

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



April 20, 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 Mr. Smith:

As the owner of the above referenced property, you have agreed to have a superior lien placed on your property in the amount of \$1,700 for the purpose of deferment of fees incurred under Wis. Admin. Code NR ch. 749 (see attached) for the Site described above, for expenditures by the Wisconsin Department of Natural Resources ("department") in processing closure documentation. In accordance with Wis. Stat. § 292.81(4), this letter serves as the second notice that the department intends to file a superior lien against the property at the above address.

The lien will be filed on or after June 20th, 2020. This notice provides you with a minimum of 60 days before the department files the lien with the county register of deeds.

Included is a copy of the lien that will be filed. If you have questions, you may contact me at: Duane.Klein@wisconsin.gov, 608-264-6199.

Sincerely,



Duane Klein
Fiscal and IT Section Chief, Remediation and Redevelopment Program

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

enc: Copy of signed agreement
Copy of superior lien to be filed

NOTICE OF LIEN

Wis. Stats. §292.81(3)

Document Number

Title of Document

As provided by Wis. Stats. ch. 292 and Wis. Admin. Code Ch NR 700, the Department of Natural Resources (department) has incurred the cost for reviewing the case closure request at the following property owned by Thomas E. Smith Sr. and located in Milwaukee County:

Lot 8, in Block 7, in continuation of Williamsburg Heights, being a part of the Northwest ¼ of Section 8, in Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

Record this record with the Register of Deeds.

Name and return address:

Duane Klein
Fiscal & IT Section Chief
Remediation and Redevelopment Program
PO Box 7921
Madison WI 53707-7921
Phone (608) 264-6014

Parcel # 272-0501-4

The case closure request review costs (\$1,700) incurred by the department constitutes a superior lien on the property as described in Wis. Stats. § 292.81(3). The property remains subject to this superior lien until the case closure request review costs are paid in full to the department. No Interest is recoverable on this superior lien.

The department makes and files this claim for the interest held by the Owner(s) in this property under Wis. Stats. §292.81(3), Stats. The department certifies that to the best of its knowledge and belief, all information contained in this Notice of Lien is correct, and this superior lien represents a legal encumbrance upon the property. Based on the above information, the department claims a superior lien on all the interest, which the Owner(s) have in the above-described property.

Department of Natural Resources

By:

Duane Klein, Fiscal & IT Section Chief
Remediation and Redevelopment Program

AUTHENTICATION OF ACKNOWLEDGMENT

The above named person was sworn to before me this
____ day of _____, 20__.

Adrian Herrera

Notary Public
State of Wisconsin, County of Dane
My Commission expires May 5, 2022

This document was drafted & approved
by:

Department of Natural Resources
PO Box 7921
Madison WI 53707-7921

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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.

Thomas E Smith
Name of Owner [or Legal Representative] (print)

Thomas Smith
Signature of Property Owner [or Legal Representative]

4/16/2020
Date

Signature of Additional Property Owner (if applicable) Date

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