



April 11, 2018

Mitch Brazin  
Roswell Properties, LLC., LTD.  
100 North Center Street  
Newton Falls, OH 44444

Subject: Lender Liability Exemption Status  
Undeveloped Rosemurgy Property, 218 South Fourth Street, Wausau, WI  
DNR BRRTS #: 02-37-548031  
DNR FID #: 737211090

Dear Mr. Brazin:

Thank you for your April 4, 2018 response to the department's responsible party letter. Your response posits that Roswell Properties, LLC., LTD. (Roswell) is exempt from Wis. Stat. § 292.11 due to the protection or exemption afforded under Wis. Stat. § 292.21. The documents provided in your letter demonstrate that Roswell took possession of real property through enforcement of a security interest. Your letter also states that Roswell has not caused a discharge of any material of the subject property.

At this time the department cannot issue a lender liability exemption to Roswell. To qualify for the lender liability Roswell must meet the definition of *lender* in Wis. Stat. § 292.01(8), please submit additional information to show Roswell meets this requirement. The documents you supplied show Roswell acquiring title to, or possessing or controlling the subject property on January 15, 2015 through an agreement with Prime Capital, LLC. Please supply additional information, if available, that confirms Roswell has met the requirement of Wis. Stat. § 292.21(1)(c) d.

Please submit the above requested information to me within 30 days, by **May 10, 2018** at the address above or by email: [MatthewA.Thompson@wisconsin.gov](mailto:MatthewA.Thompson@wisconsin.gov).

If you are unable to provide information that clarifies Roswell's status as a lender and that an environmental assessment was performed at the subject property please send written confirmation that you have hired an environmental consultant by **June 11, 2018** and submit a work plan for completing the site investigation by **July 10, 2018**.

Please do not hesitate to contact me with questions regarding this determination by phone: 715.839.3750 or email: [MatthewA.Thompson@wisconsin.gov](mailto:MatthewA.Thompson@wisconsin.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Thompson'.

Matt Thompson  
Hydrogeologist