

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



September 25th, 2018

Jerry Kuchinski
1200 Roosevelt Rd
Niagara, WI 54151

PECFA # 54151-1034-00 BRRTs # 03-38-001759
Site Name: Jerrys Union 76 ("Site")
Site Address: 1200 Roosevelt Rd, Niagara, WI

Re: NR 726 Case Closure

Dear Mr. Kuchinski:

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 November 24, 2018. 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,

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

cc: Tom Verstegen (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 Jerome H. Kuchinski and located in Marinette County.

A parcel of land in the SW/SE forty, section 4 Twp. 38N-R-20E described as follows: Starting at the SW corner of the SW/SE forty, section 4 Twp. 38N-R-20E. Thence East along the south line of said forty 320', thence N 7 degrees-59', W 33' to a point of beginning. Thence N 7 degrees-59' W 405.25 ft., thence south westerly along highway property line 482.85' thence east along the north line of Washington Ave. 181.7' back to point of beginning.

Subject to any and all exemptions and reservations contained in prior deeds of record.

Excepting a parcel of land located in the Southwest 1/4 of the Southeast 1/4 of Section 4, Township 38 North, Range 20 East, 4th Principal Meridian, City of Niagara, Marinette County, Wisconsin, described as follows:

Commencing at the one-quarter corner common to Sections 4 and 9, T38N, R20E, marked by a found iron pipe; thence Due East along the section line common to Sections 4 and 9 a distance of 320.00 feet; thence N00 deg. 23'57" W a distance of 174.12 feet to the POINT OF BEGINNING.

Thence N67 deg. 10'18" W on a radial bearing a distance of 111.35 feet to a point on the curved right-of-way of US Highway 141; thence along the arc of the curved cast right-of-way of Highway 141 on a 2 deg. 32'45" curve to the right which has a radius of 2250.58 feet, a delta angle of 5 deg. 54'24" and a chord of N25 deg. 46'54"E, 231.91 feet a distance of 232.01 feet; thence S00 deg. 23'57"E a distance of 252.03 feet to the Point of Beginning.

Parcel contains 0.307 acres more or less.

Subject to any easements, restrictions and reservations of record or fact.

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.

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

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 # 261-00015-016

This document was drafted & approved by:

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

Department of Natural Resources
By:

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

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September 5, 2018

Jerry Kuchinski
1200 Roosevelt Rd
Niagara, WI 54151

PECFA # 54151-1034-00 BRRTs # 03-38-001759
Site Name: Jerrys Union 76 ("Site")
Site Address: 1200 Roosevelt Rd, Niagara, WI

Re: NR 726 Case Closure

Dear Mr. Kuchinski:

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 closure fees up front to the department to complete the review. Direct any questions to Jenna Soyer at jenna.soyer@wisconsin.gov, 608-267-2465.

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.

Jerome Henry Kuchinski
Name of Owner [or Legal Representative] (print)

Jerome Henry Kuchinski
Signature of Property Owner [or Legal Representative]

9-11-18

Date

Signature of Additional Property Owner (if applicable)

Date

cc: Tom Versteegen (DNR)