

468839

Document Number

DEED AFFIDAVIT

RECEIVED

SEP 11 1998

RECORDS

VOL 267 PAGE 76

DNR-WD

IN RE:

A parcel of land described as: Outlot Fifty (50) of the assessor's Plat of Village of Cashton sometimes referred to as the replat of Cashton, excepting lands conveyed to the State of Wisconsin in Vol. 63 of MISC, at Page 414, and

A parcel of land described as: Lot Three (3) of Certified Survey Map recorded in Vol. 6 of CSM at page 71 as doc. No. 378196 located in the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Thirty (30), Township Fifteen (15) North, Range Three (3) West, Village of Cashton, Monroe County, Wisconsin

REGISTER'S OFFICE

County of Monroe, Wis.

Received for record this 8 day of Sep A.D., 19 98 at 10:20 o'clock A.M. Vicki J. Gutter Register

1200 +

Recording Area

Return to:

Wendy Anderson
WDNR
1300 W. Clairemont Ave.
Eau Claire, WI 54701

Parcel ID Number
111-270-4-37
111-60-50-0

AFFIDAVIT

STATE OF WISCONSIN)
COUNTY OF EAU CLAIRE) ss

Wendy Didier Anderson, being first duly sworn, states that:

- 1. She is an engineer employed by the Wisconsin Department of Natural Resources at its 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.
3. Analytical results from a tank closure site assessment have been submitted to the Department of Natural Resources which indicate that gasoline was discharged to the environment on a portion of the above-described properties, which were occupied by Hoffman's Mobil, located at 646 Front Street, in the Village of Cashton, Monroe County, Wisconsin. The analytical report indicates that there is petroleum-contaminated soil on the above-described properties, 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 gasoline discharge (and perhaps groundwater treatment) are required on the above-described properties under section 292.11(3), Wisconsin Statutes.
5. Phil Mlsna is the current owner of the above-described properties.
6. On May 21, 1996, the Department of Natural Resources sent a certified letter to Phil Mlsna advising him of his responsibility to investigate the gasoline contamination and to restore the environment. No response was received.

INDEXED

- 7. On June 5, 1998, the Department of Natural Resources sent a letter to Phil Mlsna requesting an update on the status of his clean-up project. Mr. Mlsna responded that the tanks, lines and pumps were removed, the remaining hole was filled with screenings and topsoil was spread and the area was seeded.
- 8. On June 19, 1998, the Department of Natural Resources sent a certified letter to Phil Mlsna informing him of an enforcement conference to be held at the Department's Eau Claire Office. The letter stated that failure to attend the meeting or respond within 30 days would result in the filing of a deed affidavit, by the Department, which gives notice of the contamination. Mr. Mlsna called and said he would not be attending the enforcement conference.
- 9. On July 2, 1998, the Department sent a certified letter to Phil Mlsna 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 properties.
- 10. Because the Department of Natural Resources believes that petroleum contamination currently found on the above-described properties will continue to discharge into the environment, subsequent purchasers of the properties could be held responsible for investigation and clean-up costs under section 292.11(3), Wisconsin Statutes.

Wendy Anderson
 Wendy Anderson



Subscribed and sworn to before me this 3rd day of Sept, 1998

Mary M Tradette
 Notary Public, State of Wisconsin

My commission expires on 1-21-2001

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