC
—	GAS
—	STORM SEWER
—	WATER
	TRAIN TRACKS

NOTES

1. SITE PLAN BASED ON WABSON EAST NW QUADRANT ORTHOPHOTOREPAIR, USED, DATED MAY 16, 2000 AND ZONE 15 NORTH 48 FEET.

COVER CROSS SECTION  
SCALE: 1" = 50'

PROJECT NO.	1214	DRAWN BY:	DR
DATE:	10/27/06	CHECKED BY:	DR
REVISED:	10/27/08	APPROVED BY:	
2320 SAWYER DRIVE MADISON, WISCONSIN 53718-4200 FAX: (608) 224-2853			
CLIENT:	Agrium	DESIGN BY:	3HS
902 DENVER ST MADISON, WISCONSIN		ROYSTER-CLARK 902 DENVER ROAD MADISON, WISCONSIN	
CONCRETE PIT COVER DESIGN			FIGURE 1

## **Attachment "C" – Post Demolition Site Conditions "Site Plan"**

### **Revised October 21, 2008**

#### General

The Post Demolition Site plan will be consistent with current Site Plan layout as it pertains to all concrete foundations on the site. All Above Grade / Above Slab concrete will remain intact. All open pits (including Main Below Grade Pit in center of Granulation Building) will be filled with to grade with clean fill material and capped by an engineered clay cap to prevent infiltration of surface water through potentially contaminated soil.

#### Main Granulation / Storage Building

All concrete foundations will remain intact, this structure will have concrete At Grade as well as Above Grade (Slab) at 4' above Grade in different locations within the layout of the area.

The Main Below Grade Pit located in the Storage area of the building covers an area of app: 300 ft x 96 ft with a 4 ft Slab surrounding a 16 ft deep pit area. This walls around this pit will be taken down to grade, the pit will filled with clean fill material, and the area will be capped by an engineered clay cap to prevent surface water infiltration.

A Profile of the below Grade bins (Main Pit Area) and the engineered cap plan is attached for reference as Attachment "D"

#### Office Building

The concrete foundation of this building are at Grade and no above Grade concrete are present at this location.

#### Shop Building (Located north of the office building)

The concrete foundation of this building are at Slab (4' above grade).

#### Storage Building (Finished Goods east side of rail spur)

The concrete foundation of this building are at Slab (4' above grade) with a small portion being at Grade (located at the south end of the building).

#### Storage Domes

The concrete foundations of these structures are at Grade, the concrete walls (8' above Grade will be removed, crushed and used as fill material on site).

Existing Storm Water and Drainage infrastructure and site grading will remain intact.

Existing perimeter security fencing and gates will remain intact.

All existing pavement & driveways will remain intact and act a Cap until environmental remediation commences.



**Agrium U.S. Inc.**  
c/o 13131 Lake Fraser Drive S.E.  
Calgary, AB T2J 7E8  
Telephone (403) 225-7000  
Direct (403) 225-7233  
Fax (403) 225-7626

Daren J. Couture  
Manager, Asset Recovery

September 5, 2008

City Of Madison  
Madison Municipal Building  
215 Martin Luther King, Jr. Blvd  
Madison WI, 53701-2985  
USA

Attention: Matt Tucker

**Re: Demolition Permit application for "Royster Clark" Site**

This letter is intended to support the requirement of the Land Use Application for the Demolition of the "Royster Clark" site demolition of all above ground/above grade structures located on the site located at 902 Dempsy Road, Madison WI.

The structure(s) details are identified on the attached "ALTA / ACSM Land Title Survey", provided as the Site Plan. Also attached to this permit application are:

- Attachment "A": Legal description of the 4 parcels of land commonly known as the "Royster Clark" site.
- Attachment "B": Photographs of the structures to be demolished.
- Attachment "C": Post Demolition Site Plan.
- Attachment "D": Profile of Bins (Main Pit Area)

The Facility was closed in September 2006 and has been abandoned since then. The main storage granulation building is unsafe and has been identified a safety hazard. There have been several cases of illegal access, criminal activity on the site and entrance to the Buildings. There is a high risk of personal injury from the illegal access. By removing the buildings from the site we will eliminate a high risk safety hazard to persons in the area and a reason for persons to illegally access the site.

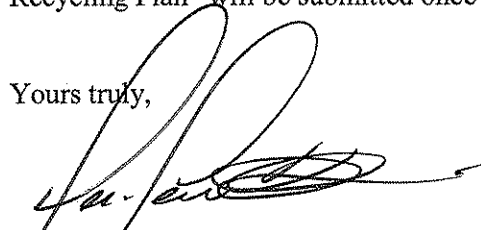
The buildings also have been identified as a major deterrent to prospective Buyers (specifically the Granulation facility). We could also better prepare the site for sale to any prospective Buyers for re-development by eliminating a major deterrent to purchase the property. No Landscaping plan is submitted as part of this application as it is not applicable to the intent.

Due to the unique nature of this Heavy Industrial facility and its historic use, the Owner (Agrium U.S. Inc.) will be working with any/all prospective Buyers to ensure that an appropriate environmental remediation plan is executed as part of any sale of the property. Included in any sale agreement will be the requirement for remediation with approval by the Wisconsin Department of Natural Resources (WDNR). To ensure there is no //

possibility of new contamination to the property, the concrete currently on the property needs to remain as a Cap until a re-development plan, approved by the City, is submitted to the WDNR for approval. The condition of remediation as part of any sale will ensure the requirement of an additional Land Use Application Permit from the Buyer to complete the Demolition of Grade and below grade concrete.

Daren Couture will be "Owner Representative" responsible for the execution of the Demolition activities. All demolition will be conducted by a credible, licensed and experienced Demolition Contractor meeting strict approval criteria established by the Owner, ensuring compliance to all applicable laws. A Demolition contract will not be awarded in advance of a Demolition Permit being received from the City of Madison. A "Re-Use & Recycling Plan" will be submitted once a Demolition contract is awarded.

Yours truly,



Daren J. Couture  
CMIR, C.P.M., CPIM, CIRM  
Manager, Asset Recovery

Attachments a/s

cc: Lisa Parker

**Attachment "A"**  
**Legal Description of Royster Clark site.**  
**Madison WI**

**PARCEL I:** Part of Lot 1, Certified Survey Map No. 4780, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 21 of Certified Survey Maps, Pages 124-126, as Document No. 1904179, located in the City of Madison, Dane County, Wisconsin, more fully described as follows: Commencing at the Northeasterly most corner of said Lot 1, Certified Survey Map No. 4780; thence South 01° 22' 50" East, along the West line of Dempsey Road, 197.04 feet to the point of beginning of this description; thence continuing South 01° 22' 50" East, along the West line of Dempsey Road, 503.00 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet and a long chord subtended bearing South 42° 58' 37.5" West, 34.96 feet to the North line of Cottage Grove Road; thence South 87° 20' 05" West, along the North line of Cottage Grove Road, 516.10 feet to the Easterly line of Lot 2, Certified Survey Map No. 4780; thence North 01° 33' 58" West, along the East line of said Lot 2 extended, 789.65 feet; thence North 88° 26' 02" East, 90.07 feet; thence South 01° 33' 58" East, 69.45 feet; thence North 88° 25' 10" East, 252.77 feet; thence South 01° 34' 50" East, 31.64 feet; thence North 88° 25' 10" East, 40.50 feet; thence South 01° 34' 50" East, 60.10 feet; thence South 88° 25' 10" West, 21.33 feet; thence South 01° 41' 37" East, 90.33 feet; thence North 88° 33' 30" East, 179.93 feet to the point of beginning.

Tax Parcel No. 251/0710-092-2506-4  
Address Per Tax Roll: 902 Dempsey Road

**PARCEL II:** Part of Lot 2, Certified Survey Map No. 4780, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 21 of Certified Survey Maps, Pages 124-126, as Document No. 1904179, located in the City of Madison, Dane County, Wisconsin, more fully described as follows: Beginning at the Southeasterly most corner of said Lot 2 of Certified Survey Map No. 4780; thence South 87° 20' 05" West along the North line of Cottage Grove Road, 50.00 feet; thence North 33° 30' 15" West, along the West line of said Lot 2, 425.35 feet; thence North 01° 33' 58" West, along the West line of said Lot 2, 355.00 feet; thence North 88° 26' 02" East, along the North line of said Lot 2, 143.00 feet; thence South 05° 51' 35" East, 33.78 feet; thence South 85° 18' 28" East, 43.05 feet; thence North 27° 12' 42" East, 43.79 feet; thence North 88° 26' 02" East, 65.60 feet to the East line of said Lot 2, Certified Survey Map No. 4780; thence South 01° 33' 58" East, along the East line of said Lot 2, Certified Survey Map No. 4780, 715.00 to the point of beginning.

Tax Parcel No. 251/0710-092-2504-8  
Address Per Tax Roll: 510 Cottage Grove Road

**PARCEL III:** Part of Lot 1, Certified Survey Map No. 4780, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 21 of Certified Survey Maps, Pages 124-126, as Document No. 1904179, located in the City of Madison, Dane County, Wisconsin, more fully described as follows: Commencing at the Northeasterly most

corner of said Lot 1, Certified Survey Map No. 4780; thence South 01° 22' 50" East, along the West line of Dempsey Road, 700.04 feet; thence along the arc of a curve to the right, having a radius of 25 feet and a long chord subtended bearing South 42° 58' 37.5" West 34.96 feet to the North line of Cottage Grove Road; thence South 87° 20' 05" West, along the North line of Cottage Grove Road, 566.10 feet to the point of beginning; thence South 87° 20' 05" West, along the North line of Cottage Grove Road, 492.84 feet; thence North 01° 18' 28" West, 725.42 feet; thence North 88° 26' 02" East, 264.47 feet to the West line of Lot 2, Certified Survey Map No. 4780; thence South 01° 33' 58" East, along the West line of said Lot 2, 355.00 feet; thence South 33° 30' 15" East, along the West line of said Lot 2, 425.35 feet to the point of beginning.

Tax Parcel No. 251/0710-092-2505-6  
Address Per Tax Roll: 406 Cottage Grove Road

**PARCEL IV:** Part of Lots 1 and 2, Certified Survey Map No. 4780, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 21 of Certified Survey Maps, Pages 124-126, as Document No. 1904179, located in the City of Madison, Dane County, Wisconsin, EXCEPT land conveyed by Warranty Deed recorded in Volume 7650 of Records, Page 1, as Document No. 1915731; ALSO EXCEPT the following described parcels:

(1) Part of Lot 1, Certified Survey Map No. 4780, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 21 of Certified Survey Maps, Pages 124-126, as Document No. 1904179, located in the City of Madison, Dane County, Wisconsin, more fully described as follows: Commencing at the Northeasterly most corner of said Lot 1, Certified Survey Map No. 4780; thence South 01° 22' 50" East, along the West line of Dempsey Road, 197.04 feet to the point of beginning of this description; thence continuing South 01° 22' 50" East, along the West line of Dempsey Road, 503.00 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet and a long chord subtended bearing South 42° 58' 37.5" West, 34.96 feet to the North line of Cottage Grove Road; thence South 87° 20' 05" West, along the North line of Cottage Grove Road, 516.10 feet to the Easterly line of Lot 2, Certified Survey Map No. 4780; thence North 01° 33' 58" West, along the East line of said Lot 2 extended, 789.65 feet; thence North 88° 26' 02" East, 90.07 feet; thence South 01° 33' 58" East, 69.45 feet; thence North 88° 25' 10" East, 252.77 feet; thence South 01° 34' 50" East, 31.64 feet; thence North 88° 25' 10" East, 40.50 feet; thence South 01° 34' 50" East, 60.10 feet; thence South 88° 25' 10" West, 21.33 feet; thence South 01° 41' 37" East, 90.33 feet; thence North 88° 33' 30" East, 179.93 feet to the point of beginning.

(2) Part of Lot 2, Certified Survey Map No. 4780, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 21 of Certified Survey Maps, Pages 124-126, as Document No. 1904179, located in the City of Madison, Dane County, Wisconsin, more fully described as follows: Beginning at the Southeasterly most corner of said Lot 2 of Certified Survey Map No. 4780; thence South 87° 20' 05" West along the North line of Cottage Grove Road, 50.00 feet; thence North 33° 30' 15" West, along the West line of said Lot 2, 425.35 feet; thence North 01° 33' 58" West, along the West line of said Lot 2, 355.00 feet; thence North 88° 26' 02" East, along the North line of said



Lot 2, 143.00 feet; thence South 05° 51' 35" East, 33.78 feet; thence South 85° 18' 28" East, 43.05 feet; thence North 27° 12' 42" East, 43.79 feet; thence North 88° 26' 02" East, 65.60 feet to the East line of said Lot 2, Certified Survey Map No. 4780; thence South 01° 33' 58" East, along the East line of said Lot 2, Certified Survey Map No. 4780, 715.00 to the point of beginning.

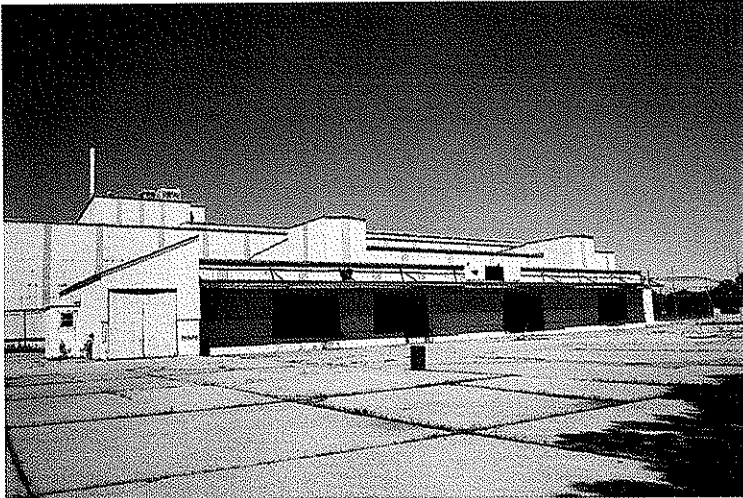
(3) Part of Lot 1, Certified Survey Map No. 4780, recorded in the Office of the Register of Deeds for Dane County, Wisconsin, in Volume 21 of Certified Survey Maps, Pages 124-126, as Document No. 1904179, located in the City of Madison, Dane County, Wisconsin, more fully described as follows: Commencing at the Northeasterly most corner of said Lot 1, Certified Survey Map No. 4780; thence South 01° 22' 50" East, along the West line of Dempsey Road, 700.04 feet; thence along the arc of a curve to the right, having a radius of 25 feet and a long chord subtended bearing South 42° 58' 37.5" West 34.96 feet to the North line of Cottage Grove Road; thence South 87° 20' 05" West, along the North line of Cottage Grove Road, 566.10 feet to the point of beginning; thence South 87° 20' 05" West, along the North line of Cottage Grove Road, 492.84 feet; thence North 01° 18' 28" West, 725.42 feet; thence North 88° 26' 02" East, 264.47 feet to the West line of Lot 2, Certified Survey Map No. 4780; thence South 01° 33' 58" East, along the West line of said Lot 2, 355.00 feet; thence South 33° 30' 15" East, along the West line of said Lot 2, 425.35 feet to the point of beginning.

Tax Parcel No. 251/0710-092-2502-2  
Address per Tax Roll: 802 Dempsey Road

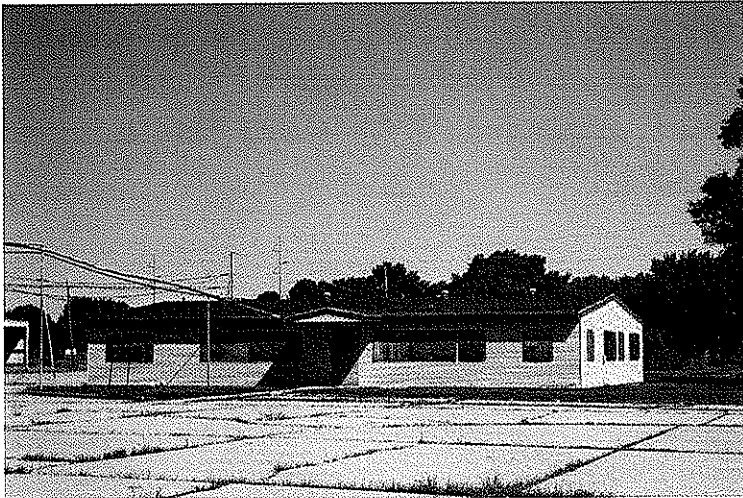
**PARCEL V:** Non-exclusive ingress and egress easement for the benefit of Parcel II created by Warranty Deed from Royster Company, as grantor, to Madison Gas and Electric Company, as grantee, dated December 27, 1985, in Volume 7650 of Records, Dane County, Wisconsin, page 1, as Document NO. 1915731.

**END**

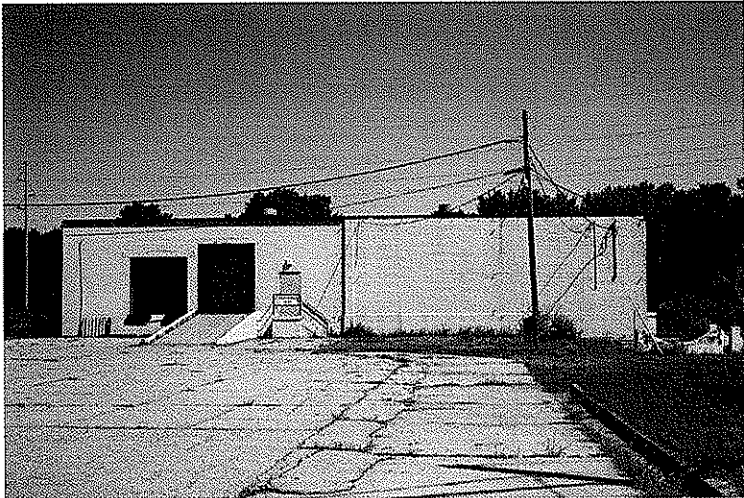
**Attachment "B" - Photos**



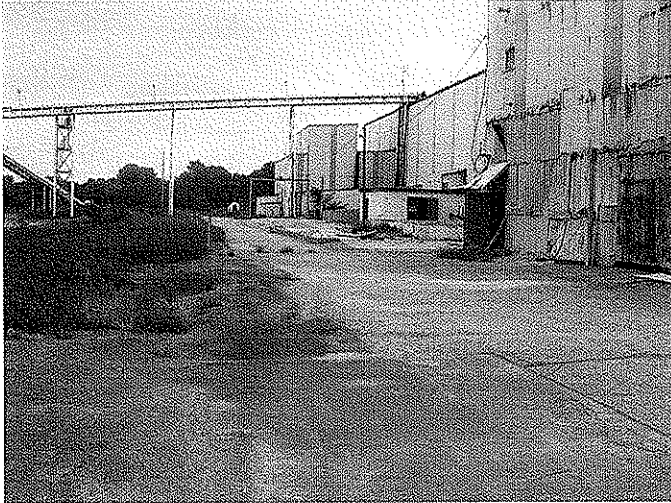
Storage Building with Granulation Building in background



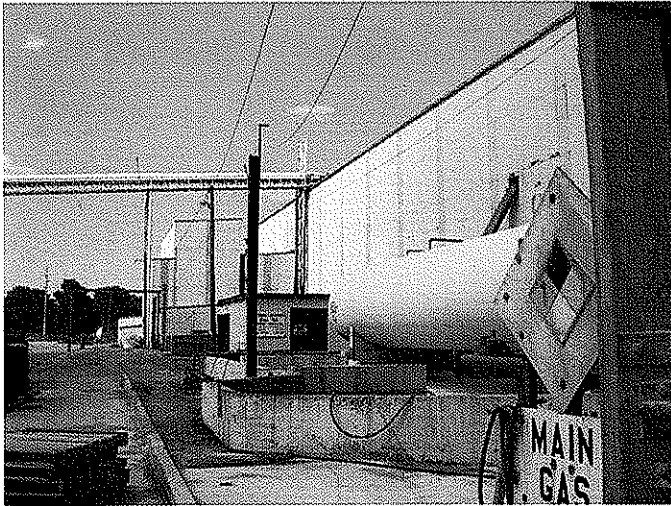
Office Building



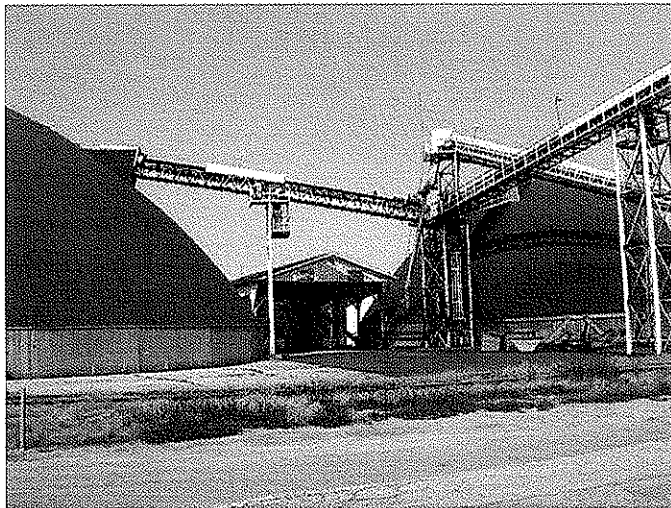
Shop Building



Granulation Building



Granulation Building



Storage Domes

## **Attachment “C” – Post Demolition Site Conditions “Site Plan”**

### General

The Post Demolition Site plan will be consistent with current Site Plan layout as it pertains to all concrete foundations on the site. All Above Grade / above Slab concrete will remain intact, all open pits (excluding Main below grade Pit in center of Granulation Building) will be cracked for drainage and filled to grade or slab (as applicable) will clean fill material.

### Main Granulation / Storage Building

All concrete foundations will remain intact, this structure will have concrete at Grade as well as above Grade (Slab) at 4' above Grade in different locations within the layout of the area.

The Main below Grade Pit located in the Storage area of the building covers an area of app: 300 ft x 96 ft with a 4 ft Slab surrounding a 16 ft deep pit area. This pit will be cracked for drainage. This area will be secured with security fencing 6-8 ft high and barbwire top for added security. A Profile of the below Grade bins (Main Pit Area) is attached for reference as Attachment “D”

### Office Building

The concrete foundation of this building are at Grade and no above Grade concrete are present at this location.

### Shop Building (Located north of the office building)

The concrete foundation of this building are at Slab (4' above grade).

### Storage Building (Finished Goods east side of rail spur)

The concrete foundation of this building are at Slab (4' above grade) with a small portion being at Grade (located at the south end of the building).

### Storage Domes

The concrete foundations of these structures are at Grade, the concrete walls (8' above Grade will be removed, crushed and used as fill material on site).

Existing Storm Water and Drainage infrastructure and site grading will remain intact.

Existing perimeter security fencing and gates will remain intact.

All existing pavement & driveways will remain intact and act a Cap until environmental remediation commences.

# Attachment "D"

## Profile of Bins (below grade) Main Storage building

