



September 2, 2021

GLORIA & JEFFREY LUTZEN
6858 US HIGHWAY 18
FENNIMORE WI 53809

Subject: Notice of Intent to File a Deed Notice § NR 728.11(3)
Kreyer Country Store, 6858 USH 18, Town of Mount Ida, Wisconsin
DNR BRRTS Activity #: 03-22-152084

Dear Ms. & Mr. Lutzen:

On March 31, 2008, under direction from the Wisconsin Department of Natural Resources (DNR), a Notice of Contamination was filed as Document Number 706182, of Volume 1164, Page 539, at the Register of Deeds in Grant County with the intent to notify the public of contamination existing at 6858 USH 18, Town of Mount Ida, WI (Property). The DNR, in accordance with the Wis. Admin. Code chs. NR 700-799 and Wis. Stat. § 292.11(3), determined all administrative and statutory obligations for this release of contamination had not been met and the Notice of Contamination was filed. The Notice of Contamination recorded under Wis. Admin. Code § NR 728.11, was to notify the public of the existence and potential liability of petroleum contamination associated with ownership of the Property.

Since that time, remedial actions have been taken to address the source of contamination and impacts to the environment. On August 6, 2020, pursuant to Wis. Admin. Code ch. NR 726, the contamination case on your Property was closed with continuing obligations as some contamination remains in soil and groundwater. Per Wis. Admin. Code § NR 728.11(3), this letter is to advise you that the DNR has made the decision to record a second affidavit (hereafter referred to as a Deed Notice) that supersedes the original Notice of Contamination for the Property. Per Wis. Admin. Code § NR 728.11(3), this Deed Notice is being recorded for the purpose of notifying prospective purchasers and other interested persons that the previously recorded Notice of Contamination, filed on March 31, 2008, as Document Number 706182, of Volume 1164, Page 539, has been satisfied and is no longer applicable to the Property.

Attached are drafts of the documents the DNR is in the process of filing. The DNR will provide you with a final copy of the filed Deed Notice once it has been recorded and returned from the Register of Deeds office. If you have any questions, please contact Janet DiMaggio at (608) 219-2155 or Janet.DiMaggio@wisconsin.gov.

Sincerely,

Steven L. Martin, P.G.
SCR Team Supervisor
Remediation and Redevelopment Program

Attachments: Deed Notice
Exhibit A

EXHIBIT A

Written Determination by the Wisconsin Department of Natural Resources

1. A Notice of Contamination was recorded at the Register of Deeds in Grant County, Wisconsin, on March 31, 2008, as Document Number 706182 of Volume 1164, Page 539. It applies to the property located at 6858 USH 18, Town of Mount Ida, Wisconsin (Property) which is owned by Gloria B. Lutzen and Jeffrey C. Lutzen.
2. The Notice of Contamination recorded under Wis. Admin. Code § NR 728.11, was to notify the public of the existence and potential liability of contamination associated with the Property. The Wisconsin Department of Natural Resources (DNR), in accordance with the Wis. Admin. Code chs. NR 700-799 and Wis. Stat. § 292.11(3), determined all administrative and statutory obligations for this release of contamination had not been met. Because the DNR believed contamination would continue to release to the environment, it was necessary to notify the public and any subsequent owner, of the liability associated with the contamination on the Property.
3. Formerly the Property was a gas station which included an Underground Storage Tank (UST) system used for the retail sale of petroleum. The UST system included two 300-gallon USTs, used to store unleaded gasoline and fuel oil, and one 500-gallon UST which also held unleaded gas. Petroleum impacts to the environment were reported to the DNR on June 16, 1997, as a result of a site assessment.
4. On November 6, 1998, the UST system was removed. On November 19, and 20, 2019, 531-tons of petroleum impacted soil was excavated and disposed of at a licensed landfill. Post excavation sampling determined that the source contaminant mass was reduced. Groundwater monitoring confirmed a dissolved phase petroleum product plume was present but that the plume was stable or decreasing in mass.
5. Thus, at this time, with the information available, the release of contamination at the Property has been determined to meet all administrative and statutory obligations in accordance with the Wis. Admin. Code ch. NR 700 rule series and Wis. Stat. § 292.11(3). Please refer to the Continuing Obligations packet found on BRRTS on the Web, for the list of continuing obligations which currently exist at the Property located at, 6858 USH 18, Town of Mount Ida, Wisconsin.
6. Therefore, the environmental contamination previously identified on this Property has been adequately addressed and the previously filed Notice of Contamination filed on March 31, 2008, as Document Number 706182 of Volume 1164, Page 539, has been satisfied.

By:

Signature:



Date: September 2, 2021

Printed Name: Steven L. Martin, P.G.

Title: South Central Region Remediation & Redevelopment Team Supervisor

Document Number

DEED NOTICE

Legal Description of the Property:

Outlot 3 in the Village of Mt. Ida, Grant County, Wisconsin, according to the recorded plat thereof.

STATE OF WISCONSIN)
) ss
COUNTY OF GRANT)

Recording Area


Name and Return Address:
Janet DiMaggio
Department of Natural Resources
3911 Fish Hatchery Rd
Fitchburg WI 53711

I, Steven L. Martin, being first duly sworn, state that:

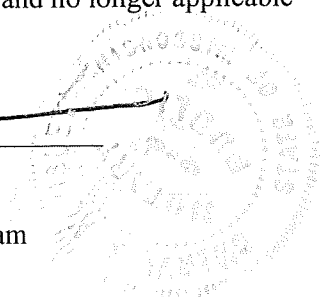
040-00696-0000

Parcel Identification Number (PIN)

1. I am a Remediation and Redevelopment Program supervisor, employed by the Wisconsin Department of Natural Resources (DNR) at its South Central regional office.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The contaminated soil and groundwater, for which the DNR recorded a Notice of Contamination on March 31, 2008, as Document Number 706182, of Volume 1164, Page 539, has been investigated and remediated to the satisfaction of the DNR. The residual contamination, originating from the property described above, which exceeds State standards, no longer poses an imminent threat to human health or the environment. A final case closure letter with continuing obligations for residual soil and groundwater contamination was issued by the DNR on August 6, 2020.
4. In accordance with Wis. Admin. § NR 728.11(3), on September 2, 2021, the DNR sent a letter, to Jeffrey C. and Gloria B. Lutzen stating the intent to record a second Notice that supersedes the original Notice of Contamination for the above-described property at the county Register of Deeds office.
5. In accordance with Wis. Admin. § NR 728.11(3), this Deed Notice is being recorded for the purpose of notifying prospective purchasers and other interested persons that the previously recorded Notice of Contamination on March 31, 2008, as Document number 706182, of Volume 1164, Page 539, is terminated and no longer applicable to the above-described property.



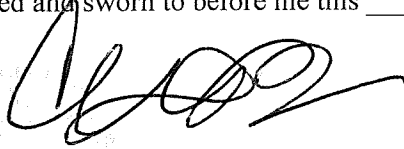
Steven L. Martin, P.G.
SCR Team Supervisor
Remediation and Redevelopment Program



AFFIDAVIT

In Re: Property Located in the
Town of Mount Ida, Grant County, Wisconsin
Described above.

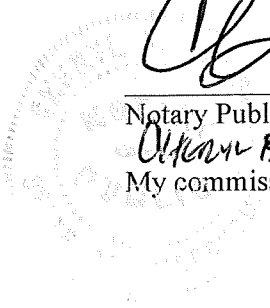
Subscribed and sworn to before me this 2ND day of SEPT., 2021.



Notary Public, State of Wisconsin

Oliver B. Housley

My commission expires on: FEB. 10, 2024



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