

299704

VOL 517 PAGE 445

Document Number

AFFIDAVIT

GREEN LAKE COUNTY  
RECEIVED FOR RECORD  
11:10 A.M.  
JUN 24 1999

Vol. 517 Of Rec. Pg. 445  
*Sydney R. Keach*  
REGISTER OF DEEDS

Legal Description of the Property:

Real estate, situated in the County of Green Lake and State of Wisconsin, to-wit:

Commencing at the Northwest corner of lot number One (1), block Two (2), in the village of Manchester, Wisconsin running thence South sixty (60) feet, thence East forty-eight (48) feet, thence North sixty (60) feet, thence West forty-eight (48) feet, to place of beginning according to a recorded plat of said village of Manchester in office of Register of Deeds of said Green Lake County, as described in Volume 119, Page 19, Green Lake County Register of Deeds.

Recording Area

Name and Return Address:

Kevin D. McKnight  
WI Department of Natural Resources  
Oshkosh Service Center  
625 E. CTY Y, Suite 700  
Oshkosh, WI 54901-9731

11:10 Am Pd. \$12.00 cash

STATE OF WISCONSIN )  
COUNTY OF GREEN LAKE )

I, Kevin D. McKnight, being first duly sworn, state that:

012-0773-0000  
Parcel Identification Number (PIN)

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (herein after "the Department") at its Oshkosh Service Center, 625 E. CTY Y, Suite 700, City of Oshkosh, Winnebago County, Wisconsin.
2. I have knowledge of the facts herein set forth and believe the same to be true.
3. The Department has determined that petroleum product discharged to the Holloway property, which is located at W3345 HWY 73, NE¼ of the NE¼, Section 14, T14N, R12E, Town of Manchester, County of Green Lake, and which has the above captioned legal description, has contaminated soil in the vicinity. The property is listed as owned by Leonard J. and Verna Holloway, on the most recent deed at the Green Lake County Register of Deeds.
4. The Department believes that removal or treatment of the contaminated soil, and/or groundwater monitoring, are required on the property under the authority of s. 292.11(3), Wisconsin Statutes.
5. On June 16, 1998, the Department sent a letter to the heir of deceased Leonard J. Holloway, Mr. John Holloway, which advised him of the statutory requirement to restore the environment at that location. On July 20, 1998, the Department received a written response from Attorney John C. Koch which advised that Leonard J. Holloway's estate (hereinafter "the Estate") is the responsible party.
6. On January 5, 1999, the Department sent a letter to Attorney Koch which requested that the Estate hire an environmental consultant by February 9, 1999. On January 25, 1999, the Department received a written response from Attorney Koch which advised and included documentation that the Estate has no funds with which to conduct investigation or remediation activities at the Holloway property.
7. On March 12, 1999, the Department sent a certified letter to Attorney Koch, advising him that an affidavit of contamination would be recorded. This determination was based on the January 25, 1999, letter from Attorney Koch. Attorney Koch's letter indicated that the Estate is financially unable to proceed with investigation and/or remediation of the petroleum contaminated soil and/or groundwater on the property.
8. On May 6, 1999, the Department sent a certified letter to Attorney Koch, as attorney for the Estate, which advised the Estate that an affidavit of contamination would be recorded on the property deed.
9. Because the Department believes that petroleum product currently found in the soil on the property with the above

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In Re: Property Locate in the  
Town of Manchester, Green Lake County,  
Described above:

legal description, will continue to discharge into the environment, subsequent purchasers of the property could be held responsible for investigation and clean-up costs under s. 292.11(3), Wisconsin Statutes.

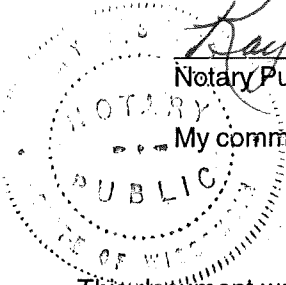
*Kevin D. McKnight*

\_\_\_\_\_  
Kevin D. McKnight

Subscribed and sworn to before me this 14<sup>th</sup> day of June, 1999.

*Kay C. Scott*  
\_\_\_\_\_  
Notary Public, State of Wisconsin

My commission expires on: 10-21-2001



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