



April 19, 2024

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

ALDER B LLC
ATTN: GIL ROGERS
PO BOX 638
SUPERIOR WI 54880

BRRTS #03-16-584200
Site Name: Alder B LLC Fmr Gas Station (“Site”)
Site Address: 203 39th Avenue East, Superior, Wisconsin (“Property”)

Re: Notice of Intent to File Notice of Contamination Affidavit per Wis. Admin. Code § NR 728.11

Dear Mr. Rogers:

On January 29, 2024, the Department of Natural Resources (“DNR”) sent you a letter requesting a site update for the above referenced Property. The DNR did not receive an adequate response to the previous request within the allotted timeframe.

In accordance with Wisconsin Administrative (Wis. Admin.) Code § NR 728.11(2)(b), you are hereby notified that the DNR intends to record an affidavit at the county register of deeds office giving notice of contamination at the Property at 203 39th Avenue East, Superior, Wisconsin, unless you **respond to this second letter in writing, within 30 days of receiving this letter (date of delivery confirmation), informing the DNR of your plans to finish the necessary environmental response actions at this Site.** As part of this response, please include the name and contact information of your environmental consultant.

In accordance with Wis. Admin. Code § 728.11(2)(c), if an acceptable response is not received within the time period set forth in this letter, the DNR may, as soon as practicable but in no case less than 15 days after the 30-day deadline, record the Notice of Contamination affidavit at the office of the register of deeds for the county in which the Property is located. A draft copy of the Notice of Contamination affidavit to be filed is enclosed with this letter.

Your prompt attention to this request is appreciated. If you have any questions regarding this notice or how to move your site forward, please contact DNR Project Manager Grant Neitzel by phone at (715) 919-7238 or email at Grant.Neitzel@Wisconsin.gov. You can also contact me at (715) 208-4004 or email at Christopher.Saari@wisconsin.gov. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher A. Saari'.

Christopher A. Saari
Northern Region Team Supervisor
Remediation and Redevelopment Program

Enclosures: Draft Notice of Contamination affidavit

In Re: See attached legal description.

STATE OF WISCONSIN)
) ss
COUNTY OF DANE)

I, Christine Sieger, being first duly sworn, state that:

1. I am the Remediation and Redevelopment Program Director, employed by the Wisconsin Department of Natural Resources (hereinafter "the department").

2. I have, or Grant Neitzel, Hydrogeologist has, personal knowledge of the facts herein set forth and believe the same to be true.

3. The department has determined that petroleum contamination has been discharged to soil at the above described property ("the Property"), and that the contamination identified on the Property has not been adequately defined or remediated. Additional information may be found by visiting the Bureau of Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW), currently at dnr.wi.gov (search: "BOTW"), by searching for 03-16-584200 in the "BRRTS No."

4. Per Wis. Admin. Code § NR 728.11(2), the department has sent all required notices to the property owner and any mortgagee as applicable at the time of this recording advising that the department has made a decision to record a notice of contamination for the Property at the Register of Deeds office. The department did not receive an acceptable response from the property owner within the time period set forth in the notice.

5. Because the department believes the contamination identified on the Property at the time of this recording will continue to discharge to the environment, the public and prospective purchasers of the Property are hereby notified per Wis. Admin. Code § NR 728.11(3) of potential environmental liability for investigation and remediation of contamination under Wis. Stat. § 292.11(3).

Signature: _____
Printed Name: Christine Sieger

Subscribed and sworn to before me
this ____ day of _____, 20__.

Notary Public, State of _____
My commission _____

This document was drafted by the Wisconsin Department of Natural Resources.

Recording Area

Name and Return Address
Lien and Deed Affidavit Coordinator
Remediation and Redevelopment (RR/5)
PO Box 7921
Madison WI 53707-7921

10-810-08386-00

Parcel Identification Number (PIN)

Legal description:

Lots Two Hundred Three (203) and Two Hundred Five (205), on Cass Avenue, Block Twenty-nine (29), Consolidated Land Company's Rearrangement of Trans-Nemadji Blocks, City of Superior, Douglas County, Wisconsin, together with the Northerly 113.01 feet (as measured along the Easterly boundary of said Lots) of the vacated street or alley abutting said Lots.