

Schmenk, Colin R - DNR

From: Hodgson, Scott A. <Scott.Hodgson@terracon.com>
Sent: Wednesday, September 13, 2017 2:31 PM
To: DuFresne, Kristin I - DNR
Subject: RE: Royal Cleaners (DNR BRRTS # 02-05-549808) New Deed
Attachments: Deed.716 N Danz.2017.pdf; F.1. Deed.pdf

Kristin,

I have now obtained a copy of the new deed for the 716 North Danz property that was bought by Phil Lee. However, the entity on the deed (Lee & Lee Inc) is different than for the source property (Philip F. Lee and Peter S. Lee). Copies of the two deeds are attached. How does this impact the questions I had asked below and discussed in our August phone conversation?

Scott A. Hodgson, P.G.
Senior Project Manager | Environmental Services

Terracon

9856 S. 57th Street | Franklin, WI 53132
D (414) 209 7640 | F (414) 423 0566 | M (920) 791 9206*
sahodgson@terracon.com | www.terracon.com

***Note new mobile number**

From: Hodgson, Scott A.
Sent: Monday, July 17, 2017 3:10 PM
To: 'DuFresne, Kristin I - DNR' <Kristin.DuFresne@wisconsin.gov>
Subject: RE: Royal Cleaners (DNR BRRTS # 02-05-549808)

Actually one more to add to the list below

Fig B.2.a and Figure B.2.b—Assume you want just the locations of those sample points shown, and not the results; is that correct?

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From: Hodgson, Scott A.
Sent: Monday, July 17, 2017 2:04 PM
To: 'DuFresne, Kristin I - DNR' <Kristin.DuFresne@wisconsin.gov>
Subject: RE: Royal Cleaners (DNR BRRTS # 02-05-549808)

Kristin,

Now that the property transfer has occurred I am trying to get this wrapped up and have questions as follows regarding your June 8, 2017, Request for Additional Information Letter:

1. Page 1-Acres for Reuse: Please verify what area should be considered for reuse. In the past WDNR has varied in what was wanted for this from the source parcel alone to all contiguous property owned by the source property owner, regardless of the number of parcels or how small the contaminated area is. Form says adjacent rather than contiguous; what is meant by adjacent? As such there might be the following choices:
 - a. The parcel which contains Royal Cleaners plus the other mall parcel to the east, and the former Lovita Dewitt property: 60,491 square feet or 1.39 acres
 - b. The parcel which contains Royal Cleaners plus the other mall parcel to the east, the former Lovita Dewitt property, and the residential parcel at 2216 Preble: 68,804 square feet or 1.58 acres
 - c. All contiguous parcels owned by Phil and Peter Lee (two mall parcels, former Lovita Dewitt parcel, bank parcel at 2255 University, residential parcel at 2216 Preble): 85,497 square feet or 1.96 acres.
2. Figure B.1.b—Ensuring the eastern property boundary is correct...Not sure where this is coming from or what you are getting at here. The eastern boundary as shown is the eastern boundary of the source parcel and is clearly correct based on County GIS maps...we did not have a boundary survey performed. Are you saying the “property boundary” should be all of that for item 1 above, whatever that is rather than the “source” property boundary?
3. Figure B.3.b.—Extend ES contour to include P-4 and sump. Data at P-4 was from 2008, do you really want to use that data? I do not understand what you are asking/suggesting for the sump. In January 2015, the sump did not have an ES exceedance and of course even if it did have an exceedance, that exceedance is not at the spot of the sump. Water in the sump is conveyed from where the drain tile intersects the groundwater plume to the sump. The figure already shows that scenario.
4. Figure B.4.b. —(and language in form) Add a figure to depict locations of the sub-slab monitoring points and vacuum monitoring points that were kept and those abandoned. None were abandoned because it was thought that the SSDS was needed and the points may be necessary in the future to show that it was no longer needed. I have asked Phil Lee what he wants to do with the SSDS and monitoring points, but I have not received a response. If he wants to dismantle and abandon all monitoring points, I assume this figure would not be needed, is that correct?
5. Attachment G Update this section by completing the following: bullet 1(3): Are you saying that the letter has to be modified and reissued to Phil Lee or just modify the parts that we include with the closure? Must we include the new deed?
6. Attachment G Update this section by completing the following: bullet 2(2): Does the 716 N Danz property now owned by Phil Lee need to be listed separately on the form?
7. Attachment G Update this section by completing the following: bullet 2(3): Does the notification to the Green Bay Clerk and to the Public Works Dept have to be shown on separate lines on the form?

Thanks.

Scott A. Hodgson, P.G.
Senior Project Manager | Environmental Services

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***Note new mobile number**

From: DuFresne, Kristin I - DNR [<mailto:Kristin.DuFresne@wisconsin.gov>]

Sent: Thursday, June 8, 2017 11:51 AM

To: 'John Butz' <Jbutz@baytowel.com>

Cc: donald.gallo@huschblackwell.com; Hodgson, Scott A. <Scott.Hodgson@terracon.com>; Lillie Conrad (lillie.conrad@gmail.com) <lillie.conrad@gmail.com>; DuFresne, Kristin I - DNR <Kristin.DuFresne@wisconsin.gov>

Subject: Royal Cleaners (DNR BRRS # 02-05-549808)

John – Attached please find an electronic version of the Request for Additional Information Letter associated with the Royal Cleaners site located at 2201 University Avenue, Green Bay, Wisconsin. The original letter will follow by regular mail. I also spoke with your consultant, Scott Hodgson, a few moments ago regarding the content of the letter.

Please feel free to contact me if you have any questions.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Kristin DuFresne

Hydrogeologist – Remediation & Redevelopment/AWaRe

Wisconsin Department of Natural Resources

2984 Shawano Avenue

Green Bay, WI 54313-6727

Phone: (920) 662-5443

kristin.dufresne@wisconsin.gov



dnr.wi.gov



Terracon provides environmental, facilities, geotechnical, and materials consulting engineering services delivered with responsiveness, resourcefulness, and reliability.

Private and confidential as detailed here (www.terracon.com/disclaimer). If you cannot access hyperlink, please e-mail sender.

F.1. Deed

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 1-1982
WARRANTY DEED

THIS SPACE RESERVED FOR RECORDING DATA

1011607

J 7608 1 4

REGISTER OF DEEDS
BROWN COUNTY

OCT 26 1983

AT 8:01 O'CLOCK A.M.

Wayne REGISTER OF DEEDS *4.00*

This Deed, made between Richard E. Nelsen

and Philip F. Lee and Peter S. Lee, Grantor,

Witnesseth, That the said Grantor, for a valuable consideration

conveys to Grantee the following described real estate in Brown County, State of Wisconsin:

Lot Eight (8), Block "A", according to the recorded Plat of Warren's Preble Addition, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin, except that Tax Parcel No: part described in Jacket 3406 Records Image 33, as Document Number 923522. Subject to easement as described in Jacket 3406 Records Image 35, as Document Number 923524. AND That part of Lot Sixty-one (61), according to the recorded Plat of Newberry's Addition to the City of Green Bay Subdivision No. 1, in the City of Green Bay, East side of Fox River, Brown County, Wisconsin, described as follows: Commencing at the Southwest corner of said Lot 61 and running thence Northerly along the Westerly line of said Lot, 150 feet; thence Easterly at right angles to said Westerly line and parallel with the South line of said lot a distance of 120 feet; thence Southerly and parallel with the Westerly line of said Lot, 150 feet to the South line of said line of said Lot; thence Westerly along the South line of said lot to the point of commencement; excepting therefrom those portions thereof described in Volume 211 Deeds, page 501 and in Jacket 3406 Records Image 28, as Document Number 923518. Subject to easement described in Jacket 3406 Records Image 30, as Document Number 923520.

TRANSFER
\$ 360.00
FEE

This is not homestead property.
(is) (is not)

Together with all and singular the hereditaments and appurtenances thereunto belonging; And warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except all easements, reservations, restrictions and highway matters of record presently in effect.

and will warrant and defend the same.

Dated this 25th day of October, 1983

(SEAL)

Richard E. Nelsen

(SEAL)

*

* Richard E. Nelsen

(SEAL)

(SEAL)

*

*

AUTHENTICATION

Signature(s)

authenticated this day of, 19.....

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Richard E. Nelsen

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

Brown County, } ss.

Personally came before me this 25th day of October, 1983 the above named Richard E. Nelsen

to me known to be the person who executed the foregoing instrument and acknowledge the same.

Margaret J. Check

* Margaret J. Check

Notary Public Brown County, Wis.

My Commission is permanent. (If not, state expiration

date: April 5, 1987..)

*Names of persons signing in any capacity should be typed or printed below their signatures.

DOCUMENT NO.

1209853

WARRANTY DEED
STATE BAR OF WISCONSIN FORM 2 - 1982

J 15417 I 11

THIS SPACE RESERVED FOR RECORDING DATA

REGISTER OF DEEDS
BROWN COUNTY

1990 APR 16 PM 3:59

CATHY WILLIQUETTE DRONIG
REGISTER OF DEEDS

CHARLES J. TUYLS and ESTHER G. TUYLS,
individually and as husband and wife, as
Grantors,

conveys and warrants to PHILIP F. LEE and PETER S.
LEE, tenants in common, as Grantees,

For One Dollar (\$1.00) and other valuable
considerations,

the following described real estate in Brown
County,
State of Wisconsin:

Mr. Philip F. Lee
2237 University Avenue
Green Bay, WI 54302

PR-2711

Tax Parcel No: PR-2710

Lots Six (6) and Seven (7), Block A, according to the
recorded Plat of Warren's Preble Addition, in the City
of Green Bay, East side of Fox River, Brown County,
Wisconsin, excepting therefrom those parts thereof
described in Jacket 3568 Records, Image 33 and subject
to easement referred to 7 Lis Pendens, Page 237-D.

TRANSFER
\$ 195.00
FEE

HABENDUM CLAUSE: This deed is given in fulfillment of a
particular Land Contract by and between Charles J. Tuyls
and Esther G. Tuyls, husband and wife, as Vendors and
Philip F. Lee and Peter S. Lee, tenants in common, as
Purchasers, said Land Contract being dated April 15, 1988,
and recorded April 15, 1988 at 4:07 p.m. in the Office of
the Register of Deeds of Brown County, Wisconsin, in
Jacket 13066 Records Image 14-15, Document Number 1150898.

This is not homestead property.
(is) (is not)

Exception to warranties: easements and restrictions of record, if any,

Dated this 12th day of April, 1990

(SEAL) Charles J. Tuyls (SEAL)
Charles J. Tuyls
(SEAL) Esther G. Tuyls (SEAL)
Esther G. Tuyls

AUTHENTICATION

Signature(s)

authenticated this day of 19

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Attorney Cecile M. Faller

211 South Monroe, Green Bay, WI

(Signatures may be authenticated or acknowledged. Both
are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

Brown County, ss.

Personally came before me this 12th day of

April, 1990 the above named

CHARLES J. TUYLS and ESTHER G.

TUYLS, husband and wife,

to me known to be the person(s) who executed the
Mortgaging instrument and acknowledge the same.

Cecile M. Faller

Notary Public Brown County, Wis.

My Commission is permanent. (Expires state expires)

DATE XXX

*Names of persons signing in any capacity should be typed or printed below, (if) signatures.



WARRANTY DEED



8 0 3 9 6 3 6 7
Tx:40261418

2795797

CHERYL BERKEN
BROWN COUNTY RECORDER
GREEN BAY, WI
RECORDED ON
08/08/2017 2:48 PM
REC FEE: 30.00
TRANS FEE: 228.00
EXEMPT #
WHZ ON RECORD
PAGES: 1

Document Number

Document Name

THIS DEED, made between LOVITA A. DE WITT A/K/A LOVITA DE WITT, A SINGLE PERSON

("Grantor," whether one or more),

and LEE & LEE INC.

("Grantee," whether one or more).

Grantor, for a valuable consideration, conveys and warrants to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in BROWN County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):
THE NORTH 50 FEET OF THE WEST 120 FEET OF THE SOUTH 150 FEET OF LOT SIXTY-ONE (61), NEWBERRY'S ADDITION SUBDIVISION NO. 1, IN THE CITY OF GREEN BAY, WEST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.

Recording Area

Name and Return Address

LIBERTY TITLE
107 N. BROADWAY
GREEN BAY, WI 54303

46652

DUP

21-2211

Parcel Identification Number (PIN)

This IS homestead property.
(is) (is not)

Exceptions to warranties:

ANY MUNICIPAL AND ZONING ORDINANCES, RECORDED EASEMENTS, BUILDING AND USE RESTRICTIONS AND COVENANTS AND GENERAL TAXES LEVIED IN THE YEAR OF CLOSING

Dated 7/14/17

Lovita De Witt by Nancy A. Moore N/K/A (SEAL) _____ (SEAL)
* LOVITA DE WITT BY NANCY A. MOORE N/K/A *

Nancy A. Wentworth as attorney in fact (SEAL) _____ (SEAL)
* Nancy A. Wentworth as attorney in fact *

AUTHENTICATION

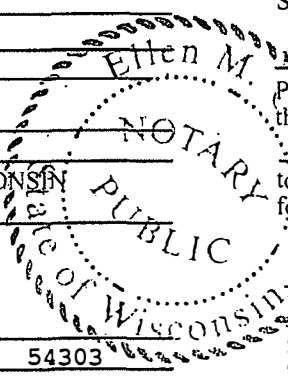
ACKNOWLEDGMENT

Signature(s) _____)
STATE OF WISCONSIN) ss.

authenticated on _____)
BROWN COUNTY)
Personally came before me on 7/14/17,
the above-named NANCY A. WENTWORTH

TITLE: MEMBER STATE BAR OF WISCONSIN (If not, _____ to me, known to be the person(s) who executed the foregoing instrument and acknowledged the same.
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
ATTY. TIMOTHY F. POLACK
107 N. BROADWAY, GREEN BAY, WI 54303
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: 4/10/20)



NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.
WARRANTY DEED STATE BAR OF WISCONSIN FORM No. 2-2003