

James R. Long

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R + R - OSH
RECEIVED

JUL 17 2017

TRACKED
REVIEWED

July 11, 2017

Ms. Jennifer Borski
State of Wisconsin
Department of Natural Resources
625 East County Road Y, Suite 700
Oshkosh WI 54901-9731

RE: Legal Description for 825 W. Main Street, Hortonville, WI 54944

Dear Ms. Borski:

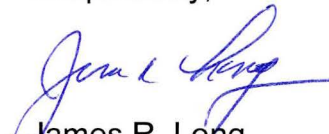
I have read your letter dated on June 21st, 2017.

I have also discussed this with Terri Lison, the Tax Lister for Outagamie County.

The other legal descriptions are similar, but to avoid any confusion going forward, please use the legal description on the Notice of Contamination, recorded on March 28th, 2002, on document #1459354.

You may call Terri Lison for further questions at 920-832-5665.

Respectfully,


James R. Long
Attorney at Law

JRL: aw

cc: Mr. Barry Jennerjohn
Mr. Michael Gonnering

1459354

Document Number

NOTICE OF CONTAMINATION TO
PROPERTY

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

MAR 28 2002

AT 9 O'CLOCK A.M. P.M.
JANICE FLENZ
REGISTER OF DEEDS

Legal Description of the Property: In re: PRT OF NW SW LYG N OF HY &
S OF RR & INCL 3 FT STRIP OF RR IN 731R405 SEC35 T22N R15E 9 AC
M/L, Document # 1269214.

(A SITE MAP INDICATING THE CONTAMINATED
PROPERTY IS ATTACHED AS EXHIBIT A.)

Recording Area

Name and Return Address
Outagamie County Corp. Counsel
410 S. Walnut Street
Appleton, WI 54911

STATE OF WISCONSIN)
) ss
COUNTY OF OUTAGAMIE)

24-0-0312-00

Parcel Identification Number (PIN)

Section 1. Outagamie County is the owner of the above-described property.

Section 2. One or more petroleum discharges have occurred at this property. Benzene contaminated groundwater above NR 140 enforcement standards and soils above NR 720 residual contaminant levels of the Wisconsin Administrative Code exist(s) on this property in the area of the former underground storage tank.

Section 3. The owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitations and/or restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

Also,

Residual petroleum contaminated soil above NR720 Table 1 values remains on this site in the area of the former underground storage tank. Natural attenuation is the approved remedial alternative for this site. If contaminated soil is excavated in the future, it may be considered a solid waste and will need to be disposed in accordance with all applicable laws.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Commerce, or its successor, issue a determination that the restrictions set forth in this covenant are no longer required. That property owner shall provide any and all necessary information to the Department in order for the Department to be able to make a determination. Upon receipt of such a request, the Department shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction, or portions of this restriction are no longer binding. Any restriction placed upon this property shall not be extinguished without the Department's written determination.

IN WITNESS WHEREOF, the owner of the property have executed this document, this 26th day of March, 2002.

[When appropriate use the following clause]:

By signing this document, [he/she] acknowledges that [he/she] is duly authorized to sign this document on behalf of OUTAGAMIE COUNTY.

Signature: Robert N. Paltzer, Jr.

Printed Name: Robert N. Paltzer, Jr.

Title: County Executive

Subscribed and sworn to before me

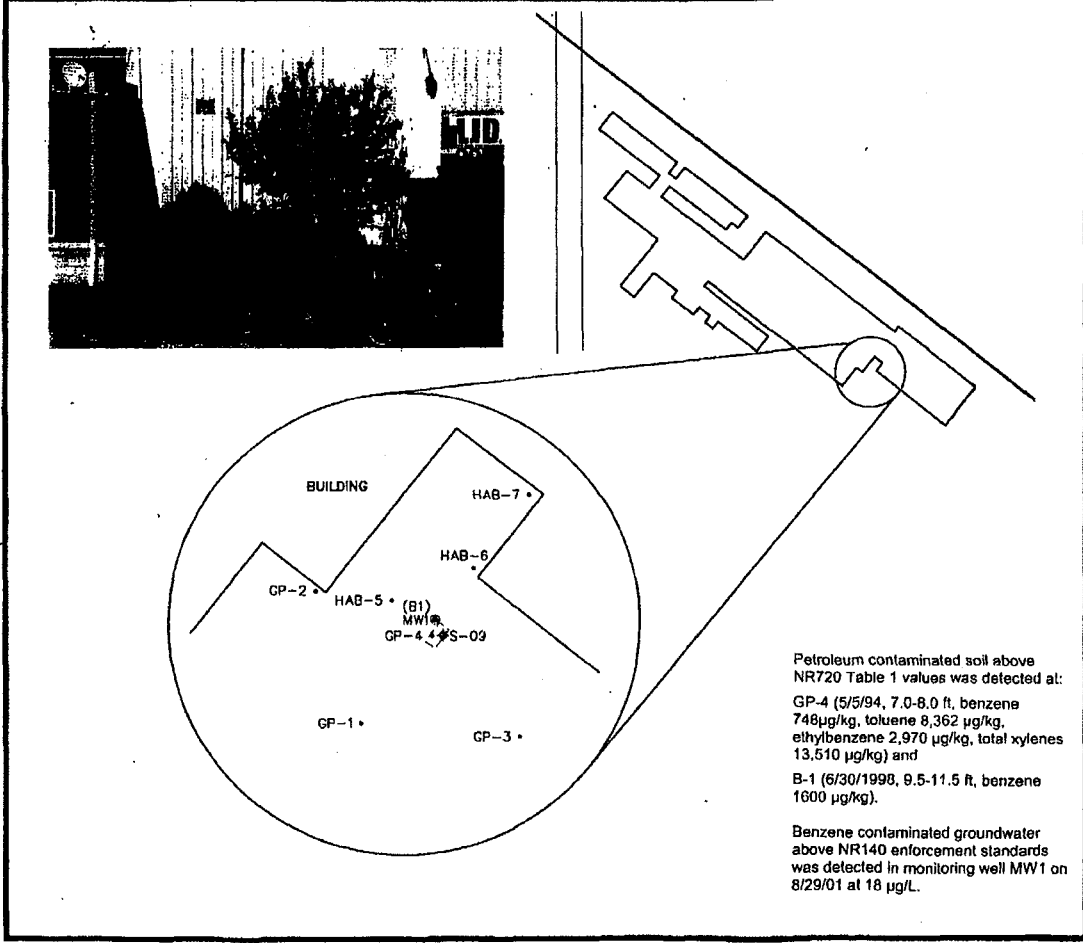
this 26th day of March, 2002.

Joseph P. Guidote, Jr.
Notary Public, State of Wisconsin

My commission is Permanent

This document was drafted by the Wisconsin Department of Commerce.

SITE MAP OF CONTAMINATED PROPERTY
Parcel No. 24-0-0312-00



Petroleum contaminated soil above NR720 Table 1 values was detected at:
 GP-4 (5/5/94, 7.0-8.0 ft, benzene 748µg/kg, toluene 8,362 µg/kg, ethylbenzene 2,970 µg/kg, total xylenes 13,510 µg/kg) and
 B-1 (6/30/1998, 9.5-11.5 ft, benzene 1600 µg/kg).

Benzene contaminated groundwater above NR140 enforcement standards was detected in monitoring well MW1 on 8/29/01 at 18 µg/L.

LOCAL GRID NORTH

LEGEND:

- MW1 ● Well Location and I.D. No.
- (B1) Soil Boring Location and I.D. No.
- S-09 ◆ Soil Boring Location and I.D. No.
- HAB-5 • Hand Boring Location and I.D. No.
- GP-1 • Geoprobe Location and I.D. No.
- Building Face
- Approximate Location of Former 550 Gallon Gasoline Underground Storage Tank

FORMER 550 GALLON UST AREA DETAIL

**FORMER AMERICAN TOY & FURNITURE COMPANY
HORTONVILLE, WISCONSIN**

OMNI ASSOCIATES
 ONE SYSTEMS DRIVE
 APPLETON, WI 54914
 PHONE (920) 733-1900
 FAX (920) 630-5100

PROJECT MANAGER:	BDM	PROJECT NO:	N1888A0
PROJECT ENGINEER:	BDM	CAD FILE NO:	N1888A4
DRAWN BY:	DLS	SCALE:	
REVIEWED BY:		DATE:	9/4/00

EXHIBIT A

2016 Property Record | Outagamie County, WI

*Assessed values not finalized until after Board of Review
Property information is valid as of 7/7/2017 9:14:31 AM*

Owner Address	
AFFORDABLE RENTAL & STORAGE W7941 GRANDVIEW RD HORTONVILLE, WI 54944	

Owner	
AFFORDABLE RENTAL & STORAGE JENNERJOHN LLC (LC)	

Property Information	
<u>Parcel ID:</u>	240031200
<u>Document #</u>	2005135
<u>Tax Districts:</u>	
SCH D OF HORTONVILLE AREA BLACK OTTER LAKE DISTRICT	

Property Description	
<i>For a complete legal description, see recorded document.</i>	
PRT OF NW SW LY N OF HY & S OF RR & ALSO INCL 3FT STRIP OF RR IN 731R405 SEC35 T22N R15E 9AC M/L	
<u>Municipality:</u>	136-VILLAGE OF HORTONVILLE
<u>Property Address:</u>	825 W MAIN ST

Tax Information	
<u>Installment</u>	<u>Amount</u>
<u>First:</u>	2,244.50
<u>Second:</u>	2,197.98
<u>Third:</u>	0.00
<u>Fourth:</u>	0.00
<u>Total Tax Due:</u>	4,442.48
<u>Base Tax:</u>	4,457.67
<u>Special Assessment:</u>	46.50
<u>Lottery Credit:</u>	0.00
<u>First Dollar Credit:</u>	61.69
<u>Amount Paid:</u> (View payment history info below)	4,442.48
<u>Current Balance Due:</u>	0.00
<u>Interest:</u>	0.00
<u>Total Due:</u>	0.00

Land Valuation				
<u>Code</u>	<u>Acres</u>	<u>Land</u>	<u>Impr.</u>	<u>Total</u>
2	9.00	\$81,000	\$109,700	\$190,700
	9.00	\$81,000	\$109,700	\$190,700
<u>Assessment Ratio:</u>			1.0028719780	
<u>Fair Market Value:</u>			190200.00	

Special Assessment Detail		
<u>Code</u>	<u>Description</u>	<u>Amount</u>
14	OTHER CHARGE	46.50
		46.50

Payment History					
<u>Date</u>	<u>Receipt</u>	<u>Amount</u>	<u>Interest</u>	<u>Penalty</u>	<u>Total</u>
1/5/2017	50381357	4442.48	0.00	0.00	4442.48

*No data found for Delinquent Tax Summary in 2016