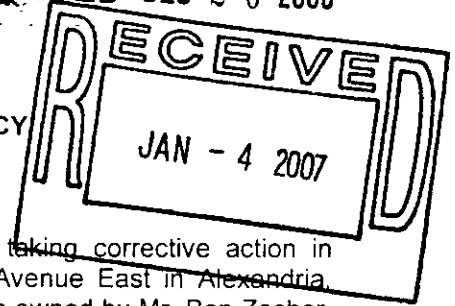


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ACCESS AGREEMENT BETWEEN THE MINNESOTA POLLUTION CONTROL AGENCY AND MR. BEN ZACHER

The Minnesota Pollution Control Agency (MPCA) is investigating, and/or taking corrective action in response to, a release of petroleum from a tank(s) located at 905 - 3rd Avenue East in Alexandria, Minnesota. The investigation will be conducted in the vicinity of the properties owned by Mr. Ben Zacher, located at:

905 - 3rd Avenue East and 1023 - 3rd Avenue East Alexandria, Minnesota 56308

The Property Owner hereby consents and authorizes the MPCA, its employees, agents and contractors, to enter this property for the purpose of performing reasonable and necessary investigations and corrective actions in response to the suspected petroleum tank release. The MPCA is authorized to take these actions under Minn. Stat. § 115C.03, subd. 7 (2002).

The MPCA will notify the Property Owner at least 48 hours before entering the property. Work will be conducted during regular business hours (8:00 a.m. to 5:00 p.m.) unless the MPCA receives permission to conduct work during different hours. The MPCA will conduct its activities so as to minimize interference with the use of the property. If any portion of the property must be disturbed as a result of the MPCA's activities, the MPCA will restore the property as close to its original condition as is reasonably possible under the circumstances. The Property Owner will take reasonable precautions to ensure that the equipment of the MPCA and its contractors on the property is not damaged, and that the work being conducted by the MPCA, its employees, agents and contractors is not disrupted.

The MPCA will obtain all necessary permits for installation and maintenance of the monitoring wells, remediation wells, and/or water wells, if such wells are installed. Upon completion of all necessary sampling or remediation, the MPCA will seal the monitoring wells, remediation wells and/or water wells in accordance with state law. Results of all testing conducted on the property will be provided to the Property Owner.

The MPCA shall be liable for injury to or loss of property, or personal injury or death, caused by an act or omission of any employee of the state in the performance of the work described above, under the circumstances where the state, if a private person, would be liable to the claimant, in accordance with Minn. Stat. § 3.736.

MINNESOTA POLLUTION CONTROL AGENCY

BEN ZACHER (Property Owner)

Donald Miller Signature

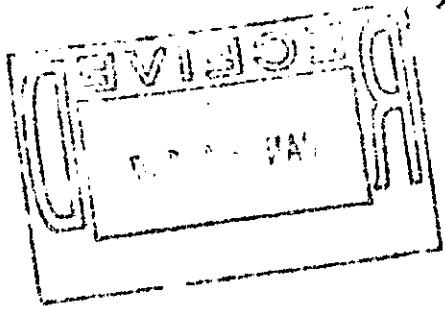
Ben Zacher Print Name

Supervisor Title

Ben Zacher Signature

1/8/07 Date

12-12-06 Date



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