



**CON 12-15  
Doc #18377**

DEPARTMENT OF NATURAL RESOURCES

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

PAUL W. JOHNSON, DIRECTOR

**February 8, 2000**

**Bryan J. Segal, Attorney at Law  
Barack Ferrazzano Kirschbaum Perlman & Nagelberg  
333 West Wacker Drive, Suite 2700  
Chicago, Ill. 60606**

**RE: Request for Approval of Sale  
Hazardous Waste Registry Property  
Former Land O' Lakes Facility, 5701 N.E. 17<sup>th</sup> St., Polk County, Iowa**

**Dear Mr. Segal:**

**First Industrial Financing Partnership, L.P. submitted a request to the Director of the Iowa Department of Natural Resources dated January 10, 2000 seeking permission to sell the above referenced property as required by Iowa Code section 455B.430. The Director understands the request is limited to permission to sell the property and not for change of use. This understanding was confirmed by telephone conference with you on Friday, February 04, 2000.**

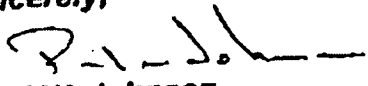
**The Director is granting approval for the transfer of ownership of the property legally described as follows and on the assumption there will not be a substantial change in use: See Iowa Code section 455B.430.**

**The South 450 Feet of the North 900 feet of the East 450 feet of the Southwest Quarter (SW ¼) of Section 12, Township 79 North, Range 24, West of the 5<sup>th</sup> P.M., Polk County, Iowa, except such portion thereof, if any, which may be included in the existing right-of-way of the Fort Dodge, Des Moines Southern Railway right-of-way, which adjoins the property on the East; now Lot Five (5) in REPLAT U.P.I. INDUSTRIAL PARK PLAT 1, an Official Plat (the "Property")**

**The conditions of approval shall be effective upon execution and filing with the Polk County Recorder of the transfer of property instrument and the enclosed "Notice of Approval for Sale and Change of Use" instrument. Please provide a filed stamped copy of the transfer instrument and the**

**notice of approval directed to John Vedder, Iowa Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 40319.**

**Sincerely,**

  
**Paul W. Johnson**  
**Director, Iowa Department of Natural Resources**  
**Wallace State Office Building**  
**Des Moines, Iowa 50319**

**cc. J. Vedder, DNR**

Preparer Information	Individual's name	Address	City, State	Tel.
	David Wornson	IDNR Wallace Building	Des Moines, IA.	515-242-817

**IOWA DEPARTMENT OF NATURAL RESOURCES  
HAZARDOUS WASTE NOTICE  
APPROVAL OF SALE AND CHANGE IN USE**

The Director of the Iowa Department of Natural Resources (Director) gives notice that it has granted approval to First Industrial Financing Partnership, L.P. or its lawful affiliate (seller) and Richard G. Hansen or his assigns (buyer) for the sale and change in use of the following property, located at 5701 N.E. 17<sup>th</sup> St., Polk County, Iowa and legally described as follows and as required by Iowa Code section 455B.430:

The South 450 Feet of the North 900 feet of the East 450 feet of the Southwest Quarter (SW ¼) of Section 12, Township 79 North, Range 24, West of the 5<sup>th</sup> P.M., Polk County, Iowa, except such portion thereof, if any, which may be included in the existing right-of-way of the Fort Dodge, Des Moines Southern Railway right-of-way, which adjoins the property on the East; now Lot Five (5) in REPLAT U.P.I. INDUSTRIAL PARK PLAT 1, an Official Plat (the "Property")

This property was placed on the "Iowa Registry of Hazardous Waste or Hazardous Substance Disposal Sites" notice of which was filed with the Polk County Recorder at Book 6238 page 495.

The Director granted approval for the sale of the property by letter dated February 8, 2000. There was not a request for change in use of the property and the Director has not granted permission to substantially change the use of the property. See Iowa Code section 455B.430.

In accordance with Iowa Code section 455B.430, no person shall sell, convey, or transfer title to property on the Iowa Registry of Hazardous Waste or Hazardous Substance Disposal Sites, or substantially change it's manner of use without written approval of the director of the Iowa Department of Natural Resources.

Notice of Approval: First Industrial Financing Partnership, L.P.  
Des Moines, Polk County, Iowa

Questions regarding this Notice may be directed to the Iowa Department of  
Natural Resources, Compliance and Enforcement, 900 East Grand Avenue, Henry A.  
Wallace Building, Des Moines, Iowa 50319-0034.

Paul W. Johnson  
PAUL W. JOHNSON, DIRECTOR  
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 16 day of  
Feb, 2000.

STATE OF IOWA ) ss:  
COUNTY OF POLK )

On this 16 day of February, 2000, before me, a notary public in and for said  
county, personally appeared Paul W. Johnson, Director, who stated that he is the duly  
appointed ~~and acting~~ director of the Iowa Department of Natural Resources, and that he  
was authorized to execute the foregoing on behalf of the Iowa Department of Natural  
Resources pursuant to Iowa Code section 455B.431.

Janie R. Goshin  
Notary Public

Dated this 16 day of  
February, ~~1999~~ 2000