

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Daniel L. Meyer, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



November 28, 2018

Jessica Amberg
N212 Herb Ave.
Spring Valley, WI 54767

BRRTs # 02-17-152462
Site Name: Amberg Oil Tank Farm ("Site")
Site Address: 503 1st Ave W, Dunn

Re: NR 726 Case Closure

Dear Ms. Amberg:

As the owner of the above referenced property, you have agreed to have a superior lien placed on your property in the amount of \$1,700 for the purpose of deferment of fees incurred under Wis. Admin. Code NR ch. 749 (see attached) for the Site described above, for expenditures by the Wisconsin Department of Natural Resources ("department") in processing closure documentation. In accordance with Wis. Stat. § 292.81(4), this letter serves as the second notice that the department intends to file a superior lien against the property at the above address.

The lien will be filed on or after January 27, 2019. This notice provides you with a minimum of 60 days before the department files the lien with the county register of deeds.

Included is a copy of the lien that will be filed. If you have questions, you may contact me at: jenna.soyer@wisconsin.gov, 608-267-2465.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jenna Soyer'.

Jenna Soyer
Fiscal and IT Section Chief, Remediation and Redevelopment Program

cc: Ron Anderson (METCO); Pat Collins (DNR)

enc: Copy of signed agreement
Copy of superior lien to be filed

NOTICE OF LIEN

Wis. Stats. §292.81(3)

Document Number

Title of Document

As provided by Wis. Stats. ch. 292 and Wis. Admin. Code Ch NR 700, the Department of Natural Resources (department) has incurred the cost for reviewing the case closure request at the following property owned by the Century Corporation and located in Dunn County.

See Schedule A - Attached

Record this record with the Register of Deeds.

Name and return address:

Jenna Soyer
Fiscal & IT Section Chief
Remediation and Redevelopment Program
PO Box 7921
Madison WI 53707-7921
Phone (608) 267-7562

Parcel # 1725122813270020001

This document was drafted & approved
by:

Department of Natural Resources
PO Box 7921
Madison WI 53707-7921

The case closure request review costs (\$1,700) incurred by the department constitutes a superior lien on the property as described in Wis. Stats. § 292.81(3). The property remains subject to this superior lien until the case closure request review costs are paid in full to the department. No interest is recoverable on this superior lien.

The department makes and files this claim for the interest held by the Owner(s) in this property under Wis. Stats. § 292.81(3), Stats. The department certifies that to the best of its knowledge and belief, all information contained in this Notice of Lien is correct, and this superior lien represents a legal encumbrance upon the property. Based on the above information, the department claims a superior lien on all the interest, which the Owner(s) have in the above-described property.

Department of Natural Resources

By:

Jenna Soyer, Fiscal & IT Section Chief
Remediation and Redevelopment Program

AUTHENTICATION OF ACKNOWLEDGMENT

The above named person was sworn to before me this
____ day of _____, 20__.

Adrian Herrera

Notary Public
State of Wisconsin, County of Dane
My Commission expires May 5, 2022

SCHEDULE "A"

Parcel 1:

All that part of Government Lot Two (2) in Section Twenty-seven (27), Township Twenty-eight (28) North Range Thirteen (13) West, CITY OF MENOMONIE, Dunn County, Wisconsin, lying North of the North line of First Avenue, (Formerly Walnut Street), of Menomonie, Dunn County, Wisconsin, and North of said North line extended westerly, and East and South of the Red Cedar River, excepting the East 68 feet thereof and also Excepting a strip of land about 33 links wide along the Southeast bank of said Red Cedar River, said strip of land being more fully described in an affidavit of survey by W.A. Harding dated April 27, 1937 and recorded April 30, 1937, in Volume 23 of Miscellaneous on page 330, Dunn County records.

Parcel 2:

That part of Lots 3 and 25, Block C, Riverside Drive Assessment Plat, CITY OF MENOMONIE, Dunn County Wisconsin, being a part of the Southwest Quarter of the Southwest Quarter of Section Twenty-six (26), Township Twenty-eight (28), Range Thirteen (13) West, described as follows:
Commencing at a point on the North line of the Southwest Quarter of the Southwest Quarter of said Section 26 (said North line is also the centerline of Old Highway "29"), 268.5 feet East of the Northwest corner of said forty, said point being on the West line of the railroad right of way as described in Vol. 20 Deeds, page 631 and is also 131.6 feet West of the centerline of the main track of said railroad; thence South 8°50' East 508.7 feet along the West edge of the railroad right of way (said line is also 130 feet distant from the main track of said railroad as measured at right angles thereto) to the Southwest corner of said railroad right of way, said point being also the Southwest corner of that certain parcel of land conveyed by Chicago, Saint Paul, Minneapolis and Omaha Railway Company to Menomonie Farmers Union Cooperative by Quit Claim Deed dated August 8, 1966 and recorded in the Register of Deeds Office for Dunn County, Wisconsin, in Vol. 176 of deeds page 415, and being the point of beginning of the parcel of land herein described; thence North 81°10' East along the South line of said Railroad right of way, a distance of 200 feet; thence South 8°50' East 217.8 feet; thence South 81°10' West 200 feet; thence North 8°50' West 217.8 feet to the place of beginning. County of Dunn, State of Wisconsin.

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October 30, 2018

Jessica Amberg
N212 Herb Ave.
Spring Valley, WI 54767

BRRTs # 02-17-152462
Site Name: Amberg Oil Tank Farm ("Site")
Site Address: 503 1st Ave W, Dunn

Re: NR 726 Case Closure

Dear Ms. Amberg:

While your Site (described above) was submitted for closure, the Wisconsin Department of Natural Resources ("department") has not received the required fees under Wis. Admin. Code ch. NR 749. Closure fees are required to process closure documentation. Prior to the expenditure of staff time on closure for this site, the department would like to clarify that you, as the property owner, will be liable for closure expenses incurred by the department. It is our understanding that you are asserting you do not have the financial ability to pay the department's required fees.

In order to review your site for closure, we would like to offer the option to defer payment by placing a lien in the amount of the closure fee(s) (\$1,700) on your property. The department has the authority to place a lien on the property under Wis. Stat. § 292.81 for costs incurred by the department to remediate sites under Wis. Stat. §§ 292.31 and 292.11.

If you would like to have your closure fee deferred by having a lien placed on your property, please indicate as such below, sign this document and return in the postage paid envelope provided. Alternatively, you may pay the closure fees up front by sending a check for the above amount. You may direct any questions regarding this letter to Jenna Soyer at Jenna.Soyer@wisconsin.gov, 608-267-2465. Please direct all technical questions regarding work at your site to Pat Collins at Patrick.Collins@wisconsin.gov, 715-684-2914 Ext. 117.

Yes, please place a lien on my property, identified above, in the amount of \$1,700, in lieu of payment of fees to review my site for closure, authorized under Wis. Admin. Code ch. NR 749. **I assert that I am the fee title owner, or legal representative, of the property and have the sole authority to execute this Voluntary Lien document.** By signing this letter, I acknowledge that this document serves as the first required notice stating the department's intent to file a lien under Wis. Stat. § 292.81(2). A second notice will be sent to me with a copy of the draft lien at least 60 days prior to the department filing the lien with the county register of deeds.

Estate of Steven E. Amberg
Name of Owner [or Legal Representative] (print)

Jessica Amberg (POA) 11/21/18
Signature of Property Owner [or Legal Representative] Date

Signature of Additional Property Owner (if applicable) Date
cc: Pat Collins (DNR), Ron Anderson (METCO)