

GODFREY & KAHN, S. C.

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May 14, 1997

WITH OFFICES IN:
MILWAUKEE, WISCONSIN
APPLETON, WISCONSIN
GREEN BAY, WISCONSIN
MADISON, WISCONSIN
OSHKOSH, WISCONSIN

BY PERSONAL SERVICE AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Village Clerk
Village of Grafton
1971 Washington
Grafton, WI 53024

Town Clerk
Town of Grafton
1230 11th Avenue
Grafton, WI 53024

Dear Clerks:

Please be advised that we are providing notice on behalf of Mark Zager and Susan Bucitner, 1741 Manchester Drive, Grafton, WI 53024 (hereinafter the "Residents") regarding injury or damage arising out of the groundwater contamination affecting the private well of the Residents. The law firm of Godfrey & Kahn, S.C. is representing the Residents regarding the damages suffered and injuries incurred by the Residents as a result of the contamination and environmental problems relating thereto. Any claims which are filed by or on behalf of the Residents against the Village and Town of Grafton will relate to the following:

1. Injuries to the Residents caused by the contamination and environmental problems;
2. Damages to the property interests of the Residents caused by the contamination and environmental problems;
3. Any and all other damages suffered or incurred by the Residents as a result of the contamination and environmental problems; and
4. Such other relief as is allowed under legal and equitable principles resulting from the contamination and environmental problems.

Village Clerk
Town Clerk
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Each of the members and relatives of the Residents who have been or are currently being exposed or affected by the environmental problems relating to the groundwater contamination join in this notice.

Based upon recent sampling information generated by the Wisconsin Department of Natural Resources, we believe the source of contamination is the former landfill located at Lime Kiln Park (the "Landfill"). As you know, the Landfill is currently owned by the Village of Grafton. Based upon available information, we believe the Village and Town may have been involved in generating solid waste that was deposited at the Landfill, making arrangements for disposal of solid waste at the Landfill, and/or operating the Landfill. Accordingly, the Village and Town may have liability for contamination caused by the Landfill.

Please be further advised that we do not believe the filing of this notice is a necessary prerequisite to preserving claims that the Residents may have under applicable law, including but not limited to CERCLA (42 U.S.C. §§9601, et seq.) and RCRA (42 U.S.C. §§6901, et seq.). Accordingly, this notice is filed on a protective basis on behalf of the Residents.

We would appreciate your directing future correspondence regarding this notice to the law firm of Godfrey & Kahn, S.C.

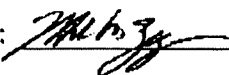

Very truly yours,

GODFREY & KAHN, S.C.


Arthur J. Harrington

Approved this 23rd day of May, 1997.

Mark Zager and Susan Buettner

By:  

AJH:kk
MW1-76877-1