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CONNIE J WOOLEVER
REGISTER OF DEEDS
WALWORTH COUNTY, WI
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Legal Description of the Property – "Recreation Parcel":

Part of Lot No. 1 and Lot No. 3 of Certified Survey No. 625, as recorded in Volume 3 of Certified Survey Maps, Page 90-93, Walworth County, Wisconsin, described as follows: commencing at the South 1/4 corner of Section 32, T2N, R17E; thence N 88°34'00" E 469.10 feet along the South line of said Section 32; thence N 2°48'00" W 1383.11 feet to the place of beginning; thence S 2°48'00" E 27.62 feet; thence N 72°37'34" E 306.44 feet; thence S 16°05'45" E 101.75 feet to the Northerly right-of-way line of Interlaken Drive; thence N 73°00' 00" E 169.39 feet along said Northerly right-of-way line; thence N 16°22'45" W 203.62 feet to the centerline of the former Chicago and Northwestern Railroad; thence along the arc of a curve to the right on said centerline, the radius being 2864.93 feet, the arc length 13.87 feet, and the chord bearing S 68°27'39" W 13.87 feet; thence N 1°29'30" W 52.78 feet to a point S 1°29'30" E 60 feet from the shore of Lake Como; thence S 68°50'20" W 447.23 feet along a meander line; thence continue along said meander line S 85°20'30" W 637.39 feet; thence along said meander line S 57°19'36" W 228.97 feet; thence along said meander line S 79°26'36" W 229.38 feet to a point S 3° 13'30" E 130 feet from the shore of Lake Como, said point located on the centerline of the former Chicago and Northwestern Railroad; all land lying between the above described meander line and the shore of Lake Como is included in this Parcel; thence N 79°26'36" E 967.69 feet along said centerline; thence along the arc of a curve to the left on said centerline, the radius being 2864.93 feet, the arc length 105.29 feet, and the chord bearing N 78°23'26" E 105.28 feet; thence S 2°48'00" E 78.13 feet to the place of beginning. Containing 3.69 acres.

Recording Area

Name and Return Address
Eric J Scott TANYA HERRANZ
WI Department of Safety and
Professional Services BOX 8044
201 West Washington Avenue
Madison, WI 53708-8044

JA 83300001A

Parcel Identification Number (PIN)

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OCT 07 2011

PECFA SITE REVIEW
MILWAUKEE OFFICE

As described in Document No 14817, Volume 181, Page 117, Walworth County Register of Deeds.

STATE OF WISCONSIN)
)
COUNTY OF MILWAUKEE)

I, Linda M. Michalets, being first duly sworn, state that:

1. I am a Hydrogeologist, employed by the State of Wisconsin Department of Safety and Professional Services (DSPS) at 9316 North 107th Street, Milwaukee, Wisconsin 53224.
2. I have knowledge of the facts herein set forth and believe the same to be true.
3. The Anvan Company, aka Anvan Development Corporation, an Illinois Corporation, is the owner of record of the above-described property.
4. On January 17, 1995, a 300-gallon aboveground storage tank that was located on this property to refuel snowmobiles had one leg of the tank structure buckle, spilling an estimated 100 gallons of

gasoline onto the snow-covered grass surface. The release was immediately reported to the Department of Natural Resources (DNR) and the DNR issued a "Responsible Party" (RP) letter to the Interlaken Resort, notifying the Resort of their responsibility, as the one who possesses or controls a hazardous substance, to take the actions necessary to restore the environment, per Wisconsin's Hazardous Substance Spill Law, Chapter 292.11, Wisconsin Statutes. Regulatory authority for the site was transferred from DNR to the former Wisconsin Department of Commerce (currently DSPS) on March 2, 2001.

- 5. Remedial actions were initiated the day after the spill, with approximately 179 tons of petroleum-contaminated soil excavated and properly disposed at a landfill on January 18, 1995. A total of 16 confirmatory soil samples were collected from the walls and floor of the excavation and submitted for laboratory analysis of petroleum volatile organic compounds. The laboratory results indicated that residual petroleum-contaminated soil remains on the Property in the areas of base samples B-3 and B-4 and wall samples EW-4 and EW-5.
- 6. In a Closure Request report, dated January 17, 2001, AES Consultants, Ltd. requested that Commerce approve case closure based upon the remedial action that was conducted in 1995. Commerce approved conditional closure in a letter dated April 9, 2001. The condition of closure was the requirement that a "Notice of Contamination to Property" be placed on the property deed as a notification of residual soil contamination that remains on the site. To date, this requirement has not been fulfilled.
- 7. Since the time conditional closure was approved, regulatory requirements changed, requiring placement of a site on the DNR's GIS Registry of Closed Remediation Sites in lieu of placing a "Notice of Contamination to Property" on a property deed. Placing this site on the GIS Registry to address the residual soil contamination requires payment of the soil GIS Registry fee (\$200.00 in 2011) to the DNR and written verification from the RP that the property deed and legal description of the property deed are correct. To date, these closure requirements have not been fulfilled, but are required, at a minimum, to approve final closure of this case.
- 8. DSPS is the regulatory agency project managing the cleanup, with file reference PECFA # 53147-9303-80-C, DNR BRRTS # 02-65-252601. The DSPS requirement to provide adequate notification of the residual petroleum contamination on the property has not been fulfilled. This affidavit provides notice to the current owner and subsequent purchasers of the Property that they will be held responsible for costs to complete the requirements to bring this case to closure under s. 292.11(3), Wis. Stats.

By signing this document, Linda M. Michalets acknowledges that she is duly authorized to sign this document on behalf of State of Wisconsin Department of Safety and Professional Services.

Signature: Lm

Printed Name: Linda Michelets

Title: Hydrogeologist

Subscribed and sworn to before me
this 8 day of July, 2011.

Bruce D. Johnson
Notary Public, State of Wisconsin
My commission 12/11/2011