

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY-9 PH 12: 02

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

In the Matter of:)

OMAHA LEAD SUPERFUND SITE)
OMAHA, NEBRASKA)

)
) ADMINISTRATIVE ORDER DIRECTING
) COMPLIANCE WITH REQUEST FOR
) ACCESS

Bernice Cheslak)
620 South 76th Street)
Omaha, Nebraska 68114)

)
) Docket No. CERCLA-07-2012-0008

RESPONDENT)
)

)
) Proceeding Under Section 104(e) of the
) Comprehensive Environmental Response,
) Compensation and Liability Act,
) as amended, 42 U.S.C. § 9604(e)
)

_____)
ADMINISTRATIVE ORDER DIRECTING COMPLIANCE
WITH REQUEST FOR ACCESS

TABLE OF CONTENTS

I. JURISDICTION..... 1

II. STATEMENT OF PURPOSE 1

III. FINDINGS OF FACT 2

IV. CONCLUSIONS OF LAW AND DETERMINATIONS..... 6

V. ORDER 7

VI. ENFORCEMENT..... 9

VII. ADMINISTRATIVE RECORD 10

VIII. OPPORTUNITY TO CONFER..... 10

IX. EFFECTIVE DATE: COMPUTATION OF TIME..... 11

X. NOTICE OF INTENT TO COMPLY 12

XI. TERMINATION..... 12

LIST OF EXHIBITS

- 1. Warranty Deeds
- 2. Access Request Letter
- 3. Access Forms

I. JURISDICTION

1. This Administrative Order (“Order”) is issued to Bernice Cheslak (hereinafter “Respondent”), pursuant to the authority vested in the President of the United States by Section 104(e)(5) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (“CERCLA”), 42 U.S.C. § 9604(e)(5), and the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. § 300.400(d)(4). This authority was delegated to the Administrator of the United States Environmental Protection Agency (“EPA”) on January 23, 1987, by Executive Order 12580, 52 Fed. Reg. 2923, and further delegated to the Regional Administrators of EPA on May 11, 1994 by EPA Delegation No.14-6. The Regional Administrator, EPA Region 7, re delegated this authority to the Superfund Division Director, EPA Region 7, by Regional Delegation No. R7-14-006, dated June 30, 1997, and the authority was further delegated to the Superfund Branch Chiefs by Regional Delegation No. R7-DIV-14-006, dated July 25, 1997.

II. STATEMENT OF PURPOSE

2. This Order requires Respondent to grant EPA and its authorized representatives entry and access to the property described in Paragraph 4 below (“the Property”) located in Omaha, Nebraska for the purposes of determining the need for response actions or otherwise enforcing the provisions of CERCLA by collecting environmental samples at the Omaha Lead Superfund Site (the “Site”). This Order further requires Respondent to refrain from interfering with access to the Property by EPA and its authorized representatives for the purposes set forth herein. The Property is located within the Site. Hazardous substances have been released at the Site and the EPA is investigating the nature and extent of the release in order to evaluate the need

to conduct additional response actions to remove the hazardous substances. The access is necessary at the Property to determine if hazardous substances are present and evaluate if the hazardous substances present a threat to human health or the environment.

3. This Administrative Order establishes that Respondent has denied EPA access to her property, sets forth the relief EPA is seeking, and provides Respondent with an opportunity to confer with EPA regarding access.

III. FINDINGS OF FACT

4. Respondent is the owner(s) of certain property described as:

- a. a multi-residence property at 4329 South 37th Street, Omaha, Nebraska;
- b. a residential property at 4410 South 37th Street, Omaha, Nebraska;
- c. a vacant lot located at 4323 South 37th Street, Omaha, Nebraska;
- d. a vacant lot located at 4330 South 37th Street, Omaha, Nebraska; and
- e. a vacant lot located at 4406 South 37th Street, Omaha, Nebraska.

5. Respondent acquired current interest in the properties described in Paragraph 4 on December 22, 1994. The properties are held in The Cheslak Family Trust and Respondent is a trustee. Copies of Warranty Deeds and Trustee's Deeds for the properties are attached as Exhibit

1. The properties described in Paragraph 4 are herein referred to as the "Property."

6. The Site is listed on the CERCLA National Priorities List, 40 C.F.R. Part 300, App. B, pursuant to Section 105(a)(8)(B) of CERCLA, 42 U.S.C. § 9605(a)(8)(B).

7. The Site includes contaminated surface soils present at thousands of residential properties, child care facilities, and other residential-type properties in the city of Omaha,

Nebraska, that have been contaminated as a result of historic air emissions from lead smelting/refining operations. The total area of the Site is approximately 27 square miles and encompasses the eastern portion of the greater metropolitan area in Omaha, Nebraska. The Site is centered around downtown Omaha, Nebraska, where two former lead processing facilities operated.

8. American Smelting and Refining Company, Inc., (ASARCO) operated a lead refinery at 500 Douglas Street in Omaha, Nebraska, for over 125 years. The Gould Electronics Inc. (Gould) lead battery recycling plant was located at 555 Farnam Street and operated for approximately 30 years. Both facilities released lead-containing particulates to the atmosphere from their smokestacks as a routine part of their operation. The ASARCO facility was much larger and emitted most of the airborne lead contaminants. Past smelting/refining operations have resulted in the emissions of over a hundred thousand tons of lead into the air at the Site. These lead emissions migrated through airborne pathways and settled onto the ground surface in the areas of the Site, including the residential properties.

9. The Site has an extensive history of investigations and response activities to address threats to human health and the environment presented by lead contaminated soils. The EPA began sampling residential yards in March 1999. The EPA has collected soil samples from over 39,000 residential properties in the Omaha area. The EPA has had the soil samples analyzed and the results from the sampling activities have been verified. The results of this soil sampling show widespread soil lead contamination in the residential yards at the Site.

10. To address the release of the hazardous substances at the residential properties at the Site, the EPA is conducting certain response actions. These actions included the performance

of an emergency removal action to cleanup contaminated soils at priority properties. In addition a Remedial Investigation/Feasibility Study (RI/FS) was performed to identify the locations of contaminated residential soils, evaluate their impact on human health and the environment, and propose remediation alternatives to address the risks posed by the contaminated residential soils. A final Record of Decision was signed in May 2009 outlining the steps to be taken to address the lead contamination in the residential soils at the Site and additional cleanup work is being implemented. These actions require the sampling of the soil at the Property to determine if these soils are contaminated.

11. To perform the response actions described above, it will be necessary for employees, agents, contractors, and other representatives of EPA to enter the Property. The activities for which entry is required include the collection of soil samples from the Property and, if necessary, the collection of lead paint data through non-intrusive testing of the exterior painted surfaces of the structures at the Property.

12. Soil sampling activities at the Property will require approximately one hour to complete and will consist of the collection of several spoonfuls of soil at each sample location. The EPA will enter Respondent's yard and collect small soil samples for analysis. The samples are taken beneath the top layer of grass and organic matter. This is done by making a small divot in the grass, removing a few spoons full of soil, and replacing the divot. The EPA does not need to enter Respondent's home or any other outside buildings. Approximately, five to six composite samples will be taken from the front, back and side yards. Also, EPA may sample near outside play equipment or in garden areas. Generally, samples are collected away from buildings to avoid interference from any lead-based paint chips that may have fallen off buildings, but at least

one sample will be taken in the area close to the foundation of the building. The small volume of soil will be removed from Respondent's Property and placed in a small container or plastic bag for analytical testing at a laboratory or field analysis at an EPA field office location, and retained for subsequent analytical verification.

13. In addition, if the results of the soil sampling at the Property indicate that the soil at the property is contaminated above levels of concern, the EPA will return to perform a lead-based paint assessment on the exterior painted surfaces of the structures at the property. The purpose of this assessment is to evaluate the severity of any lead-based paint problem that may exist. The paint data collection activities will take a few hours to complete. EPA will collect data on each of the similarly painted exterior surfaces for all structures at the Property, including the exterior of the house, garage, and other structures, if any are present. No painted surfaces will be disturbed by this assessment. The data will be collected using an instrument placed against the painted surface that records the lead content of the painted surface. In addition, EPA will visually inspect the painted surfaces. The EPA will not enter the house or any other structure.

14. The EPA will enter the Property at reasonable times to perform the sampling. EPA will provide the sample results to the Respondent. Respondent may observe EPA sampling procedures but may not interfere with sampling activities.

15. Considerable efforts have been made by EPA to obtain permission to access the Property, but such efforts have been unsuccessful. The following contact attempts have been made:

- a. Access request letters, copies of which are attached as Exhibit 2, were sent on the following dates for all the properties listed in Paragraph 4:
 - i. August 1, 2003, April 11, 2005, August 21, 2008 (this letter is dated August 1, 2008 but was sent on August 21, 2008 along with an August 7, 2008 letter from the Omaha City Council), and October 13, 2010
- b. Personal or telephone contacts were made (as documented on the Access Forms attached as Exhibit 3) on the following dates for all of the properties listed in Paragraph 4:
 - i. November 8, 2005, and May 23, 2008.
- c. Most recently the EPA contacted the Respondent by telephone on October 28, 2011 and again Respondent refused to allow access to the Property.

Respondent has had many opportunities to enter into an access agreement with EPA. However, Respondent has rejected all attempts by EPA to obtain access for sampling the Property.

IV. CONCLUSIONS OF LAW AND DETERMINATIONS

16. The Site is a “facility” within the meaning of Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).
17. Respondent is a “person” within the meaning of Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).
18. Lead is a hazardous substance within the meaning of Section 101(14) of CERCLA, 42 U.S.C. § 9601(14).

19. The past and/or present disposal and migration of a hazardous substance at or from the Site constitutes an actual “release” or a threat of such a release into the “environment” within the meaning of Sections 101(8) and 101(22) of CERCLA, 42 U.S.C. §§ 9601(8) and (22), and thus there is a reasonable basis to believe that there may be a release or threat of release of hazardous substances on the Property within the meaning of Section 104(e)(1) of CERCLA, 42 U.S.C. § 9604(e)(1).

20. The Property owned or controlled by Respondent referred to in Paragraph 4 above is a property:

- a. to which a hazardous substance has been or may have been released; and
- b. where entry is needed to determine the need for a response action, within the meaning of Section 104(e)(3) of CERCLA, 42 U.S.C. § 9604(e)(3).

21. Entry to property owned or controlled by Respondent by the agents, contractors, or other representatives of the United States is needed for the purposes of determining the need for a response action, within the meaning of Section 104(e)(3) of CERCLA, 42 U.S.C. § 9604(e)(3).

22. EPA’s request for access to the Property has not been granted or Respondent’s attempts to condition its grant of access amounts to a denial of access within the meaning of Section 104(e)(5)(a) of CERCLA, 42 U.S.C. § 9604(e)(5)(a), and 40 C.F.R. 300.400(d)(4)(i).

V. ORDER

23. Based upon the foregoing Findings of Fact, Conclusions of Law and Determinations, and the Administrative Record, Respondent is hereby ordered to provide EPA and its officers, employees, agents, contractors, and other representatives, full and unrestricted

access at all reasonable times to the Property for the purpose of conducting sampling activities that EPA deems necessary to evaluate the threat to public health, welfare or the environment posed by the release or threatened release of hazardous substances at the Property.

24. Respondent shall not interfere with EPA's exercise of its access authorities pursuant to 42 U.S.C. § 9604(e) and 40 C.F.R. 300.400(d), and shall not interfere with or otherwise limit any activity conducted at the Property pursuant to this Order by EPA, its officers, employees, agents, contractors, or other representatives. Any such interference shall be deemed a violation of this Order.

25. Nothing herein limits or otherwise affects any right of entry held by the United States pursuant to applicable laws, regulations, or permits.

26. This Order shall apply to and be binding upon Respondent and its successors, heirs and assigns, and each and every agent of Respondent and upon all other persons and entities who are under the direct or indirect control of Respondent, including any and all lessees of Respondent.

27. In the event of any conveyance by Respondent or Respondent's agents, heirs, successors and assigns of an interest in the Property, Respondent or Respondent's agents, heirs, successors and assigns shall convey the interest in a manner which insures continued access to the Property by EPA and its representatives for the purpose of carrying out the activities pursuant to this Order. Any such conveyance shall restrict the use of the Property so that the use will not interfere with activities undertaken or to be undertaken by EPA and its representatives.

Respondent or Respondent's agents, heirs, successors and assigns shall notify EPA in writing at

least thirty (30) days prior to the conveyance of any interest in the Property, and shall, prior to the transfer, notify the other parties involved in the conveyance of the provisions of this Order.

VI. ENFORCEMENT

28. Compliance with this Order shall be enforceable pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5). A court may impose a civil penalty on Respondent of up to \$37,500 for each day that Respondent unreasonably fails to comply with this Order, as provided in Section 104(e)(5) of CERCLA, 42, U.S.C. § 9604(e)(5), and the Civil Monetary Penalty Inflation Adjustment Rule, 69 Fed. Reg. 7121, 40 C.F.R. Part 19.4. In addition, any person who is liable for a release or threat of release of a hazardous substance or pollutant or contaminant and who fails to comply with this Order may be liable for punitive damages in an amount up to three times the amount of any costs incurred by the United States as a result of such failure, as provided in Section 107(c)(3) of CERCLA, 42 U.S.C. § 9607(c)(3). Nothing herein shall preclude EPA from taking any additional enforcement actions, and/or other actions it may deem necessary for any purpose, including the prevention or abatement of a threat to the public health, welfare, or the environment arising from conditions at the Property, and recovery of the costs thereof.

29. Nothing in this Order constitutes a waiver, bar, release, or satisfaction of or a defense to any cause of action which EPA has now or may have in the future against Respondent, or against any entity which is not a party to this Order.

30. Nothing in this Order shall affect in any manner the right of EPA to issue any other orders or to take any other administrative or civil action against Respondent or any other parties under CERCLA which relate to this Property or any other site.

31. Nothing in this Order constitutes a decision on preauthorization of funds under Section 111(a)(2) of CERCLA, 42 U.S.C. § 9611(a)(2).

VII. ADMINISTRATIVE RECORD

32. EPA has established an Administrative Record which contains the documents that form the basis for the issuance of this Order. The Administrative Record is available for review at three branches of the Omaha Public Library in Omaha, Nebraska and by appointment at the EPA Regional Office in Kansas City, Kansas. The Administrative Record is located at the main branch (W. Dale Clarke Branch) of the Omaha Public Library at 215 South 15th Street (402-444-4800), the Washington Branch at 2816 Ames Avenue (402-444-4849), and at the South Omaha Branch at 2202 M Street (402-444-4850). A paper and electronic copy is available at the main branch with only electronic copies available at the Washington Branch and South Omaha Branch. An appointment to review the Administrative Record at the EPA Regional Office can be made by contacting Steven L. Sanders, Senior Counsel, at (913) 551-7578. The record can also be reviewed by contacting the Omaha Public Library at the numbers identified above.

VIII. OPPORTUNITY TO CONFER

33. Within seven (7) calendar days after receipt of this Order by Respondent, Respondent may request a conference with EPA, to be held no later than three (3) business days after Respondent's request, on any matter pertinent to this Order, including its applicability, the factual findings and the determinations upon which it is based, the appropriateness of any actions Respondent is ordered to take, or any other relevant and material issues or contentions which Respondent may have regarding this Order. Respondent may appear in person and/or be represented by an attorney or other representative at the conference. Respondent may also

submit written comments or statements of position on any matter pertinent to this Order no later than the time of the conference, or at least two business days before the effective date of this Order if Respondent does not request a conference. EPA will deem Respondent to have waived its right to the conference or to submit written comments if it fails to request the conference or submit comments within the specified time period(s). Any request for a conference or written comments or statement should be submitted to Steven L. Sanders, Senior Counsel, at telephone number (913) 551-7578, by facsimile number (913) 551-9578, by electronic mail at sanders.steven@epa.gov or by regular mail at U.S. Environmental Protection Agency, Region 7, 901 North 5th Street, Kansas City, Kansas 66101. The Respondents can also reach EPA toll free at 1-800-223-0425.

IX. EFFECTIVE DATE: COMPUTATION OF TIME

34. This Order shall be effective seven (7) business days after its receipt by Respondent or Respondent's designated representative unless a conference is timely requested as provided above. If a conference is timely requested, then at the conclusion of the conference or after the conference, if EPA determines that no modification to the Order is necessary, the Order shall become effective immediately upon notification by EPA of such determination. If modification of the Order is determined by EPA to be necessary, the Order shall become effective upon notification by EPA of such modification. Any EPA notification under this paragraph may, at EPA's discretion, be provided to Respondent by facsimile, electronic mail, or oral communication; provided that if EPA does use such a form of notification, it will also confirm such notification by first class, certified or express mail to Respondent or its legal

counsel. Any amendment or modification of this Order by EPA shall be made or confirmed in writing.

35. For purposes of this Order, the term “day” shall mean a calendar day unless expressly stated to be a business day. “Business day” shall mean a day other than a Saturday, Sunday or federal legal holiday. When computing any period of time under this Order, if the last day would fall on a Saturday, Sunday, or federal legal holiday, the period shall run until the next business day.

X. NOTICE OF INTENT TO COMPLY

36. On or before the effective date of this Order, Respondent shall notify EPA in writing whether Respondent will comply with the terms of this Order. Respondent’s failure to notify EPA of its unconditional intent to fully comply with this Order by the time the Order becomes effective shall be (1) construed as a denial of EPA’s request for access, and (2) as of the effective date of the Order, treated as a violation of the Order. Such written notice shall be sent to:

Steven L. Sanders
Senior Counsel
U.S. Environmental Protection Agency, Region 7
901 North 5th Street
Kansas City, Kansas 66101
Telephone (913) 551-7578
Facsimile (913) 551-9578.

XI. TERMINATION

37. This Order shall remain in effect for 180 days after the effective date of the Order or until Gene Gunn, Branch Chief or his designee notifies Respondent in writing that access to the Property is no longer needed, whichever comes first.

SO ORDERED.

11/09/2011
Date of Issuance

Gene Gunn
Gene Gunn
Chief
Special Emphasis Remedial Branch
Superfund Division

PARC 2852 0000 04

FB 35 STATUS 2 CLASS R

EXEMPT 0 EXEMPT TYPE

TAX DISTRICT 0100 SID F-

PROP HOUSE HALF DIR ----STREET NAME----- TYPE SUFFIX APT AREA ZIP CODE
ADDRESS 04329 S 037 ST OMA 68107

-----OWNER OR TAXPAYER INFORMATION-----

NAME BERNICE*CHESLAK ETAL TR DATE OF LAST CHANGE 12-29-1994
+ 620 S 76 ST BK/PG OR DOC# 1994/560
ADDR HOMESTEAD DELETE 1404-686
CITY OMAHA ST NE ZIP 68114 NON NUMERIC ZIP CODE 950-387

-----CURRENT VALUE-----HOMESTEAD-----

YEAR ---DATE--- ---LAND--- ---IMPR--- --TOTAL-- PAR RSN NUMBER TY CD PCT VALUE
2008 08-07-2008 7300 74200 81500 BOE 4791

ADDITION NO. 81000 LOT 8 HALF BLOCK 313 HALF
SOUTH OMAHA CITY LOTS SECT TOWN RANGE PLAT 0297

-----LEGAL DESCRIPTION-----
1 65 X 130 2
3 4
5 6
7 8

PF1-ADFB

PF5-PNFB

PF6-PAFB

Bnd
#10872

RECEIVED

Dec 23 10 27 AM '94

GEORGE J. SZKLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

Record & Return to:
Robert G. Decker-Att
500 the Law Building
500 South 18th Street
Omaha, Nebraska 68102

1107454 04-81000
PEE 110 R 21
DCL CO
LEGAL FEE 560

TRUSTEE'S DEED-NO. 3

Grantors **BERNICE CHESLAK** and **THOMAS J. CHESLAK**, wife and husband, 620 South 76th Street, Omaha, Nebraska 68114, for and in consideration of the sum of Ten & NO/100---DOLLARS and other valuable consideration, the receipt and sufficiency of which is acknowledged, do hereby convey to **BERNICE CHESLAK** and **THOMAS J. CHESLAK** as Trustees under the provisions of a Trust Agreement of even date, and known as **THE CHESLAK FAMILY TRUST**, an inter vivos revocable trust, and unto all and every successor or successors in trust under that Trust Agreement, the following described real estate:

Lots 8 and 9, Block 313, South Omaha City Lots, now a part of The City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska

TO HAVE AND TO HOLD the said real estate with all appurtenances upon the trust and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority are hereby granted to said Trustees as enumerated in the Nebraska Trustee's Powers Act. (§§ 30-2819 through 30-2826 Neb. Rev. Stat. 1943)

In no case shall any party dealing with said Trustees in relation to said premises or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustees, be obligated to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said Trustees, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease, or other instrument executed by said Trustees in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under such conveyance, lease, or other instrument, (a) that at the time of

Bnd#
10872
10922

NEBRASKA DOCUMENTARY
5-80 L. & M. P. TAX
Date 12/23/94
By DL

EXHIBIT 1a

the delivery thereof the trust created by this indenture was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said Trust Agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustees were duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument, and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his, her, or their predecessor in trust.

The interest of each and every beneficiary hereunder and of persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

And the said Grantors hereby expressly waive and release any and all right or benefit under and by virtue of any and all statutes of the State of Nebraska providing for the exemption of homesteads from sale or execution or otherwise.

This transfer exempt from documentary tax per §76-902(17) Neb. Rev. Stat.

IN WITNESS WHEREOF, the Grantors aforesaid have hereunto set their hands at Omaha, Nebraska on December 22 1994.

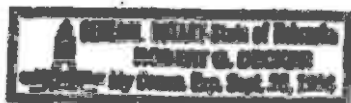
Bernice Cheslak
BERNICE CHESLAK

Thomas J. Cheslak
THOMAS J. CHESLAK

STATE OF NEBRASKA COUNTY OF DOUGLAS:

I, the undersigned, a Notary Public, in and for said County in the State aforesaid, do hereby certify that BERNICE CHESLAK and THOMAS J. CHESLAK, wife and husband, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day, in person and they each acknowledged that they signed and delivered the said instrument as their individual free and voluntary act, for the use and purposes therein set forth, including the release and waiver of the right of homestead.

WITNESS MY HAND AND SEAL on December 22 1994.



Robert G. Decker
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

Bnd #
10872
10922

14-507-100-1-1-686
1401-1-686

Form 6-1967 Oregon, Under 1968

QUITCLAIM DEED

Walter Chesick and Helen Chesick, herein called the grantor whether one or more, in consideration of One Dollar and other valuable considerations received from grantee, does quitclaim, grant, bargain, sell, convey and confirm unto Thomas J. Chesick and Bernice Morden Chesick, husband and wife herein called the grantees whether one or more, the following described real property in Douglas County, Nebraska:

Lot 1, Block 329 and Lots 8 and 9, Block 313, in SOUTH OMAHA, now a part of the City of Omaha, Douglas County, Nebraska.

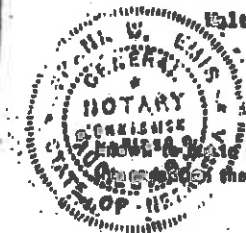
To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

Dated February 14 1970

Walter Chesick
Helen Chesick

STATE OF NEBRASKA, County of Douglas

Before me, a notary public qualified for said county, personally came Walter Chesick and Helen Chesick



to be the identical person or persons who signed the foregoing instrument and acknowledged thereof to be his, her or their voluntary act and deed.

Witness my hand and notarial seal on February 14 1970

EXHIBIT

Notary Public

Block #
16711
16572
16422

PARC 2909 0000 04

FB 35 STATUS 2 CLASS R

EXEMPT 0 EXEMPT TYPE

TAX DISTRICT 0100 SID F-

PROP HOUSE HALF DIR ----STREET NAME----- TYPE SUFFIX APT AREA ZIP CODE
ADDRESS 04410 S 037 ST OMA 68107

-----OWNER OR TAXPAYER INFORMATION-----

NAME BERNICE*CHESLAK ETAL TR DATE OF LAST CHANGE 12-29-1994
+ 620 S 76 ST BK/PG OR DOC# 1994/562

ADDR HOMESTEAD DELETE 1070-319
CITY OMAHA ST NE ZIP 68114 NON NUMERIC ZIP CODE 215-234

-----CURRENT VALUE-----HOMESTEAD-----

YEAR ---DATE--- ---LAND--- ---IMPR--- --TOTAL-- PAR RSN NUMBER TY CD PCT VALUE
2008 03-10-2008 2500 13800 16300 RA

ADDITION NO. 81000 LOT 2 HALF BLOCK 329 HALF
SOUTH OMAHA CITY LOTS SECT TOWN RANGE PLAT 0295

-----LEGAL DESCRIPTION-----

1 50 X 130 2
3 all 4
5 6
7 8

PF1-ADFB

PF5-PNFB

PF6-PAFB

Bvd
10716

30199911



Superfund

WARRANTY DEED - Giving Good Title to Grantee The Uniform Gifts to Minors Act, 1925

KNOW ALL MEN BY THESE PRESENTS, That **THOMAS CHESLAK, SR. and HELEN CHESLAK, husband and wife**

in consideration of **TEN AND NO/100** **DOLLARS**

in hand paid, do hereby grant, bargain, sell, convey and confirm unto **THOMAS CHESLAK, JR. and BERNICE CHESLAK**

as **JOINT TENANTS**, and not as tenants in common; the following described real estate, situated in the County of **Douglas** and State of **Nebraska**

Lot Two, (2), Block Three Hundred Twenty-Nine (329), City of South Omaha, now Omaha as surveyed, platted and recorded

together with all the tenements, hereditaments and appurtenances to the same belonging, and all the estate, title, claim, right of homestead, claim or demand whatsoever of the said grantor or of, in or to the same, or any part thereof; subject to

IT BEING THE INTENTION OF ALL PARTIES HERETO, THAT IN THE EVENT OF THE DEATH OF EITHER OF SAID GRANTERS, THE ENTIRE FEE SIMPLE TITLE TO THE REAL ESTATE DESCRIBED HEREIN SHALL VEST IN THE SURVIVING GRANTEE.

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said grantees as **JOINT TENANTS**, and not as tenants in common, and to their assigns, or to their heirs and assigns of the survivor of them, forever; and the grantors named herein for themselves, their heirs, executors and administrators, do covenant with the grantees named herein and with their assigns and with the heirs and assigns of the survivor of them, that they are lawfully seized of said premises; that they are free from incumbrances (except as stated herein, and that the said grantor or grantors have good right and lawful authority to sell the same, and that they and their heirs, executors and administrators shall warrant and defend the same unto the grantees named herein and unto their assigns and unto the heirs and assigns of the survivor of them, forever, against the lawful claims of all persons whatsoever, excluding the exceptions named herein.

IN WITNESS WHEREOF we have hereunto set our hand and seal this **5th** day of **May**, 19**31** A. D.

STATE OF **Nebraska** }
County of **Douglas** } On this **5th** day of **May**

A. D. 19**31**, before me, a Notary Public, in and for said County, personally came the above named **Thomas Cheslak, Sr. and Helen Cheslak**

who are personally known to me to be the identical persons whose names are affixed to the above instrument as grantor and they have acknowledged said instrument to be their voluntary act and deed.

(WITNESS my hand and Notarial Seal the date last aforesaid.)
Charles J. ... Notary Public
My commission expires on the **1st** day of **May**, A. D. **1932**

PARC 2853 0000 04

FB 35 STATUS 2 CLASS R

EXEMPT 0 EXEMPT TYPE

TAX DISTRICT 0100 SID F-

PROP HOUSE HALF DIR ----STREET NAME----- TYPE SUFFIX APT AREA ZIP CODE
ADDRESS 04323 S 037 ST OMA 68107

-----OWNER OR TAXPAYER INFORMATION-----

NAME BERNICE*CHESLAK ETAL TR DATE OF LAST CHANGE 12-29-1994
+ 620 S 76 ST BK/PG OR DOC# 1994/560

ADDR HOMESTEAD DELETE

CITY OMAHA ST NE ZIP 68114 NON NUMERIC ZIP CODE

-----CURRENT VALUE-----HOMESTEAD-----

YEAR ---DATE--- ---LAND--- ---IMPR--- ---TOTAL--- PAR RSN NUMBER TY CD PCT VALUE
2002 07-07-2002 500 0 500 BOE 1733

ADDITION NO. 81000 LOT 9 HALF BLOCK 313 HALF
SOUTH OMAHA CITY LOTS SECT TOWN RANGE PLAT 0297
-----LEGAL DESCRIPTION-----

1 50 X 130
3
5
7

2
4
6
8

PF1-ADFB

PF5-PNFB

PF6-PAFB

Bnd

#10922

RECEIVED

Dec 23 10 27 AM '94

GEORGE J. BOULEVICOZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

Record & Return to:
Robert G. Decker-Att
500 the Law Building
500 South 18th Street
Omaha, Nebraska 68102

1107454 04-81000
FEE 11.00 R 21
DEL CO
LEGAL FEE (56) 01111
AP

TRUSTEE'S DEED-NO. 3

Grantors **BERNICE CHESLAK** and **THOMAS J. CHESLAK**, wife and husband, 620 South 76th Street, Omaha, Nebraska 68114, for and in consideration of the sum of Ten & NO/100---DOLLARS and other valuable consideration, the receipt and sufficiency of which is acknowledged, do hereby convey to **BERNICE CHESLAK** and **THOMAS J. CHESLAK** as Trustees under the provisions of a Trust Agreement of even date, and known as **THE CHESLAK FAMILY TRUST**, an inter vivos revocable trust, and unto all and every successor or successors in trust under that Trust Agreement, the following described real estate:

Lots 8 and 9, Block 313, South Omaha City Lots, now a part of The City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska

TO HAVE AND TO HOLD the said real estate with all appurtenances upon the trust and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority are hereby granted to said Trustees as enumerated in the Nebraska Trustee's Powers Act. (§§ 30-2819 through 30-2826 Neb. Rev. Stat. 1943)

In no case shall any party dealing with said Trustees in relation to said premises or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustees, be obligated to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said Trustees, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease, or other instrument executed by said Trustees in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under such conveyance, lease, or other instrument, (a) that at the time of

Bvd#
10872
10922

NEBRASKA DOCUMENTARY
5-86 L. & M. P. TAX
Date 12/23/94
Eck By DL

the delivery thereof the trust created by this indenture was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said Trust Agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustees were duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument, and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his, her, or their predecessor in trust.

The interest of each and every beneficiary hereunder and of persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

And the said Grantors hereby expressly waive and release any and all right or benefit under and by virtue of any and all statutes of the State of Nebraska providing for the exemption of homesteads from sale or execution or otherwise.

This transfer exempt from documentary tax per §76-902(17) Neb. Rev. Stat.

IN WITNESS WHEREOF, the Grantors aforesaid have hereunto set their hands at Omaha, Nebraska on December 22 1994.

Bernice Cheslak
BERNICE CHESLAK

Thomas J. Cheslak
THOMAS J. CHESLAK

STATE OF NEBRASKA/COUNTY OF DOUGLAS:

I, the undersigned, a Notary Public, in and for said County in the State aforesaid, do hereby certify that BERNICE CHESLAK and THOMAS J. CHESLAK, wife and husband, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day, in person and they each acknowledged that they signed and delivered the said instrument as their individual free and voluntary act, for the use and purposes therein set forth, including the release and waiver of the right of homestead.

WITNESS MY HAND AND SEAL on December 22 1994.



[Signature]
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

Bvd #
10872
10922

14-0000-0000-0000-0000
1401 486

Form 6-60-0000, Omaha, Neb.

QUITCLAIM DEED

Walter Cheslak and Helen Cheslak herein called the grantor whether one or more,
in consideration of One dollar and other valuable considerations
received from grantee, does quitclaim, grant, bargain, sell, convey and confirm unto
Thomas J. Cheslak and Bernice Holden Cheslak, husband and wife
herein called the grantees whether one or more, the following described real property in
Douglas County, Nebraska:

Lot 1, Block 329 and Lots 8 and 9, Block 313, in SOUTH OMAHA,
now a part of the City of Omaha, Douglas County, Nebraska.

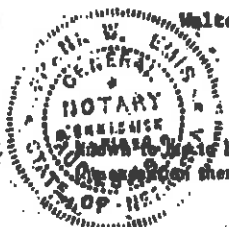
To have and to hold the above described premises together with all tenements, hereditaments
and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

Dated February 14 1970.

.....
.....
.....
.....
.....

STATE OF NEBRASKA, County of Douglas

Before me, a notary public qualified for said county, personally came
Walter Cheslak and Helen Cheslak



Buck
10711
10572
10122

to be the identical person or persons who signed the foregoing instrument and acknowledged
thereof to be his, her or their voluntary act and deed.

Witness my hand and notarial seal on February 14, 1970.

..... Notary Public.
My commission expires August 23, 1972.

bc ENT. IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA.
Notary of Nebraska 10. 11. 3. 42 M. G. HAROLD OSTLER, REGISTER OF DEEDS

PARC 2865 0000 04

FB 35 STATUS 2 CLASS R

EXEMPT 0 EXEMPT TYPE

TAX DISTRICT 0100 SID F-

PROP HOUSE HALF DIR ----STREET NAME----- TYPE SUFFIX APT AREA ZIP CODE
ADDRESS 04330 S 037 ST OMA 68107

-----OWNER OR TAXPAYER INFORMATION-----

NAME BERNICE*CHESLAK ETAL TR DATE OF LAST CHANGE 12-29-1994
+ 620 S 76 ST BK/PG OR DOC# 1994/564
ADDR HOMESTEAD DELETE 1885-548
CITY OMAHA ST NE ZIP 68114 NON NUMERIC ZIP CODE 999-59wd

-----CURRENT VALUE-----HOMESTEAD-----

YEAR ---DATE--- ---LAND--- ---IMPR--- --TOTAL-- PAR RSN NUMBER TY CD PCT VALUE
2002 07-07-2002 4000 0 4000 BOE 1702

ADDITION NO. 81000 LOT 7 HALF BLOCK 314 HALF
SOUTH OMAHA CITY LOTS SECT TOWN RANGE PLAT 0297
-----LEGAL DESCRIPTION-----

1 65 X 130 2
3 4
5 6
7 8

PF1-ADFB

PF5-PNFB

PF6-PAFB

Bnd
10865

RECEIVED

Dec 23 10 30 AM '94

Record & Return to:
Robert G. Decker-Atton
500 the Law Building
500 South 18th Street
Omaha, Nebraska 68102

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

10747 # 04-81000
FEE 10⁰⁰ 12-1 FB
REL (50) COMP VP
LERNER 5645 [Signature]

TRUSTEE'S DEED-NO. 5

Grantors **BERNICE CHESLAK** and **THOMAS J. CHESLAK**, wife and husband, 620 South 76th Street, Omaha, Nebraska 68114, for and in consideration of the sum of Ten & NO/100---DOLLARS and other valuable consideration, the receipt and sufficiency of which is acknowledged, do hereby convey to **BERNICE CHESLAK** and **THOMAS J. CHESLAK**, as Trustees under the provisions of a Trust Agreement of even date, and known as **THE CHESLAK FAMILY TRUST**, an inter vivos revocable trust, and unto all and every successor or successors in trust under that Trust Agreement, the following described real estate:

Lot 7, Block 314 South Omaha City Lots, now a part of the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska

TO HAVE AND TO HOLD the said real estate with all appurtenances upon the trust and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority are hereby granted to said Trustees as enumerated in the Nebraska Trustee's Powers Act. (§§ 30-2819 through 30-2826 Neb. Rev. Stat. 1943)

In no case shall any party dealing with said Trustees in relation to said premises or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustees, be obligated to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said Trustees, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease, or other instrument executed by said Trustees in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under such conveyance, lease, or other instrument, (a) that at the time of the delivery thereof the trust created by this indenture was in full force and effect, (b)

Buy #
10863

NEBRASKA DOCUMENTARY
STAMP TAX
5-86 Date 12/23/94
FK By DH

that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said Trust Agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustees were duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument, and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his, her, or their predecessor in trust.

The interest of each and every beneficiary hereunder and of persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

And the said Grantors hereby expressly waive and release any and all right or benefit under and by virtue of any and all statutes of the State of Nebraska providing for the exemption of homesteads from sale or execution or otherwise.

This transfer exempt from documentary tax per §76-902(17) Neb. Rev. Stat..

IN WITNESS WHEREOF, the Grantors aforesaid have hereunto set their hands at Omaha, Nebraska on December 22 1994.

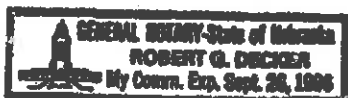
Bernice Cheslak
BERNICE CHESLAK

Thomas J. Cheslak
THOMAS J. CHESLAK

STATE OF NEBRASKA/COUNTY OF DOUGLAS:

I, the undersigned, a Notary Public, in and for said County in the State aforesaid, do hereby certify that BERNICE CHESLAK and THOMAS J. CHESLAK, wife and husband, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day, in person and they each acknowledged that they signed and delivered the said instrument as their individual free and voluntary act, for the use and purposes therein set forth, including the release and waiver of the right of homestead.

WITNESS MY HAND AND SEAL on December 22 1994.



Robert G. Decker
Notary Public

Bvid#
10865

KNOW ALL MEN BY THESE PRESENTS, That

BOOK 1585 PAGE 548

BERNICE CHESLAK

In consideration of -----ONE DOLLAR & NO/100----- DOLLARS

In hand paid, do hereby grant, bargain, sell, convey and confirm unto

BERNICE CHESLAK and THOMAS CHESLAK,
Husband and Wife

as JOINT TENANTS, and not as tenants in common; the following described real estate, situated in the County of
Douglas and State of Nebraska, to-wit:

Lot Seven (7) Block Three Hundred Fourteen
(314) in the City of South Omaha, now a part
of the City of Omaha, Douglas County, Nebraska,
as surveyed, platted and recorded

NEBRASKA DOCUMENTARY
STAMP TAX
DEC 12 1977
EJ BY *Ad*

together with all the tenements, hereditaments and appurtenances to the same belonging, and all the estate, title,
dower, right of homestead, claim or demand whatsoever of the said grantor, of, in or to the same, or any part
thereof; subject to

No Exceptions

IT BEING THE INTENTION OF ALL PARTIES HERETO, THAT IN THE EVENT OF THE DEATH
OF EITHER OF SAID GRANTEEES, THE ENTIRE FEE SIMPLE TITLE TO THE REAL ESTATE DE-
SCRIBED HEREIN SHALL VEST IN THE SURVIVING GRANTEE.

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said grantees as
JOINT TENANTS, and not as tenants in common, and to their assigns, or to the heirs and assigns of the survivor
of them, forever; and the grantor named herein for and heirs, executors, and
administrators, do covenant with the grantees named herein and with their assigns and with the heirs and assigns
of the survivor of them, that lawfully seized of said premises; that they are free from incumbrance
except as stated herein, and that the said grantor have good right and lawful authority to sell the
same, and that will and heirs, executors and administrators shall warrant and de-
fend the same unto the grantees named herein and unto their assigns and unto the heirs and assigns of the sur-
vivor of them, forever, against the lawful claims of all persons whomsoever, excluding the exceptions named herein.

IN WITNESS WHEREOF have hereunto set hand this 7 day of
NOVEMBER 19 77

Bernice Cheslak

In presence of

John P. Hill
Bridgette Hill

28 Dec

BOOK 1585 PAGE 549

STATE OF NEBRASKA
DOUGLAS County

On this 15th day of November 1937, before me, the undersigned a Notary Public, duly commissioned and qualified for said County, personally came

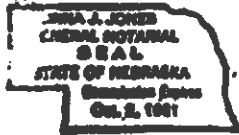
Bernice Chealok

to me known to be the identical person or persons whose name is or names are subscribed to the foregoing instrument, and acknowledged the execution thereof to be, his, her or their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.

Donna J. Jones Notary Public

My commission expires the 2 day of October 1938



DOLLARS

in the County of

STATE OF _____
County _____

On this _____ day of _____, 19____, before me, the undersigned a Notary Public, duly commissioned and qualified for said County, personally came _____

to me known to be the identical person or persons whose name is or names are subscribed to the foregoing instrument, and acknowledged the execution thereof to be, his, her or their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.

Notary Public.

My commission expires the _____ day of _____, 19____.

of the estate, title, same, or any part

AT THE DEATH OF THE ESTATE DE-

said grantees as heirs, executors, and assigns from incumbrance authority to sell the warrant and designs of the survivors named herein. _____ day of _____

20 Deed

RECEIVED

1937 DEC 12 AM 9:03

C. DEWITT J. MILLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

Book 1585
Page 548
of Deed

Page 6-25
Index
Copy 2-1

502-97-807

BUCHHEIMERS

HAVE THIS DEED RECORDED

File No.

WARRANTY DEED
VESTING ENTIRE TITLE IN SURVIVOR

From

To

STATE OF _____

County, _____
Entered on Numerical Index and filed for Record in the Register of Deeds' office of said County, the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in Book _____ of Deeds, Page _____

Register of Deeds

Mail

Num 1

Gen

Compared by

Paged Numerical _____ Paged General _____

Time Rec'd _____

Fee

Shirley C. ...

The Hoffman General Supply House, Lincoln, Neb.

20 2.76

68112

PARC 2908 0000 04

FB 35 STATUS 2 CLASS R

EXEMPT 0 EXEMPT TYPE

TAX DISTRICT 0100 SID F-

PROP HOUSE HALF DIR ----STREET NAME----- TYPE SUFFIX APT AREA ZIP CODE
ADDRESS 04406 S 037 ST OMA 68107

-----OWNER OR TAXPAYER INFORMATION-----

NAME BERNICE*CHESLAK ETAL TR DATE OF LAST CHANGE 12-29-1994
+ 620 S 76 ST BK/PG OR DOC# 1994/562
ADDR HOMESTEAD DELETE 1404-686
CITY OMAHA ST NE ZIP 68114 NON NUMERIC ZIP CODE 487-141

-----CURRENT VALUE-----HOMESTEAD

YEAR ---DATE--- ---LAND--- ---IMPR--- --TOTAL-- PAR RSN NUMBER TY CD PCT VALUE
2002 07-07-2002 2500 0 2500 BOE 1700

ADDITION NO. 81000 LOT 1 HALF BLOCK 329 HALF
SOUTH OMAHA CITY LOTS SECT TOWN RANGE PLAT 0295

-----LEGAL DESCRIPTION-----

1 50 X 130 2
3 4
5 6
7 8

PF1-ADFB

PF5-PNFB

PF6-PAFB

Bwd
10771

RECEIVED

DEC 23 10 28 AM '94

GEORGE J. EDOLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

Record & Return to:
Robert G. Decker-Attorney
500 the Law Building
500 South 16th Street
Omaha, Nebraska 68102

110746 H
PRE 1100 P-2-1 P 04-8000
DEL CO CONF VP
LES 42

TRUSTEE'S DEED-NO. 4

Grantors **BERNICE CHESLAK** and **THOMAS J. CHESLAK**, wife and husband, 620 South 76th Street, Omaha, Nebraska 68114, for and in consideration of the sum of Ten & NO/100---DOLLARS and other valuable consideration, the receipt and sufficiency of which is acknowledged, do hereby convey to **BERNICE CHESLAK** and **THOMAS J. CHESLAK** as Trustees under the provisions of a Trust Agreement of even date, and known as **THE CHESLAK FAMILY TRUST**, an inter vivos revocable trust, and unto all and every successor or successors in trust under that Trust Agreement, the following described real estate:

Lots 1 and 2, Block 329, City of South Omaha, now a part of the City of Omaha, as surveyed, platted and reorded, Douglas County, Nebraska

TO HAVE AND TO HOLD the said real estate with all appurtenances upon the trust and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority are hereby granted to said Trustee as enumerated in the Nebraska Trustee's Powers Act. (§§ 30-2819 through 30-2826 Neb. Rev. Stat. 1943)

In no case shall any party dealing with said Trustees in relation to said premises or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustees, be obligated to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said Trustees, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease, or other instrument executed by said Trustees in relation to said real estate shall be conclusive evidence in favor of every person relying upon

Bvid#
10716
10711

DOCUMENTARY
STAMP TAX
586 Date 12/23/94
By OH

or claiming under such conveyance, lease, or other instrument, (a) that at the time of the delivery thereof the trust created by this indenture was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said Trust Agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustees were duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument, and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his, her, or their predecessor in trust.

The interest of each and every beneficiary hereunder and of persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

And the said Grantors hereby expressly waive and release any and all right or benefit under and by virtue of any and all statutes of the State of Nebraska providing for the exemption of homesteads from sale or execution or otherwise.

This transfer exempt from documentary tax per §76-902(17) Neb. Rev. IN WITNESS WHEREOF, the Grantors aforesaid have hereunto set their hands at Omaha, Nebraska on December 22 1994.

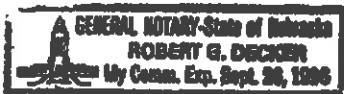
Bernice Cheslak
BERNICE CHESLAK

Thomas J. Cheslak
THOMAS J. CHESLAK

STATE OF NEBRASKA/COUNTY OF DOUGLAS:

I, the undersigned, a Notary Public, in and for said County in the State aforesaid, do hereby certify that BERNICE CHESLAK and THOMAS J. CHESLAK, wife and husband, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day, in person and they each acknowledged that they signed and delivered the said instrument as their individual free and voluntary act, for the use and purposes therein set forth, including the release and waiver of the right of homestead.

WITNESS MY HAND AND SEAL on December 22 1994.



Robert G. Decker
Notary Public
BND#
10716
15771

14-QUITCLAIM DEED
FORM 1404 REV. 6/66

Form 6-66 Copyright, Lincoln, Neb.

QUITCLAIM DEED

Walter Cheslak and Helen Cheslak . herein called the grantor whether one or more,
in consideration of One dollar and other valuable considerations
received from grantor, does quitclaim, grant, bargain, sell, convey and confirm unto
Thomas J. Cheslak and Bernice Holden Cheslak, husband and wife
herein called the grantees whether one or more, the following described real property in
Douglas County, Nebraska:

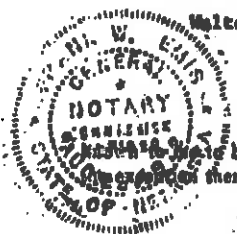
Lot 1, Block 329 and Lots 8 and 9, Block 313, in SOUTH OMAHA,
now a part of the City of Omaha, Douglas County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments
and appurtenances thereto belonging unto the grantees and to grantees' heirs and assigns forever.

Dated February 14 1970.

STATE OF NEBRASKA, County of Douglas

Before me, a notary public qualified for said county, personally came
Walter Cheslak and Helen Cheslak:



to be the identical person or persons who signed the foregoing instrument and acknowledged
the execution thereof to be his, her or their voluntary act and deed.

Witness my hand and notarial seal on February 14, 1970.

Notary Public.

My commission expires August 23, 1972

Block #
10771
10572
10572



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

August 1, 2003

Dear Property Owner:

Re: Omaha Lead Site
Soil Testing
EPA ID No. NESFN0703481

The U. S. Environmental Protection Agency (EPA) is investigating lead contamination in soil at residences in eastern Omaha, Nebraska. The EPA would like to include these properties in this investigation because they are located within an area that may have been influenced by historical lead sources located in or near downtown. If you choose to sign the enclosed access agreement and mail it back in the enclosed envelope, consultants hired by EPA will visit your properties at a later date to collect samples of soil.

A total of about two cups of soil will be collected from various locations around each of your properties and tested for contamination by lead and other metals. The sampling process will only take about one hour for each property and will be at no cost to you. The results will be mailed to you after a quality control analysis has been performed. In addition, data from your properties will be used to develop a map of the Omaha Metropolitan Area showing locations where high lead concentrations have been found. This map will be used as a tool to identify any trends that may lead to parties responsible for the contamination. It will also be used to inform the public about the progress of the investigation.

At a later date, EPA will evaluate the results of all properties it has tested to determine the need for clean-up. If any of your properties need to be cleaned-up, EPA will perform the work at no cost to the property owner. Properties where a child with an elevated blood lead level lives or those being used to provide licensed child care services will be considered for clean-up before all other properties.

I encourage you to sign and return the access form which will permit EPA to sample your properties. Although participation in the soil investigation is voluntary, information gained by testing your soil for metals contamination could be useful as you make future decisions about the use of your property.

If you have any additional questions about this matter, please call 1-913-551-7003 or call Debbie Kring toll-free at 1-800-223-0425.

Sincerely,

A handwritten signature in black ink that reads "Don Bahnke".

Donald Bahnke, Project Manager

Enclosures

Para mas informacion en espanol, por favor usen este numero 1-800-223-0425.

EXHIBIT 2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

**REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101**

April 11, 2005

Dear Property Owner:

**Re: Omaha Lead Site
Soil Testing
EPA ID No. NESFN0703481**

The U. S. Environmental Protection Agency (EPA) has discovered high levels of lead in soils across eastern Omaha, Nebraska, and is continuing to investigate the areas where this contamination may be found. The EPA would like to include your property in this investigation because it is located within an area that may have been influenced by historical lead sources located in or near downtown. The EPA is performing this investigation in order to help reduce childhood lead poisoning in the Omaha area.

The EPA would like to sample the soil on your property at no cost to you. A total of about two cups of soil would be collected from various locations around your property and tested for contamination by lead and other metals. The results of the sampling will be mailed to you.

In order to perform this sampling the EPA would like your permission. An access agreement is enclosed to provide this permission. Please sign this agreement and return it to EPA so that your property can be sampled at no cost to you. Once the access agreement is returned the EPA will contact you to perform the sampling.

If you have any additional questions about this matter, please call me at 1-913-551-7003 or call Debbie Kring toll-free at 1-800-223-0425.

Sincerely,

A handwritten signature in black ink that reads "Don Bahnke".

**Donald Bahnke,
Project Manager**

Enclosure

Para mas información en español, por favor usen este numero 1-800-223-0425.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

August 1, 2008

Re: Omaha Lead Site Required Soil Testing

Dear Property Owner:

The U.S. Environmental Protection Agency (EPA) has discovered high levels of lead in soils across eastern Omaha, Nebraska, and is continuing to investigate the areas where this contamination may be found. The EPA is performing this investigation in order to help reduce childhood lead poisoning in the Omaha area. The EPA will need to sample all of the residential properties located within our area of investigation in eastern Omaha, which includes your property.

The sampling that EPA needs to perform at your property would be no cost to you. A total of about two cups of soil would be collected from various locations around your property and tested for contamination by lead and other metals. If the soil sampling indicates that the soil contains lead levels sufficiently high for the property to be eligible for cleanup, EPA will also need to perform a lead based paint assessment on the exterior walls of structures located on the property to determine if chipping and peeling paint on homes or other structures has the potential to fall to the ground and re-contaminate the soil. The results of the sampling and the lead based paint assessment, if required, will be mailed to you. If EPA determines that any lead cleanup work is necessary, that work will also be performed at no cost to you.

EPA is requesting your permission to perform this sampling. An access agreement is enclosed to provide this permission. Please sign this agreement and return it to EPA in the enclosed postage paid envelope so that your property can be sampled at no cost to you. Once the access agreement is returned, EPA will perform the soil sampling and will also perform the lead based paint assessment, if necessary. If the EPA does not hear from you, we may be contacting you directly.

If you have any additional questions about this matter, please call the local EPA Public Information Center at 1-402-731-3045.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Feild".

Bob Feild,
Project Manager

Enclosure

Para mas información en español, por favor usen este numero 1-402-731-3045.



OMAHA CITY COUNCIL
OMAHA/DOUGLAS CIVIC CENTER
OMAHA, NEBRASKA 68183
Telephone (402) 444-5520
Telefax (402) 444-5263

DAN WELCH
PRESIDENT
GARRY GERNANDT
VICE PRESIDENT
FRANK BROWN
CHUCK SIGERSON
JIM SUTTLE
FRANKLIN THOMPSON
JIM VOKAL

August 7, 2008

Dear Property Owner:

We are writing to encourage you to cooperate with the U.S. Environmental Protection Agency (EPA) in their ongoing investigation of lead-contaminated soils in eastern Omaha. Lead-contaminated soil poses a serious risk to children of our community.

At the request of the City Council, the EPA began investigating lead-contaminated soil in Omaha in 1999. To date, EPA has conducted soil sampling at more than 80% of the 40,000+ residential properties within the impacted area. You have been identified as an owner of a property where EPA has been unable to obtain voluntary access to perform soil sampling. The EPA intends to sample all residential properties within the impacted area. In cases where voluntary access is not provided, EPA has indicated that it intends to perform this sampling using statutory authority granted by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA, or the Superfund statute).

It is in the best interest of all property owners within the impacted area to cooperate with EPA and allow access for soil sampling. If voluntary access is granted, EPA will work with property owners to arrange a convenient time to perform the soil sampling and take into consideration other owner concerns, to the extent possible. All cleanup work that is determined to be necessary for protection of public health would be performed by EPA at no cost to the property owner if voluntary access is provided.

Enclosed is an access agreement that can be completed to grant voluntary access to EPA to conduct this important soil sampling. We urge you to complete this form for all properties owned within the impacted area, and return it to EPA in the enclosed postage-paid envelope at your earliest convenience. The EPA public information centers can be contacted for more information about the EPA lead cleanup in Omaha at (402) 731-3045, or you may contact EPA directly by calling the project manager, Robert Feild, at (913) 551-7697, or the site attorney, Steven Sanders, at (913) 551-7578. Thank you for your cooperation.

Sincerely,


Dan Welch
President


Garry Gernandt
Vice President


Frank Brown
Councilmember


Chuck Sigerson
Councilmember


Jim Suttle
Councilmember


Franklin Thompson
Councilmember


Jim Vokal
Councilmember

/Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

October 13, 2010

Re: Omaha Lead Site Required Soil Testing

Dear Property Owner:

The U.S. Environmental Protection Agency (EPA) has discovered high levels of lead in soils across eastern Omaha, Nebraska, and is continuing to investigate the areas where this contamination may be found. The EPA is performing this investigation in order to help reduce childhood lead poisoning in the Omaha area. The EPA will need to sample all of the residential properties located within our area of investigation in eastern Omaha, which includes your property.

The sampling that EPA needs to perform at your property would be no cost to you. A total of about two cups of soil would be collected from various locations around your property and tested for contamination by lead and other metals. If the soil sampling indicates that the soil contains lead levels sufficiently high for the property to be eligible for cleanup, EPA will also need to perform a lead based paint assessment on the exterior walls of structures located on the property to determine if chipping and peeling paint on homes or other structures has the potential to fall to the ground and re-contaminate the soil. The results of the sampling and the lead based paint assessment, if required, will be mailed to you. If EPA determines that any lead cleanup work is necessary, that work will also be performed at no cost to you.

EPA is requesting your permission to perform this sampling. An access agreement is enclosed to provide this permission. Please sign this agreement and return it to EPA in the enclosed postage paid envelope so that your property can be sampled at no cost to you. Once the access agreement is returned, EPA will perform the soil sampling and will also perform the lead based paint assessment, if necessary. If the EPA does not hear from you, we may be contacting you directly.

If you have any additional questions about this matter, please call the local EPA Public Information Center at 1-402-731-3045.

Sincerely,

A handwritten signature in black ink that reads "Pauletta R. France-Isetts".

Pauletta R. France-Isetts
Project Coordinator
Superfund Division
Environmental Protection Agency

Enclosure

Para mas información en español, por favor usen este numero 1-402-731-3045.



U.S. Environmental Protection Agency
 Region VII
 901 North 5th Street
 Kansas City, Kansas 66101

Omaha Lead Site
 Omaha, NE
 Residential Yard Soils
 Remedial Investigation / Feasibility Study

Owner: CHESLAK BERNICE
 620 S 76 ST
 OMAHA, NE 66114

Property ID	Access Granted	Access Denied	Non Residential	Vacant Lot	Not Owner	Property Address	City	State	Zip
10716	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4410 S 37 ST	OMAHA	NE	68107
10771	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4408 S 37 ST	OMAHA	NE	68107
10888	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4330 S 37 ST	OMAHA	NE	68107
10872	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4329 S 37 ST	OMAHA	NE	68107
10922	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4323 S 37 ST	OMAHA	NE	68107

Black & Veatch Special Projects Corp. (BVSPC) is under contract with the U.S. Environmental Protection Agency (EPA) to assist in the determination of levels of lead and other metals in surface soils within the Omaha, Nebraska, area. Your cooperation is requested in giving BVSPC/EPA permission to access your property for the purpose of surface soil sampling analysis in support of this study. If soil sampling indicates that the soil contains lead levels sufficiently high for the property to be eligible for clean-up, property owner grants BVSPC/EPA permission to perform a lead based paint (LBP) assessment on the exterior walls of structures located on the property. Permission to perform sampling and/or LBP assessment must be obtained from the property owner. Contact the local EPA Public Information Center at (402) 731-3045 for further information.

Printed Name of Person Granting Access: _____

 (Property Owner's Printed Name)

 (Owner's Signature)

 (Date)

The activities to be implemented by EPA under this agreement are pursuant to Section 104 of CERCLA, 42 U.S.C. 9604. EPA's right of access to the property in Section 104(e) of CERCLA, 42 U.S.C. 9604(e), provides entry for, "determining the need for response, or choosing or taking any response action under this title, or otherwise enforcing the provisions of this title."



ACCESS INFORMATION TRACKING SHEET

10716, 10771,
10865; 10872;
BVID: 10922

PROPERTY
ADDRESS:

620 S. 76 St.

Property Owned By:
(if new property owner)

Cheslak Bernice

Owner Contact No:

Home: 391-7908

Work:

Cell:

Fax:

Access Contractor:

Latino Center of the Midlands

DATE	TIME	Accessor	CONTACT DETAIL
04-26	12:30	Emilio	no one in the house, left door hanger
04-30	6:30	Emilio	no one in the house, left door hanger
05-07	9:45	Emilio	no one in the house; left door hanger
05-22	2:48	Emilio	Called but no answer machine, to leave voice mail.
5-23	5:32	Jose	Owner not interested; no reason given

Comments:

Please write legibly!



10872



U.S. Environmental Protection Agency Region VII

Omaha Lead Site
Omaha, NE

Residential Yard Soils
Remedial Investigation/
Feasibility Study

PROPERTY ACCESS (to be completed by property owner)

Para recibir esta forma en español, por favor llame Debbie King al 1-800-223-0425

Black & Veatch Special Projects Corp. (BVSPC) is under contract with the U.S. Environmental Protection Agency (EPA) to assist in the determination of levels of lead and other metals in surface soils within the Omaha, Nebraska area. Your cooperation is requested in giving BVSPC/EPA permission to access your property for the purpose of surface soil sampling analysis in support of this study. For further information contact Don Bahnke, EPA Project Manager, 1-813-551-7003 or Debbie King at the Office of External Programs, 1-800-223-0425.

Property Access Granted By _____

(Print Full Name)

(property Owner Signature)

(date)

NOTE: Granting permission DOES NOT necessarily imply your property will sampled at this time.

PROPERTY INFORMATION

(to be completed by resident and/or property owner - Please Print)

Resident Name: TENANTS

owner renter

Residence Address: 4329 S 37 ST

OMAHA

NE

68107

(CITY)

(STATE)

(ZIP)

Property owned by BERNICE CHESLAK TR

Owner's mailing address: 620 S 76 ST, OMAHA, NE 68114

Owner's telephone number - Home: 402-391-7908

Work: _____

Age of home? 93 years

How long have you lived here? _____ years

Has the exterior been painted or covered with siding since 1978? Yes No

Has the interior been painted or covered since 1978? Yes No

Total number of occupants: _____

List Ages: _____

List ages of occupants under 6 years old who play in the yard for 5 or more hours per week: _____

Comments: Mr. Cheslak said no (Decline)

AUTHORITY FOR ENVIRONMENTAL RESPONSE ACTIONS

The activities to be implemented by EPA under this agreement are pursuant to Section 104 of CERCLA, 42 U.S.C. 9604. EPA's right of access to the property for in Section 104(e) of CERCLA, 42 U.S.C. 9604(e), which provides entry for, "determining the need for response, or choosing or taking any response action under this title, or otherwise enforcing the provisions of this title."

Access Attempts: Letter sent

First: 10-20-05 3:40 Second: 11-8-05 3:40 Third: _____
MSW MSW





10716



U.S. Environmental Protection Agency Region VII

Omaha Lead Site
Omaha, NE

Residential Yard Soils
Remedial Investigation/
Feasibility Study

PROPERTY ACCESS *(to be completed by property owner)*

Para recibir esta forma en español, por favor llámame Debbie Kring al 1-800-223-0425

Black & Veatch Special Projects Corp. (BVSPC) is under contract with the U.S. Environmental Protection Agency (EPA) to assist in the determination of levels of lead and other metals in surface soils within the Omaha, Nebraska area. Your cooperation is requested in giving BVSPC/EPA permission to access your property for the purpose of surface soil sampling analysis in support of this study. For further information contact Don Bahnke, EPA Project Manager, 1-913-551-7003 or Debbie Kring at the Office of External Programs, 1-800-223-0425.

Property Access Granted By _____

(Please Print Name)

(property Owner Signature)

(date)

NOTE: Granting permission DOES NOT necessarily imply your property will sampled at this time.

PROPERTY INFORMATION

(to be completed by resident and/or property owner - Please Print)

Resident Name: TENANTS

owner renter

Residence Address: 4410 S 37 ST

OMAHA
(CITY)

NE
(STATE)

68107
(ZIP)

Property owned by BERNICE CHESLAK TR

Owner's mailing address: 620 S 76 ST, OMAHA, NE 68114

Owner's telephone number - Home: 402-391-7908

Work: _____

Age of home? 100 years How long have you lived here? _____ years

Has the exterior been painted or covered with siding since 1978? Yes No

Has the interior been painted or covered since 1978? Yes No

Total number of occupants: _____ List Ages: _____

List ages of occupants under 6 years old who play in the yard for 5 or more hours per week: _____

Comments: Ms Cheslak said No (Decline)

AUTHORITY FOR ENVIRONMENTAL RESPONSE ACTIONS

The activities to be implemented by EPA under this agreement are pursuant to Section 104 of CERCLA, 42 U.S.C. 9604. EPA's right of access to the property for in Section 104(e) of CERCLA, 42 U.S.C. 9604(e), which provides entry for, determining the need for response, or choosing or taking any response action under this title, or otherwise enforcing the provisions of this title.

Access Attempts: Letter sent:

First: 10-30-05 3:40 MSL Second: 11-8-05 3:40 MSL Third: _____





10922



U.S. Environmental Protection Agency Region VII

Omaha Lead Site
Omaha, NE

Residential Yard Soils
Remedial Investigation/
Feasibility Study

PROPERTY ACCESS (to be completed by property owner)

Para recibir esta forma en español, por favor llame Debbie Kring al 1-800-223-0425

Black & Veatch Special Projects Corp. (BVSPC) is under contract with the U.S. Environmental Protection Agency (EPA) to assist in the determination of levels of lead and other metals in surface soils within the Omaha, Nebraska area. Your cooperation is requested in giving BVSPC/EPA permission to access your property for the purpose of surface soil sampling analysis in support of this study. For further information contact Don Bahnke, EPA Project Manager, 1-913-551-7003 or Debbie Kring at the Office of External Programs, 1-800-223-0425.

Property Access Granted By _____

(Please Print Name)

(property Owner Signature)

(date)

NOTE: Granting permission DOES NOT necessarily imply your property will be sampled at this time.

PROPERTY INFORMATION

(to be completed by resident and/or property owner - Please Print)

Resident Name: VACANT LOT

owner renter

Residence Address: 4323 S 37 ST

OMAHA
(CITY)

NE
(STATE)

68107
(ZIP)

Property owned by BERNICE CHESLAK TR

Owner's mailing address: 620 S 76 ST, OMAHA, NE 68114

Owner's telephone number - Home: 402-391-7908

Work: _____

Age of home? _____ years How long have you lived here? _____ years

Has the exterior been painted or covered with siding since 1978? Yes No

Has the interior been painted or covered since 1978? Yes No

Total number of occupants: _____ List Ages: _____

List ages of occupants under 6 years old who play in the yard for 5 or more hours per week: _____

Comments: Mr. Cheslak said no (Decline)

AUTHORITY FOR ENVIRONMENTAL RESPONSE ACTIONS

The activities to be implemented by EPA under this agreement are pursuant to Section 104 of CERCLA, 42 U.S.C. 9604. EPA's right of access to the property for in Section 104(e) of CERCLA, 42 U.S.C. 9604(e), which provides entry for, "determining the need for response, or choosing or taking any response action under this title, or otherwise enforcing the provisions of this title."

Access Attempts: Letter sent

First: 10-20-05 3:40 msw Second: 11-8-05 3:40 msw Third: _____





10865



U.S. Environmental Protection Agency Region VII

Omaha Lead Site
Omaha, NE

Residential Yard Soils
Remedial Investigation/
Feasibility Study

PROPERTY ACCESS (to be completed by property owner)

Para recibir esta forma en español, por favor llámé Debbie Kring al 1-800-223-0425

Black & Veatch Special Projects Corp. (BVSPC) is under contract with the U.S. Environmental Protection Agency (EPA) to assist in the determination of levels of lead and other metals in surface soils within the Omaha, Nebraska area. Your cooperation is requested in giving BVSPC/EPA permission to access your property for the purpose of surface soil sampling analysis in support of this study. For further information contact Don Bahnke, EPA Project Manager, 1-913-551-7003 or Debbie Kring at the Office of External Programs, 1-800-223-0425.

Property Access Granted By _____

(Please Print Name)

(property Owner Signature)

(Date)

NOTE: Granting permission DOES NOT necessarily imply your property will be sampled at this time.

PROPERTY INFORMATION

(to be completed by resident and/or property owner - Please Print)

Resident Name: VACANT LOT

owner renter

Residence Address: 4330 S 37 ST

OMAHA
CITY

NE
STATE

68107
ZIP

Property owned by BERNICE CHESLAK TR

Owner's mailing address: 620 S 76 ST, OMAHA, NE 68114

Owner's telephone number - Home: 402-391-7905

Work: _____

Age of home? _____ years How long have you lived here? _____ years

Has the exterior been painted or covered with siding since 1978? Yes No

Has the interior been painted or covered since 1978? Yes No

Total number of occupants: _____ List Ages: _____

List ages of occupants under 6 years old who play in the yard for 5 or more hours per week: _____

Comments: Mr. Cheslak said no (Decline)

AUTHORITY FOR ENVIRONMENTAL RESPONSE ACTIONS

The activities to be implemented by EPA under this agreement are pursuant to Section 104 of CERCLA, 42 U.S.C. 9604. EPA's right of access to the property for in Section 104(e) of CERCLA, 42 U.S.C. 9604(e), which provides entry for, "determining the need for response, or choosing or taking any response action under this title, or otherwise enforcing the provisions of this title."

Access Attempts: Letter sent

First: 10-20-05 3:40 msW Second: 11-8-05 3:40 msW Third: _____





10771



U.S. Environmental Protection Agency Region VII

Omaha Lead Site
Omaha, NE

Residential Yard Soils
Remedial Investigation/
Feasibility Study

PROPERTY ACCESS *(to be completed by property owner)*

Para recibir esta forma en español, por favor llame Debbie Kring al 1-800-223-0425.

Black & Veatch Special Projects Corp. (BVSPC) is under contract with the U.S. Environmental Protection Agency (EPA) to assist in the determination of levels of lead and other metals in surface soils within the Omaha, Nebraska area. Your cooperation is requested in giving BVSPC/EPA permission to access your property for the purpose of surface soil sampling analysis in support of this study. For further information contact Don Bahnke, EPA Project Manager, 1-913-551-7003 or Debbie Kring at the Office of External Programs, 1-800-223-0425.

Property Access Granted By _____

(Please Print Name)

(property Owner Signature)

(date)

NOTE: Granting permission DOES NOT necessarily imply your property will sampled at this time.

PROPERTY INFORMATION

(to be completed by resident and/or property owner - Please Print)

Resident Name: VACANT LOT

owner renter

Residence Address: 4406 S 37 ST

OMAHA

NE

68107

(CITY)

(STATE)

(ZIP)

Property owned by BERNICE CHESLAK TR

Owner's mailing address: 620 S 76 ST, OMAHA, NE 68114

Owner's telephone number - Home: 402-391-7908

Work: _____

Age of home? _____ years How long have you lived here? _____ years

Has the exterior been painted or covered with siding since 1978? Yes No

Has the interior been painted or covered since 1978? Yes No

Total number of occupants: _____ List Ages: _____

List ages of occupants under 6 years old who play in the yard for 5 or more hours per week: _____

Comments: Mr Cheslak said no (Decline)

AUTHORITY FOR ENVIRONMENTAL RESPONSE ACTIONS

The activities to be implemented by EPA under this agreement are pursuant to Section 104 of CERCLA, 42 U.S.C. 9604. EPA's right of access to the property for in Section 104(e) of CERCLA, 42 U.S.C. 9604(e), which provides entry for, "determining the need for response, or choosing or taking any response action under this title, or otherwise enforcing the provisions of this title."

Access Attempts: Letter sent

First: 10-20-05 3:40 Second: 11-8-05 3:40 Third: _____
msw msw

