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Document Number

NOTICE OF CONTAMINATION

Legal Description of the Property:

Legal Description of the Property: (PIN = 03402450005) PART OF SE SE COM AT SE CORN THEN N 137', TH WEN 209', THEN S 137', THEN E TO POB

(PIN = 03402010005) PART OF NE NE COM AT NE CORN THEN S 281', THEN W 209', THEN N 281', THEN E 209' TO POB

RECEIVED FOR RECORD
AT 10:30 A M
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DEC 03 2012

SHARI MARG
REGISTER OF DEEDS
JACKSON COUNTY, WI

30.00

Recording Area

Name and Return Address:

Bill Evans
Wisconsin DNR
1300 W. Clairemont Ave.
Eau Claire, WI 54702

STATE OF WISCONSIN
COUNTY OF JACKSON
TOWN OF MELROSE

I, Bill Evans, being first duly sworn, state that:

03402010005 & 03402450005
Parcel Identification Number (PIN)

1. I am a Remediation and Redevelopment Supervisor, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its regional office Eau Claire, WI.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department of Natural Resources has determined that lead and other heavy metal contamination present at the NE ¼ of NE ¼ of Section 29, T19N, R05W, Melrose, County of Jackson, WI and which has the above legal description, has contaminated soil and groundwater on the property. **See Exhibit A for a map of the property.**
4. The Department believes that a Phase II Site Investigation, 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 08/15/2012, the Department of Natural Resources sent a letter to Mr. Beryle Hale, advising him of the statutory requirement to restore the environment at that location. There was no response in 30 days from Mr. Hale.
6. On 09/13/2012, a Notice of Noncompliance (NON) was sent by the WDNR to Mr. Beryle Hale, advising Mr. Lechner that a deed affidavit will be filed at minimum if we receive no response by 10/13/2012. A phone contact was made on 09/18/2012 to Mr. Hale, who stated that he was financially incapable of conducting a site investigation on his property.
6. On 09/19/2012 the Department of Natural Resources sent a letter, by certified mail, to Mr. Hale, to determine Mr. Hale's ability to pay for a site investigation on the Property. This letter was sent to determine if further enforcement, in addition to this deed affidavit, is necessary.
7. On 10/15/2012, there has been no response from the ability to pay paperwork. The Department sent a letter, by certified mail, to Mr. Beryle Hale, advising that the Department has intent to file a deed affidavit if he does not move forward with a site investigation and remediation of the Property.
8. On 11/30/2012, the Department sent a letter, by certified mail, to Mr. Beryle Hale, advising that the Department has made the decision to record a notice of contamination for the above-described property at the county Register of Deeds office. The 30 day response time set out in the letter has expired. The 15 day waiting period since that deadline, required by NR 728, Wis. Adm. Code, has passed without an acceptable response.
9. Because the Department believes that lead and other heavy metal contamination is currently found in the soil and groundwater 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.

DEED AFFIDAVIT

*In Re: Beryle Hale Property Located in the
NE ¼ of NE ¼ of Section 29, T19N, R05W
City/Town/Village of Melrose
Jackson County, Wisconsin*

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Bill Evans

Bill Evans
Regional Team Leader

Subscribed and sworn to before me this thirtieth day of November, 2012.

Notary Public, State of Wisconsin

My commission expires on: _____

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

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In Re: Beryle Hale Property Located in the
NE ¼ of NE ¼ of Section 29, T19N, R05W
City/Town/Village of Melrose
Jackson County, Wisconsin



EXHIBIT A

