



July 13, 2021

THOMAS L LEMKE JR  
1268 MAYER STREET  
MENASHA WI 54952

Subject: Notice of Intent to File a Deed Notice § NR 728.11(3)  
Schindler Const Co - 1310 Earl Street, Town of Menasha, WI  
DNR BRRTS Activity # 02-71-000611

Dear Mr. Lemke:

On September 8, 2000, Department of Natural Resources (DNR) filed a Notice of Contamination (Affidavit) which was recorded as document number 1105590, with the Register of Deeds in Winnebago County with the intent to notify the public of contamination existing at 1310 Earl Street in Menasha, WI (Property). DNR, in accordance with Wis. Admin. Code chs. NR 700-799 and Wis. Stat. § 292.11(3), determined, at that time, all administrative and statutory obligations for the release of contamination had not been met and the Affidavit was filed. The Affidavit recorded under Wis. Admin. Code § NR 728.11, was to notify the public of the existence and potential liability of petroleum contamination associated with ownership of the Property.

Since that time, remedial actions have been taken to address the source of contamination and impacts to the environment. On September 1, 2016, pursuant to Wis. Admin. Code § NR 708.09, the contamination case on your Property was closed with No Further Action (NFA) required as residual soil contamination was below applicable standards and groundwater was not impacted. In addition to the NFA letter, a Deed Notice drafted by DNR, was attached for filing at the Winnebago County Register of Deeds office. You were instructed to file this Deed Notice in order to remove the original Affidavit recorded as document number 1105590. DNR has since determined that this document was never recorded with the Winnebago County Register of Deeds office. Attached is a revised copy of that Deed Notice. To ensure this document is properly filed, DNR will proceed with filing the attached Deed Notice in accordance with Wis. Admin. Code § NR 728.11(3). According to the procedure found in Wis. Admin. Code § NR 728.11(3), this letter is to provide you notice of this decision. The attached Deed Notice is being recorded for the purpose of notifying prospective purchasers and other interested persons that the previously filed Affidavit, recorded on September 8, 2000, as document number 1105590, has been satisfied and is no longer applicable to the Property.

Attached is a draft of the document DNR intends to file with your Property deed. DNR will file this Deed Notice as stated above on your Property after August 13, 2021. Contact DNR project manager Andy James at (715) 527-0114 or at [Andrew.James@wisconsin.gov](mailto:Andrew.James@wisconsin.gov) with any questions or concerns you may have. Please know that after August 13, 2021, DNR will proceed with filing the Deed Notice on your Property. DNR appreciates your efforts to protect and restore the environment at your Property.

Sincerely,

Roxanne N. Chronert  
Team Supervisor, Northeast Region  
Remediation and Redevelopment Program

Attachments: Deed Notice (draft)

Wis. Admin. Code § NR 728.11(3)  
DEED NOTICE

## Legal Description of the Property:

The South 118.75 feet, front and rear, of the North 318.75 feet of the West 10 acres of the South East 1/4 of the North West 1/4 of Section 11, in Township 20 North, of Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, EXCEPTING therefrom that portion of Earl Street as described by Deed recorded in Winnebago County Registry in Volume 881 on Page 319 as Document No. 256281 AND the South 78.75 front and rear, of the North 378.75 feet of the West 10 acres of the South East 1/4 of the North West 1/4 of Section 11, Township 20 North, of Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, EXCEPTING that portion conveyed for street purposes, less and excepting the South 60 feet thereof sold previously to John Strange Paper Company.

## Recording Area

Name and Return Address:  
Wisconsin Department of Natural  
Resources  
Attn: Andy James  
2984 Shawano Avenue  
Green Bay, WI 54313

740079101

Parcel Identification Number (PIN)

STATE OF WISCONSIN        )  
                                      )       ss  
COUNTY OF WINNEBAGO    )

I, Roxanne N. Chronert, being first duly sworn, state that:

1. I am a Remediation and Redevelopment Program Supervisor, employed by the Wisconsin Department of Natural Resources (hereinafter referred as "DNR") at its Northeast Regional Office.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The confirmed release of Petroleum Volatile Organic Compounds (PVOCs) at the above-described property, for which the DNR recorded a Notice of Contamination Affidavit (Affidavit) on September 8, 2000, as document number 1105590, has been investigated and remediated to the satisfaction of DNR. The residual contamination, originating at the property described above, does not exceed state standards and there is no longer an imminent threat to human health or the environment. As a result, a No Further Action (NFA) letter was issued by DNR on September 1, 2016.
4. In accordance with Wis. Admin. Code § NR 728.11(3), on September 1, 2016, the NFA letter to the property owner, Mr. Thomas L. Lemke, stated that a second Deed Notice which shall supersede the original Affidavit for the above-described property, could be recorded at the Winnebago County Register of Deeds office.

## AFFIDAVIT

In Re: Property Located in the  
Town of Menasha  
Winnebago County, Wisconsin  
Described above.

5. In accordance with § NR 728.11(3), this Deed Notice is being recorded for the purpose of notifying prospective purchasers and other interested persons that the previously filed Affidavit recorded September 8, 2000, as document number 1105590, is terminated and no longer applicable to the above-described property.

\_\_\_\_\_  
Roxanne N. Chronert  
Team Supervisor, Northeast Region  
Remediation & Redevelopment Program

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Wisconsin

My commission expires on: \_\_\_\_\_