

April 14, 1996

Mr. Duane Heaton
Remedial Project Manager
U.S. Environmental Protection Agency, Region V
77 West Jackson Blvd., (5HSRL-6J)
Chicago, Illinois 60604

Re: Survey of the Shirey Property
Lakeland Disposal Landfill; Claypool, Indiana

Dear Mr. Heaton:

At the request of the USEPA, the Lakeland Disposal Respondents (Respondents) contracted a licensed surveyor to locate the northern boundary of the Shirey property which abuts the southern edge of the Lakeland Disposal Site in Claypool, Indiana. At issue is whether any of the remedial components required for the Lakeland Disposal Site (e.g., landfill cap, slurry wall) will need to be installed on the Shirey property and thus necessitate execution of deed restrictions for the Shirey property.

The survey work was performed by John Stephens, R.L.S on January 25, 1996. The survey results are attached for your reference. As indicated by the survey results, the northern boundary of the Shirey property is exactly even with the existing farmers fence that forms the southern boundary of the Lakeland Disposal Site. The proposed remedial components will be located to the north of the existing farmers fence. Thus, no portions or sections of the remedial components will need to be installed on the Shirey property.

Based on the survey results and the proposed position of the remedial components, deed restrictions should not be necessary for the Shirey property to ensure the protection of the remedial components and to prevent exposure to potentially impacted soils or groundwater. However, as indicated in the Preliminary Design Report which was submitted to the USEPA on February 20, 1996, a portion of the Shirey property has been identified as a potential area for creating replacement wetlands under the required wetlands mitigation plan. If a portion of the Shirey property is utilized for wetlands creation under the wetlands mitigation plan, then some type of access agreement and/or deed restrictions may be necessary. The Respondents will continue to work with the USEPA regarding any access agreements and/or deed restrictions that may be required for the Shirey property as progress is made on developing the wetlands mitigation plan.



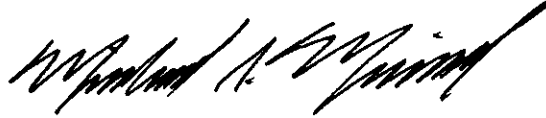
April 14, 1996

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If you should have any questions or comments regarding this information, please do not hesitate to contact the undersigned at (414) 277-6213.

Sincerely,

GERAGHTY & MILLER, INC.



Michael S. Maierle, P.E.
Senior Engineer/Project Manager

cc: B. Wester - USEPA
B. Schaible - IDEM
D. Tripp - Dykema Gossett
D. Schiemann - GM
C. Walczak - AES
P. Webb - UTA
T. Olechiw - UTA
L. Wurster - Dana
M. Armey - Lemon, Reed
C. Corbin - Eaton
J. Sullivan - Baker, Hostetler

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JOHN H. STEPHENS R.L.S., INC.
134 South Wabash Street
Wabash, Indiana 46992
(219) 563-4467

The scope of this survey was to re-establish a common boundary between tracts of land as recorded in deed record 338, page 254 and in deed record 279, page 277 in the office of the Recorder of Kosciusko County, Indiana situated from County Road 450 West to the open ditch (not depicted on the plat of survey). A survey completed by Herbert A. Underwood, dated April 19, 1974 (on file in said Recorder's Office), was used as a reference for the within survey. The following report and attached plat of survey are intended to represent a retracement survey.

SURVEYOR'S REPORT

In accordance with 865 Indiana Administrative Code (IAC) 1-12, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- a) Variances in the reference monuments;
- b) Discrepancies in record descriptions and plats;
- c) Inconsistencies of active lines of occupation and;
- d) Random Errors in Measurement (Theoretical Uncertainty);

The Theoretical Uncertainty (due to random errors in measurement) of the subject tract established this survey is within the specifications for a Class C Survey (0.50 Feet) as defined in 865 IAC.

Section corners and/or stones of record found or established by monuments of modern origin or proportional measurement will be labeled as "Title Corners" on the plat of survey and are subject to undiscovered evidence regarding the true location of said corners. Note that the uncertainty which surrounds a "Title Corner is inherently passed to any parcel corner dependent upon the position of the corner of record. "UNCERTAINTY" of "TITLE CORNERS" is not readily determinable or unknown and therefore will not be addressed in this report.

In regard to "Inconsistencies of active lines of occupation", point c) above: active refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore portions of the occupation line may vary from the surveyed line by a distance greater than the uncertainty cited in this report.

a) The lines and corners of the subject tract were established from monumentation found in accordance with the records of the offices of the Kosciusko County, Indiana Surveyor and Recorder. Records found in said Surveyor's Office depict a survey dated November 25, 1856 which monuments the east line of the West Half of the Southeast Quarter of Section number 12, Township 31 North, Range 5 East by corners marked "A" and "B" as shown on the within survey. Railroad iron corner posts were found acquiescing said corners with existing fence lines situated east and west from said posts, together with, a fence line situated south from corner "A" and north from corner "B". The corner posts had substantially sized concrete bases and no cornerstones were found at either location. Since cornerstone information was uncertain for corners situated at the northwest, northeast and southeast corners of said Southeast Quarter, the railroad iron corner posts were accepted as the best evidence in establishing corners "A" and "B" ('TITLE CORNERS'). Variances of 0.8' were observed in the size and condition of said railroad iron corner posts. A railroad spike was found situated at the southwest corner of said Southeast Quarter which as apparently been used in previous recorded surveys (on file in said Recorder's Office) and matched County Surveyor reference ties. Variances of 0.3' were observed in section corner reference monumentation found and measured for the railroad spike. A pk nail was found situated at the northwest corner of said Southeast Quarter generally matching the fence lines located easterly and westerly from said corner. Variances of 0.4' north-south were observed in measurement from the railroad spike (southwest corner of said Southeast Quarter) to the pk nail (northwest corner of said Southeast Quarter). Since said Surveyor's records indicated that no cornerstone was set at the center of said Section 12 and the pk nail has apparently been used in a recent survey, the pk nail was accepted as the 'TITLE CORNER' for

said location. The north line of the Southwest Quarter of said Southeast Quarter was established at the midpoints of the east and west lines of the West Half of said Southeast Quarter. The total acreage of the Southwest Quarter of said Southeast Quarter measured 39.72 acres +/- (0.28 of an acre deficiency from the recorded 40 acres). Since the northerly adjoining deed called the North 22 acres and the southerly adjoining deed called the South 18 acres, it was determined to establish the common boundary by prorating the measured acreage as shown on the plat of survey. Variances of 0.2' were observed in the location of the pk nail found situated at the northwest corner of the South 17.87 acres as shown on the plat of survey.

c) Inconsistencies of 0.0'-6.1' were observed in the location of the existing fence line situated along the common boundary as depicted on the within plat of survey. Inconsistencies of 3.9' north-south and 2.6' east-west were observed in the location of the bent railroad iron corner post situated at the northeast corner of the South 17.87 acres.

Surveyed for:

Geraghty and Miller, Inc.
126 North Jefferson Street
Suite 400
Milwaukee, Wisconsin 53202
Attn: Mr. Michael Maierle
Job #96017

Surveyed by:



John H. Stephens R.L.S., Inc.
By: John Henry Stephens, Pres.
Registered Land Surveyor
Indiana #LS80040428
Date: January 30, 1996
files: sdr/pw30/cad32

PLAT OF SURVEY

SURVEYED FOR:

Geraghty and Miller Inc.
 126 North Jefferson Street, Suite 400
 Milwaukee, Wisconsin 53202
 Attn: Mr. Michael Maierle

Job#96017
 Files:SDR/pw30/CAD32

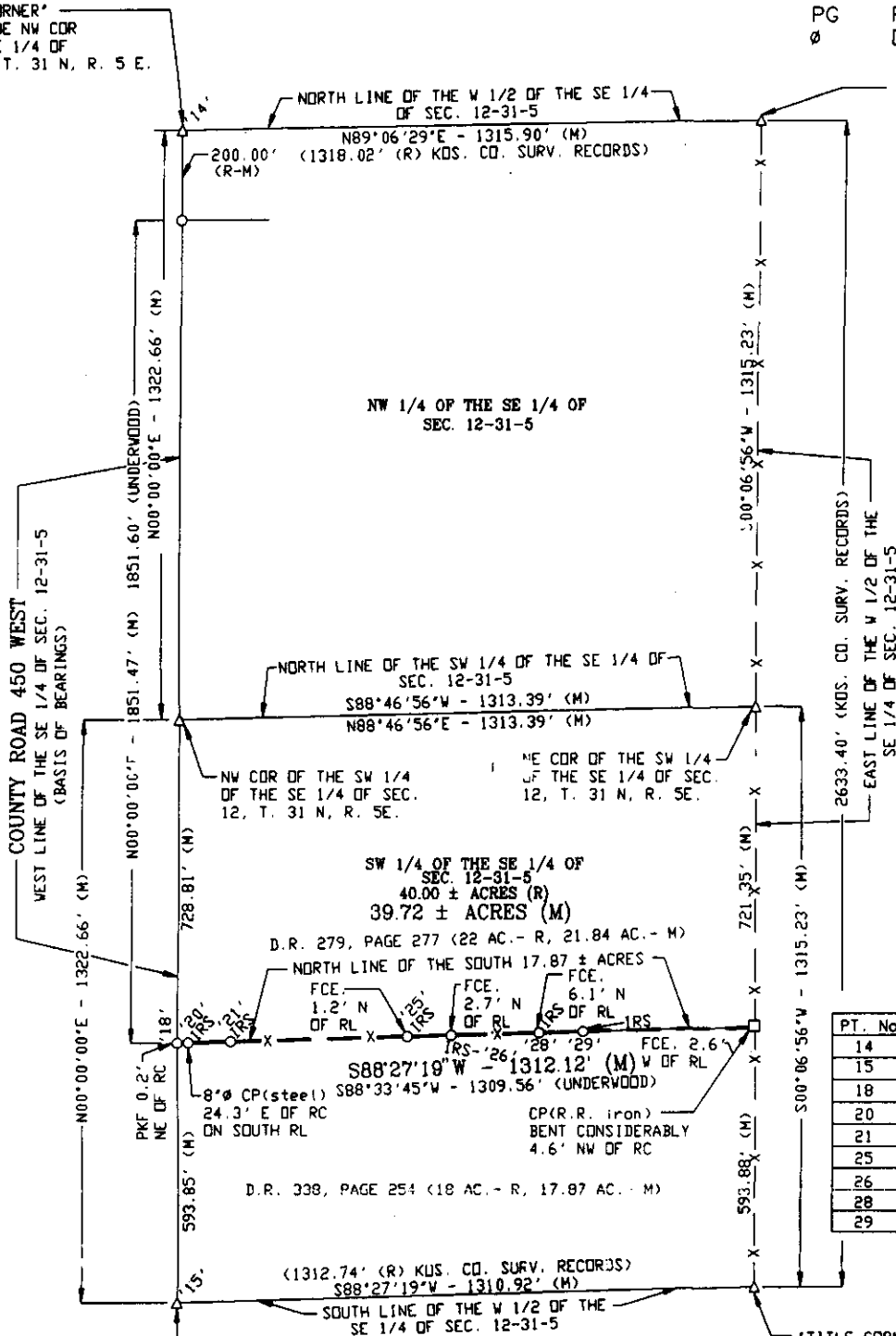


LEGEND:

- IRS Iron rebar set/cap (yellow)
- PKS PK nail set/washer
- IPF Iron pipe found
- IRF Iron rebar found
- IRFC Iron rebar found/cap
- SCM Section corner monument
- RRSF Railroad spike found
- PKF PK nail found
- CP Corner fence post (as noted)
- X-X Fence line (as noted)
- R/W Right of way
- POB Point of beginning
- RC Reference corner
- RL Reference line
- DR Deed record
- PG Page
- Ø Diameter of monument

'TITLE CORNER'
 PKF AT THE NW COR
 OF THE SE 1/4 OF
 SEC. 12, T. 31 N, R. 5 E.

'TITLE CORNER'
 CP(R.R. iron) WITH CONC.
 BASE AT STONE 'A' LOCATION
 AT THE NE COR OF THE W 1/2
 OF THE SE 1/4 OF SEC. 12,
 T. 31 N, R. 5 E



COORDINATE POINT LIST

PT. No.	NORTHING	EASTING
14	7645.312	5000.000
15	5000.000	5000.000
18	5593.843	5000.000
20	5594.382	5019.993
21	5597.078	5119.957
25	5607.862	5519.811
26	5610.558	5619.775
28	5615.949	5819.702
29	5618.645	5919.666

RRSF WITH COUNTY SURVEYOR TIES
 AT THE SW COR OF THE SE 1/4
 OF SEC. 12, T. 31 N, R. 5 E.

'TITLE CORNER'
 CP(R.R. iron) WITH CONC.
 BASE AT STONE 'B' LOCATION
 AT THE SE COR OF THE W 1/2
 OF THE SE 1/4 OF SEC. 12,
 T. 31 N, R. 5 E.

SURVEYOR'S STATEMENT

This survey is, to the best of my knowledge, information, and belief, made according to the instructions of 865 IAC 1-12 for a Class C survey. The within survey was completed under my supervision on January 25, 1996.

JOHN H. STEPHENS, R.L.S., INC.

JOHN HENRY STEPHENS, PRES
 REGISTERED LAND SURVEYOR
 INDIANA LS # 80040428
 134 SOUTH WABASH STREET
 WABASH, INDIANA 46992
 DATE: JANUARY 29, 1996.