**Document Number** 

## **DEED NOTICE**

A parcel of land located in the Northwest Quarter of the Northeast

follows: Commencing at the intersection of the South line of U.S.

point of beginning; thence N88degrees-54'E, 408.50 feet; thence

of said forty; thence N0degrees-19'E along the West line of said forty

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Quarter (NW 1/4 of NE 1/4 ) of Section Ten (10), Township Seventeen (17) North, Range One (1) West, Monroe County, Wisconsin, described as Highway 12 & 16 and the West line of said forty (said point is located S0degrees-19'W, 112 feet from the NW Corner of said forty; thence S0degrees-19'W along the West line of said forty 183.50 feet to the N0degrees 19'E, 192.78 feet to the South line of U.S. Highway 12 & 16; thence N87degrees-36'E along South line of said Highway a distance of 100,00 feet; thence S0degrees-19'W parallel with the West line of said forty 935.05 feet; thence S88degrees-54'W, 508.42 feet to the West line.

REGISTER'S OFFICE County of Monroe, Wis.

Recording Area

Return to: Wendy Anderson **WDNR** 1300 W. Clairemont Ave Eau Claire, WI 54701

Parcel ID Number

## **AFFIDAVIT**

STATE OF WISCONSIN SS COUNTY OF EAU CLAIRE

740.00 feet to the point of beginning.

Wendy Anderson, being first duly sworn, states that:

- She is an engineer employed by the Wisconsin Department of Natural Resources at its 1. West Central Regional Headquarters in Eau Claire, Wisconsin.
- 2. She has personal knowledge of the facts herein set forth and believes the same to be true.
- A tank closure site assessment report has been submitted to the Department of Natural Resources which indicates that fuel oil was discharged to the environment on a portion of the above-described property. The portion of the property where the fuel oil discharge occurred has the address of 1705 Winnebago Avenue, in the City of Tomah, Monroe County, Wisconsin, and is currently occupied by Leisure Time Sports. The assessment report indicates that there is petroleum-contaminated soil on the above-described property, and it is possible that there may be groundwater contamination as well.





- 4. The Department of Natural Resources believes that removal or treatment of the contaminated soil and groundwater monitoring to determine the extent of groundwater contamination from the fuel oil discharge (and perhaps groundwater treatment) are required on the above-described property under the authority of s. 292.11(3), Wis. Stats.
- 5. On April 30, 1993, the Department of Natural Resources sent a certified letter to Denise Larry, the personal representative of the estate which holds title to the above-described property, advising her of the estate's responsibility to investigate the fuel oil contamination and to restore the environment. No response to that letter has been received by the Department.
- 2. On May 20, 1998, the Department of Natural Resources sent a certified letter to Denise Larry advising her that an affidavit giving notice of the contamination on the above-described property would be recorded if satisfactory action to restore the environment did not commence. That letter requested a written response by June 20, 1998. At the request of Denise Larry, Ayres Associates responded in a letter dated June 26, 1998, that Ms. Larry would like to wait on conducting a site investigation at Leisure Time Sports until such time that fuel oil sites at commercial businesses are eligible for reimbursement under the PECFA program
- 7. On July 2, 1998, the Department sent a certified letter to Denise Larry advising that the Department would record an affidavit at the county register of deeds office, giving notice of the petroleum contamination on the above-described property.
- 8. Because the Department of Natural Resources believes that petroleum contamination currently found on the above-described property will continue to discharge into the environment, subsequent purchasers of the property could be held responsible for investigation and clean-up costs under section 292.11(3), Wisconsin Statutes.

Wendy Andèrson

Notary Public, State of Wisconsin

My commission expires on \_\_\_\_\_\_

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