

Document Number

Wis. Admin. § NR 728.11
NOTICE OF CONTAMINATION

Doc # 592101

Recorded
March 14, 2022 11:15 AM

Sherry Bierman

Sherry Bierman, Register of Deeds
Vilas County, WI

Fee Amount: \$30.00

Total Pages: 2

Legal Description of the Property:

Lot 3 of Certified Survey Map, Vol 13cs, Pages 201 & 211 recorded on October 17, 2002 as map #3789. Part of the Northwest 1/4 of the Northeast 1/4 and part of the Northeast 1/4 of the Northwest 1/4 in Section 19, Town 40N, Range 6E, Town of Lac du Flambeau, Vilas County, Wisconsin

Recording Area

Name and Return Address:
DNR, Attn: Carrie Stoltz
107 Sutliff Avenue
Rhineland, WI 54501

STATE OF WISCONSIN

~~VILAS COUNTY~~
Ashtland

10-3398-13

Parcel Identification Number (PIN)

I, Christopher A. Saari, being first duly sworn, state that:

1. I am a Remediation and Redevelopment Program Supervisor, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its Northern Region.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department has determined that petroleum-related compounds were discharged to the soil at the Ken Francois Property, now known as the James Peontke property ("the Property"), which is located at 1870 State Highway 47, in the Town of Lac du Flambeau, Vilas County, and which has the above legal description.
4. The Department has determined that soil contamination has been identified on the Property which has not been adequately defined or remediated.
5. On December 11, 2020, the Department sent a Responsible Party (RP) letter to Mr. James Peontke advising him of the statutory requirement to restore the environment at that location. That letter requested Mr. Peontke hire a licensed environmental consultant within (30) days and submit a site investigation work plan within (60) days. No response to that letter has been received by the Department.
6. On March 3, 2021, the Department sent a request for status update letter, by certified mail, to Mr. Peontke and informed him of his responsibility to investigate and clean up the site.
7. Per Wis. Admin. Code § NR 728.11(2)(a), on July 1, 2021, the Department sent a letter, by certified mail, to Mr. Peontke advising that a notice of contamination would be recorded if satisfactory action to address the environmental contamination did not commence.
8. Per Wis. Admin. Code § NR 728.11(2)(b), on January 7, 2022, the Department sent a letter, by certified mail, to Mr. Peontke and New Penn Financial LLC, dba Shell Point Mortgage Servicing, advising that the Department has made the decision to record a notice of contamination for the above-described property at the county Register of Deeds office. The 30-day response time set out in the letter has expired. Additionally, per Wis. Admin. Code § NR 728.11(2)(c), the 15-day waiting period since that deadline, required by Wis. Admin. Code § NR 728, has passed without an acceptable response.


AFFIDAVIT

In Re: Property Located in the
Town of Lac du Flambeau
Vilas County, Wisconsin
Described above.

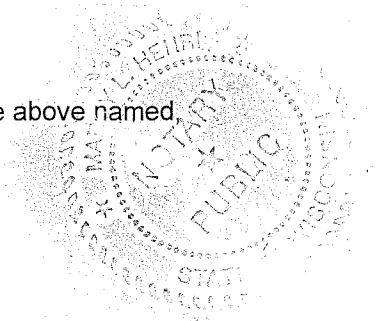
9. Because the Department believes that petroleum-related contaminants found in the soil on the Property with the above legal description, will continue to discharge into the environment, subsequent purchasers of the Property could be held responsible for investigation and cleanup costs under Wis. Stat. § 292.11(3).


Christopher A. Saari

Subscribed and sworn to before me this 10th day of March, 2022 by the above named Christopher A. Saari.


Notary Public, State of Wisconsin

My commission expires on: Jan 15, 2024



This document was drafted by the Wisconsin Department of Natural Resources.