

file



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Lloyd L. Eagan, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TTY Access via relay - 711

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
October 22, 2007

Mr. LeRoy Box
1122 Maple Street
Reedsburg, WI 53959

File Ref: 03-57-001693

Subject: Notice of Deed Affidavit for Property Located at E3309 STH 154, Town of Washington, Sauk County, Wisconsin
BRRTS Activity Number: 03-57-001693

Dear Mr. Box:

On October 30, 1992, the Department of Natural Resources (Department) notified your father, Mr. Claude Box, of his responsibility under s. 292.11, Wisconsin Statutes (Hazardous Substance Spills Law), for environmental contamination on property located at E3309 State Highway 154, Washington Township, Sauk County, Wisconsin (the "Property"). The Department advised Mr. Claude Box of the responsibility to address the contamination on the Property.

On July 3, 2007, the Department notified you in writing, as the next-of-kin, of its intention to record an affidavit on the Property. This affidavit gives notice to the public and any prospective purchaser(s) of the existing contamination and the environmental liability associated with the Property. That letter also gave you, as next-of-kin, an opportunity to take action under s. 292.11, Wis. Stats., at this site. The Department did not receive a response to that letter.

The Department has, therefore, determined that the recording of an affidavit on the contaminated Property is necessary and intends to proceed with that action as soon as practicable. A copy of the affidavit the Department intends to record is attached to this letter.

The Department has made the finding that petroleum related substances discharged to the Property, which is located at E3309 State Highway 154, Washington Township, Sauk County, Wisconsin, is the source of soil and possible groundwater contamination in the vicinity. The Department has concluded that petroleum related substances are "hazardous substances" as defined in s. 292.01(5), Wis. Stats. The Department believes that investigation and possible removal or treatment of the contaminated soils is required on the Property under the requirements of s. 292.11, Wis. Stats.

As the Department believes that petroleum related substance contamination previously found in the soil on the Property referred to above will continue to discharge into the environment, subsequent purchasers of the Property could be held responsible for clean-up costs under s. 292.11, Wis. Stats. The recording of an affidavit is necessary to protect future owners and operators of this Property by notifying them that contamination remains on the Property, which has not been properly addressed in accordance with chs. NR 700 to 726, Wis. Adm. Code.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes, administrative rules and case law establish time periods within which requests to review Department decisions must be filed. To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the time period for filing a petition for judicial review.

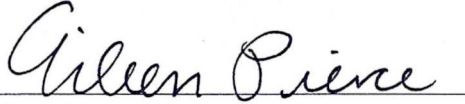
For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you must file your petition with the appropriate circuit court and serve the petition on the Department within the prescribed time period. A petition for judicial review must name the Department of Natural Resources as the respondent.

This notice is provided pursuant to s. 227.48(2), Wis. Stats.

Dated at Madison, Wisconsin, this 22nd day of October, 2007.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By:



Eileen Pierce
South Central Region
Air and Waste Leader

cc: Sauk County Clerk of Courts

Document Number

NOTICE OF CONTAMINATION

Legal Description of the Property:
Sec 28 T11N R3E N 8.5 Rds of W 20 Rds of NW ¼ NW ¼ 1.06A

Said lands lying and being in the Town of Washington, County of Sauk and State of Wisconsin.

STATE OF WISCONSIN)

COUNTY OF SAUK)

Recording Area

Name and Return Address:
Linda Hanefeld
DNR – South Central Region
3911 Fish Hatchery Road
Fitchburg, WI 53711

I, Linda Hanefeld, being first duly sworn, state that:

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its South Central Region office. 038 0619 000000
Parcel Identification Number (PIN)
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 contaminants discharged to the property (herein "the Property"), which is located at E3309 State Road 154, in the Town of Washington, County of Sauk, and which has the above legal description, have contaminated soil and possibly contaminated groundwater in the vicinity.
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 October 30, 1992, the Department sent a letter to the Property's owner, Claude M. Box, advising him of the statutory requirement to restore the environment at that location. An inadequate response to that letter has been received by the Department.
6. On May 8, 2006, after discovering that the site property owner at the time of notification of responsibility is now deceased, a Department representative discussed the site property ownership with LeRoy Box, the son of the deceased owner. Mr. LeRoy Box indicated that no descendants of Claude Box plan to take ownership of the Property at this time.
7. On July 3, 2007, the Department sent a letter, by certified mail, to LeRoy Box, next-of-kin to Claude Box, advising that the Department has made the decision to record a notice of contamination for the above-described Property at the Sauk County Register of Deeds office.
8. The Department received an inadequate response to its July 3, 2007 letter.
9. Because the Department believes that petroleum contaminants 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), Wisconsin Statutes.

DRAFT

Linda Hanefeld
Remediation & Redevelopment Program Hydrogeologist
Department of Natural Resources
South Central Region

AFFIDAVIT

In Re: property located in the Town of Washington,
Sauk County, Wisconsin as described above.

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public, State of Wisconsin

My commission expires on: _____

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

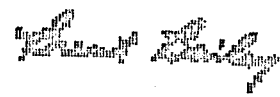
000076

Document Number

NOTICE OF CONTAMINATION

DOC# 951242

Recorded
DEC. 28, 2007 AT 10:05AM



REGISTRAR'S OFFICE
SAUK COUNTY WI
RECEIVED FOR RECORD
Fee Amount: \$13.00

13 cash

Recording Area

Name and Return Address:
Linda Hanefeld
DNR - South Central Region
3911 Fish Hatchery Road
Fitchburg, WI 53711

Legal Description of the Property:
Sec 28 T11N R3E N 8.5 Rds of W 20 Rds of NW 1/4 NW 1/4 1.06A

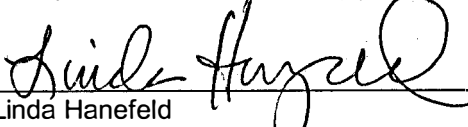
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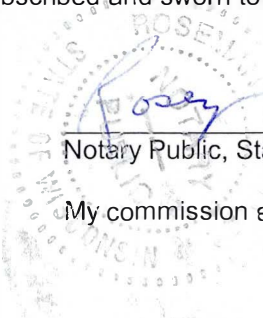

 Linda Hanefeld
 Remediation & Redevelopment Program Hydrogeologist
 Department of Natural Resources
 South Central Region

AFFIDAVIT

000077

In Re: property located in the Town of Washington,
Sauk County, Wisconsin as described above.

Subscribed and sworn to before me this 26 day of Dec, 2007.



Rosemary Schuller (name)
Notary Public, State of Wisconsin

My commission expires on: Feb 7, 2010

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

Approved



VOTE: 072-2013
DATE: 2013/10/15
TIME: 20:23:06

MOTION: Ordering County Clerk To Issue Tax Deeds On Unredeemed Tax Certificates.

PROPOSED: Riek
SECONDED: Von Asten

VOTE TOTALS:

YES : 29
ABSENT : *sd*
NO : 0
TOTAL : *28 31*

THE INDIVIDUAL RESULTS WERE AS FOLLOWS
MIC CARD DELEGATE INFORMATION VOTE

	MIC CARD DELEGATE INFORMATION	VOTE
1	1 Mr Wally Czuprynko	YES
2	2 Mr Thomas Kriegl	YES
3	3 Mr Tim Meister	YES
4	4 Mr Virgil Hartje	YES
5	5 Mr Gerald L. Lehman	YES
6	6 Mr John Dietz	YES
7	7 Ms Carol Held	<i>excused</i>
8	8 Mr George F. Johnson	YES
9	9 Mr Tommy Lee Bychinski	YES
11	11 Mr Joseph Fish	YES
12	12 Mr Peter Tollaksen	YES
13	13 Mr Jason L. Lane	YES
14	14 Mr. David Riek	YES
15	15 Ms Ruth Dawson	YES
16	16 Mr John Miller	YES
18	18 Mr Scott Von Asten	YES
19	19 Ms Andrea Lombard	YES
20	20 Ms Judy Ashford	YES
21	21 Mr Don Nobs	YES
22	22 Mr Donald C. Stevens	YES
23	23 Mr Dennis Polivka	YES
24	24 Mr Arthur Carlson	YES
25	25 Mr Brian L. Peper	YES
26	26 Mr Frederick J. Halfen	YES
27	27 Mr Scott, K. Alexander	YES
28	28 Mr Mark Smooth Detter	YES
29	29 Mr William F. Wenzel	YES
30	30 Ms Donna Stehling	YES
31	31 Mr Henry Netzinger	<i>excused</i>
32	17 Ms Joan Fordham	YES
CHO	10 Mr Marty Krueger	YES

Vol. 211, Page 568
This Indenture, Made this

28th

day of November A. D., 1948

between Seel Fry and Lucy Fry, Town of Washington, Sauk County, Wis.

individually and as husband and wife part 1st of the first part,

and Claude M. Box and Ella M. Box, his wife, jointly or to the survivor

Town of Washington, Sauk County, Wis. part 1st of the second part.

Witnesseth, That the said part 1st of the first part, for and in consideration of the sum of one dollar and other valuable considerations

them to in hand paid by the said part 1st of the second part, the receipt whereof is hereby confessed and

acknowledged, have given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by

these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said part 1st

of the second part, their heirs and assigns forever, the following described real estate, situated

in the County of Sauk and State of Wisconsin, to-wit:
Commencing at the Northwest corner of Section Number Twenty-eight (28), Township Number Eleven (11), North of Range Number Three (3), East, thence East Twenty (20) rods, thence South eight and one-half rods (8½), thence West Twenty (20) rods, thence North eight and one-half (8½) rods to place of beginning, (being part of N. W. ¼ N. W. ¼ Section 28-11-3), less a parcel of land sold to Sauk County, Wisconsin described as follows: the centerline is described as follows: Commencing at a point on the west line of said Section 28, 8 feet south of the northwest corner, which is the point of beginning of this parcel and the west property line of the owner; Thence N 87° -16'E (Mag.), 331 feet to the east property line of the owner. Said parcel includes all land lying between the north property line of the owner and a new highway right-of-way line located parallel to the above-described centerline and 65 feet southerly therefrom, from the point of beginning, easterly, 331 feet measured along said centerline to the east property line of the owner. Said parcel, exclusive of all land already in use for highway purposes and encroachments, contains 0.35 of an acre, more or less. Said deed to Sauk County is recorded Nov. 4, 1948 at 2:00 o'clock P. M. in Vol. 211 of Deeds on page 298, in Register of Deeds office in Sauk County, Wisconsin



Together, with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said part.....of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To have and to hold the said premises as above described with the hereditaments and appurtenances, unto the said part 1st of the second part, and to their heirs and assigns FOREVER.

And the said Cecil Fry and Lucy Fry

for themselves, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever,

and that the above bargained premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, they will forever WARRANT AND DEFEND.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals this 26th day of November A. D., 19 48.

SIGNED AND SEALED IN PRESENCE OF

Freda Brice
Freda Brice

Gerald Cahoon
Gerald Cahoon

Cecil Fry (SEAL)
Cecil Fry
Lucy Fry (SEAL)
Lucy Fry
(SEAL)
(SEAL)

STATE OF WISCONSIN,
Sauk County, ss.

Personally came before me, this 26th day of November, A. D., 19 48, the above named Cecil Fry and Lucy Fry

to me known to be the persons who executed the foregoing instrument and acknowledged the same.

E. A. Prouty
E. A. Prouty

Notary Public, Sauk County, Wis.
My Commission expires Aug. 20 A. D., 19 50

(Section 59.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary)

WARRANTY DEED
REGISTER'S OFFICE,
STATE OF WISCONSIN,
Sauk County.
Received for Record this 29 day of November A. D., 19 48,
at 9:45 o'clock P. M., and recorded in
Vol. 211 of Deeds on page 568
Chas. W. Platt
Register of Deeds
Deputy
1-1-48

TAX DEED

Section 75.16 Wisconsin Statutes

DOC#: 1082934

Recorded
October 16, 2013 2:30 PM

Rebecca DeMars

Document Number

REGISTRAR'S OFFICE
SAUK COUNTY WI
RECEIVED FOR RECORD
Fee Amount: 138.00

To All To Whom These Presents Shall Come, Greeting:

WHEREAS Elizabeth A. Geoghegan, Treasurer of the County of Sauk, has deposited in the office of the County Clerk of the County of Sauk, in the State of Wisconsin, a Tax Certificate of said county, whereby it appears, as the fact is, that the following described pieces or parcels of land lying and being situated in the County of Sauk, to-wit:

SEE ATTACHED

Name and Return Address:

Rebecca A. DeMars
Sauk County Clerk
505 Broadway
Baraboo, WI 53913

30-09
2

were included in the Tax Certificate issued to the County of Sauk on September 1, 2010 for the non-payment of real property taxes, special assessments, special charges or special taxes, in the amount of Eight Hundred Thirty Dollars and 93/100 (\$830.93) in the whole, which sum was the amount assessed and due and unpaid on said tracts of land, and whereas it further appears, as the fact is, that the owners or claimants of said lands have not redeemed from said certificate the lands which were included as aforesaid, and said lands continue to remain unredeemed, whereby said described lands have become forfeited and the said county is entitled to a conveyance thereof:

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS that the County of Sauk, in said State, and the State of Wisconsin, in conformity to law, has given and hereby does give, grant and convey the tracts of land above described, together with the hereditaments and appurtenances, to the said County of Sauk and to its assigns, to their sole use and benefit FOREVER.

IN TESTIMONY WHEREOF, I, Rebecca A. DeMars, the Clerk of the County of Sauk, have executed this Deed, pursuant to and in virtue of the authority in me vested by the statutes of the State of Wisconsin, and for and on behalf of said State and the County of Sauk aforesaid, and have hereunto subscribed my name officially and affixed the seal of the said Sauk County, at Baraboo, in said County of Sauk this 16th day of October, 2013.

(Seal)
DONE IN THE PRESENCE OF
Pamela M. Dischler
Pamela M. Dischler

Rebecca A. DeMars (SEAL)
REBECCA A. DEMARS
County Clerk, Sauk County, Wisconsin.

State of Wisconsin }
Sauk County }

On this 16th day of October, 2013, A.D., personally came before me the above named Rebecca A. DeMars, to me known to be the person who executed the foregoing Deed of Conveyance, and to be the County Clerk of the County of Sauk in said State, and affixed the seal of the said County thereto, and acknowledged that she affixed said seal to and executed said Deed as County Clerk in and for said County and State, for and in the name of the State of Wisconsin and of the County of Sauk aforesaid, and acknowledged that she so executed the same as the act and deed of said State and County, for the uses and purposes in said Deed mentioned, and as by law required.

THIS INSTRUMENT WAS DRAFTED BY:

Todd J. Liebman
Sauk County Corporation Counsel
505 Broadway
Baraboo, WI 53913
State Bar No. 1011733

Pamela M. Dischler
Pamela M. Dischler
Notary Public, Sauk County, Wisconsin
My commission expires 07/26/2015

TAX DEED

Section 75.16 Wisconsin Statutes

RESOLUTION NO. 72-2013

**ORDERING COUNTY CLERK TO ISSUE TAX DEEDS
ON UNREDEEMED TAX CERTIFICATES**

PARCEL ID NO.	LEGAL DESCRIPTION	MORE PARTICULARLY DESCRIBED IN REGISTER OF DEEDS OFFICE AT V AND P OR R AND I OR DOC NO.	2008 TAXES OWED
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TOWN OF WASHINGTON

038-0619-00000	S 28 T11N R3E N 8.5 RDS OF W 20RDS OF NW NW 1.06A (Formerly known as the Claude M & Ella M Box property)	951242\211-568	\$742.49
038-0620-00000	S 28-11-3 COM AT PT 81/2 RD S NW COR NW1/4NW1/4-E 20RDS-S 8RDS-W 20RDS-N 8RDS TO POB (Formerly known as the Claude M & Ella M Box property)	951242\368-322\371-346	\$88.44

RESOLUTION NO. 72 -2013

ORDERING COUNTY CLERK TO ISSUE TAX DEEDS
ON UNREDEEMED TAX CERTIFICATES

WHEREAS, your Property and Insurance Committee has been informed by Elizabeth A. Geoghegan, Sauk County Treasurer, that real estate taxes for the year 2008 remain unpaid for certain properties; and

WHEREAS, your Committee is also informed that all of the statutory requirements concerning notification and the publication of notices for said properties with unpaid taxes for the year of 2008 have been completed; and

WHEREAS, pursuant to Wis. Stat. § 75.14(1), the County Board, by resolution, may order the County Clerk to execute to the County tax deeds for such properties; and

WHEREAS, such resolution is the next necessary step in the equitable enforcement and collection of real estate taxes.

NOW, THEREFORE, BE IT RESOLVED, that the County Clerk of Sauk County is ordered to execute and issue a tax deed in favor of Sauk County upon all lands for which Sauk County owns and holds tax certificates remaining unredeemed for the year 2008.

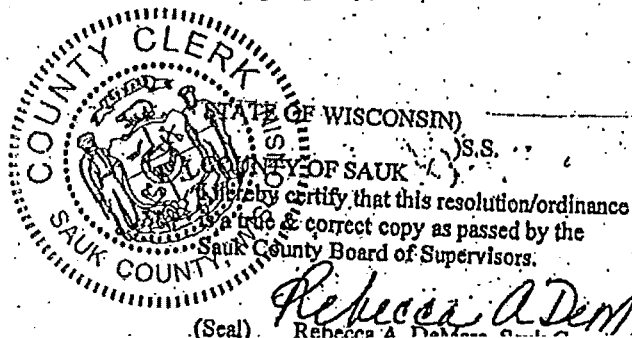
MORE PARTICULARLY
DESCRIBED IN
REGISTER OF DEEDS
OFFICE AT V AND P
OR R AND I OR DOC NO.

2008
TAXES
OWED

PARCEL LEGAL
ID NO. DESCRIPTION

TOWN OF WASHINGTON

038-0619-00000	951242\211-568	\$742.49
§ 28 T11N R3E N 8.5 RDS OF W 20RDS OF NW NW 1.06A (Formerly known as the Claude M & Ella M Box property)		
038-0620-00000	951242\368-322\371-346	\$88.44
S.28-11-3 COM AT PT 8 1/2 RD S NW COR NW 1/4 NW 1/4-E 20RDS-S 8RDS-W 20RDS-N 8RDS TO POB (Formerly known as the Claude M & Ella M Box property)		



(Seal)

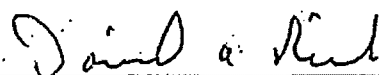
Rebecca A. Demers

AND, BE IT FURTHER RESOLVED, that Sauk County will assume and pay the 2013 real estate taxes.

For consideration by the Sauk County Board of Supervisors on October 15, 2013.

Respectfully submitted,

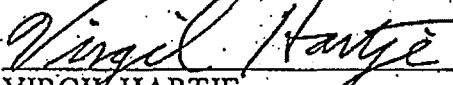
SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE:




DAVID A. RIEK, Chairperson




GEORGE F. JOHNSON



VIRGIL HARTJE



JOHN A. MILLER



SCOTT VON ASTEN

FISCAL NOTE: From the Tax Certificates Held Account, taxes amounting to \$6,175.51 will be transferred to the Tax Deeds Held By County Account and interest and penalties amounting to \$4,302.34 will be transferred to the Treasurer's Interest on Taxes Account.

MIS NOTE: -No impact.

ksb