

**Notice to Interested Persons  
for Authorization Under Prohibited Transaction Exemption 96-62, as Amended**

You are hereby notified that Richard R. Kracum (the "Applicant") has applied to the U.S. Department of Labor ("DOL") for authorization of a proposed transaction. The transaction involves the proposed sale of certain unimproved real property (the "Property") by the Richard R. Kracum IRA (the "IRA") to Richard R. Kracum, the IRA owner. If the submission by the Applicant receives final authorization from the DOL, the restrictions and sanctions resulting from the application of section 4975 of the Internal Revenue Code (the "Code") by reason of section 4975(c)(1)(A) through (E) shall not apply. The authorization is necessary because the Applicant is the IRA owner and a disqualified person with respect to the IRA. Because of the relationship between the Applicant and the IRA, such a transaction would otherwise constitute a prohibited transaction under the Code. This notice informs you of the application to the DOL and describes your right to comment to the DOL about this proposed transaction.

Overview

The Applicant represents that the proposed sale of the Property by the IRA to the Applicant will increase the liquidity of the IRA's portfolio, will enable the IRA to diversify its assets, and will enable the IRA to sell an illiquid asset. The authorization by the DOL will be subject to the conditions described below.

Richard R. Kracum

The Applicant is the IRA participant and a disqualified person with respect to the IRA. The Applicant will be bearing the costs of the exemption application.

Richard R. Kracum IRA

The IRA is an individual retirement account, as described in section 408(a) of the Code, and was established by the Applicant in August of 1985. As of December 31, 2005, the IRA had approximately \$90,000 in total assets. The Associated Trust Company, located in Milwaukee, Wisconsin, is the trustee of the IRA.

Proposed Property Transaction

On October 21, 1985, the IRA purchased the Property from Joseph B. Burkhard and Susan Ann Sauerwald, who were unrelated third parties, for \$34,000 in cash. The Property currently represents 100% of the IRA's total assets. The Property is adjacent to other property owned by the Applicant. It is represented the Applicant made the decision to purchase the Property as an investment for the IRA. The Property is a 30 acre parcel of unimproved land, legally described as the West One-Half (W-1/2) of Government Lot Four (4), of Section Twenty (20), Township Thirty-Two (32) North, of Range Eight (8) West. The Property has not generated any cash income for the IRA since its acquisition.

The Property was appraised on August 9, 2006, by independent qualified appraisers, Wendy Walker and William Puckett. The appraisers determined the fair market value of the Property to be \$275,000. The Applicant proposes that he purchase the Property from the IRA in a one-time cash transaction. The Applicant represents that the proposed transaction would be in the best interest and protective of the IRA because the IRA will be able to dispose of the Property at its fair market value and will not pay any commissions or expenses associated with the sale. In this regard, the Applicant will pay the IRA an amount in cash equal to the current fair market value of the Property at the time of the transaction as determined by a qualified independent appraiser.

Tentative Authorization of Proposed Transaction

Authorization by the DOL was requested under a procedure, Prohibited Transaction Exemption ("PTE") 96-62, which requires the transaction be substantially similar to transactions described in one individual exemption that was granted by EBSA, and provided relief from the same restriction, within the 120-month (10-year) period ending on the date of filing of the application, and at least one "authorized transaction" (a transaction that has received final authorization under the EXPRO procedures within a 60-month period ending on the date of the filing of the application). A description of one of these transactions and the DOL's comments relating thereto may be found in the Federal Register as Prohibited Transaction Exemption 2000-20 (Taylor M. Cole IRA Rollover), 65 Fed. Reg. 25953 (May 4, 2000). The other transaction received final authorization under the EXPRO procedures on August 13, 2004 (Jerry D. Clayton Self-Directed IRA Rollover, 04-15E, E00359).

The proposed transaction described in this notice has met the requirements for tentative authorization from the DOL under PTE 96-62. Unless the DOL otherwise notifies the Applicant, a final authorization would be effective \_\_\_\_\_.

Terms of Tentative Authorization

The sanctions resulting from the application of Section 4975 of the Code, by reason of Section 4975(c)(1)(A) through (E) of the Code, shall not apply to the proposed sale of certain unimproved property (the "Property") by the IRA to Richard R. Kracum, the IRA owner and a disqualified person with respect to the IRA provided that the following conditions are met:

- (a) The IRA will receive the fair market value of the Property at the time of the proposed transaction as determined by a qualified independent appraiser;
- (b) The terms and conditions of the proposed transaction shall be at least as favorable to the IRA as those obtainable in an arm's length transaction with an unrelated party;
- (c) The sale of the Property by the IRA is a one-time transaction for cash; and
- (d) The IRA is not required to pay any commissions, costs, or other fees in connection with the proposed transaction.

Your Right to Comment on Tentative Authorization

As an interested party, you have the right to submit comments to the DOL on the tentative authorization. If you decide to do so, you should submit your comments to the following address:

U.S. Department of Labor  
Employee Benefits Security Administration  
Office of Exemption Determinations  
200 Constitution Avenue, NW, Suite N-5700  
Washington, DC 20210  
Attn: Karin Weng

Be sure to refer to the submission number, which is E-00541. Comments must be received by the DOL no later than February 17, 2007.

Comments may be faxed or e-mailed to the DOL. The fax number is (202)219-0204 and the e-mail address is Weng.Karin@dol.gov. If you have questions regarding your right to comment on this tentative authorization, you may call Karin Weng at (202)693-8557.

The transaction will only be consummated after the issuance of a final authorization. If the DOL authorizes the transaction, the approximate date on which the transaction will occur is on or after February 18, 2007.

If you have any additional questions about any information in this notice, contact Richard R. Kracum at (312)255-4800.