



April 16, 2020

Thomas Smith
12605 W. North Ave. Suite 249
Brookfield, WI 53005

PECFA #53206-3021-02 BRRTs #03-41-506431
Site Name: SMITH PROPERTY ("Site")
Site Address: 1102 W Atkinson Ave Milwaukee

Re: NR 726 Case Closure

Dear Thomas Smith:

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 work with your agent (METCO) to pay the closure fees up front. You may direct any questions to Duane Klein at Duane.Klein@wisconsin.gov, 608-264-6199.

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.

Name of Owner [or Legal Representative] (print)

Signature of Property Owner [or Legal Representative] Date

Signature of Additional Property Owner (if applicable) Date

cc: Ron Anderson (METCO); Andy Alles (DNR)