

AFFIDAVIT

592037

Document Number

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Melanie J. ...

REGISTER OF DEEDS
OF MARINETTE COUNTY, WIS.

Legal Description of the Property:

A parcel of land in the Northeast Quarter of the Northwest Quarter (NE¼ of NW ¼) of Section Thirty-Four (34), Township Thirty-Three (33) North of Range Twenty (20) East, more particularly described as follows: Commencing at a point on the east line of the right of way of the C.M. & St. Paul Railway Co., passing northerly and southerly through the said described land three hundred (300) feet south from the center line passing east and west through said described land; thence southerly along said right of way one hundred forty-four & 3/100 (144.3) feet; thence east parallel with said center line three hundred & 69/100 (300.69) feet; thence northerly parallel with said east line of right of way one hundred forty-four and 3/100 (144.3) feet; thence west parallel with said center line three hundred three & 26/100 (303.26) feet to the place of beginning; meant to convey one acre, less right of way of State Trunk Road #38 now surveyed on east side of same described land; situate in County of Marinette, Wisconsin.

Recording Area

Name and Return Address:

Michael J. Netzer
WI Department of Natural Resources
Peshtigo Service Center
101 North Ogden Road
Peshtigo, WI 54157

12.00

As described in Volume 427, page 730, Marinette County Register of Deeds.

STATE OF WISCONSIN)

COUNTY OF MARINETTE)

Parcel Identification Number (PIN)

I, Michael J. Netzer, being first duly sworn, state that:

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (herein after "the Department") at its Peshtigo Service Center, 101 North Ogden Road, City of Peshtigo, Marinette County, Wisconsin.
2. I have knowledge of the facts herein set forth and believe the same to be true.
3. The Department has determined that petroleum product discharged to the property which is located on US Highway 141, in the Town of Middle Inlet, County of Marinette, and which has the above captioned legal description, has contaminated soil and groundwater in the vicinity. The property is listed as owned by Kenneth and Mary Lou Jacomet on the most recent deed at the Marinette County Register of Deeds.
4. The Department believes that removal or treatment of the contaminated soil, and/or groundwater monitoring, are required on the property under the authority of s. 292.11(3), Wisconsin Statutes.
5. On August 7, 1991, the Department sent a letter to Mr. Kenneth Jacomet, which advised him of the statutory requirement to restore the environment at that location. The Department received an inadequate response to that letter.
6. On October 16, 1991, and November 13, 1991, the Department sent Notices of Violation to Mr. Jacomet concerning his responsibility to address the contamination. On October 30, 1991, and December 9, 1991, Department staff held subsequent enforcement conferences with Mr. Jacomet. On September 22, 1992, the Department issued Administrative Order # LMD-92-07 to Mr. Jacomet, which required that the contamination be addressed. Department records indicate that no investigation or cleanup of the petroleum contamination occurred as a result of these activities.

AFFIDAVIT – Page 2 of 2

In Re: Property Located in the
Town of Middle Inlet, Marinette County,
described above:

- 7. On December 11, 1996, the Department sent a certified letter to Mr. Jacomet, which advised that an affidavit of contamination would be recorded if satisfactory action to restore the environment did not commence. That letter requested a written response by January 11, 1996. The Department received an inadequate response to that letter.
- 8. On July 20, 1999, the Department sent a certified letter to Kenneth and Mary Lou Jacomet, which advised that the Department would record an affidavit on the property deed.
- 9. As the Department believes that petroleum contamination currently 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 clean-up costs under s. 292.11(3), Wis. Stats.

Michael J. Netzer

 Michael J. Netzer

Subscribed and sworn to before me this 25th day of August, 1999.

Marianne Christian

 Notary Public, State of Wisconsin

My commission expires on: January 1, 2001

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

Melinda W. ...
 REGISTER OF DEEDS
 OF MARINETTE COUNTY, WIS.

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