

480253

Document Number

AFFIDAVIT

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REGISTER OF DEEDS
OCONTO COUNTY
AT 3:15 O'CLOCK PM

AUG 25 1999

Sheralee Hawley
REGISTER

Legal Description of the Property:

A parcel of land in the Northwest Quarter of the Northeast Quarter (NW¼ of NE¼) and the Northeast Quarter of the Northwest Quarter (NE¼ of NW¼), all in Section 5, township 29 North, Range 20 East.

Recording Area

1200

Name and Return Address:

Michael J. Netzer
WI Department of Natural Resources
Peshtigo Service Center
101 North Ogden Road
Peshtigo, WI 54157

As described in Volume 461, page 730, Oconto County Register of Deeds.

STATE OF WISCONSIN)

Parcel Identification Number (PIN)

COUNTY OF OCONTO)

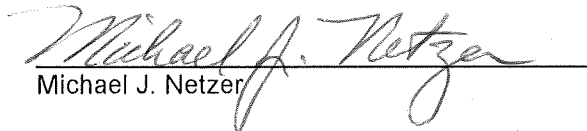
I, Michael J. Netzer, being first duly sworn, state that:

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (herein after "the Department") at its Peshtigo Service Center, 101 North Ogden Road, City of Peshtigo, Marinette 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 ash residue from wire burning and spilled waste oils discharged to the property which is located at 6725 East Springside Road, Town of Lena, County of Oconto, and which has the above captioned legal description, has contaminated soils at several locations on the property. The property is listed as owned by Randall R. Komisarek and Beverly J. Komisarek on the most recent deed at the Oconto 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 July 28, 1994, the Department sent a Notice of Violation letter to Mr. and Mrs. Randall Komisarek, which advised them of the statutory requirement to restore the environment at their property. On September 7, 1994, Department staff held a subsequent enforcement conference with Mr. and Mrs. Randall Komisarek. The Department received inadequate responses to that letter and enforcement conference.

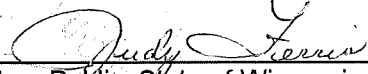
AFFIDAVIT

In Re: Property Located in the
Town of Lena, Oconto County,
described above:

6. On April 11, 1996, the Department sent a certified letter to Mr. and Mrs. Randall Komisarek, which advised that an affidavit of contamination would be recorded if satisfactory action to restore the environment did not commence. That letter requested that the Komisareks' attend an enforcement conference scheduled for May 29, 1996. Mr. and Mrs. Randall Komisarek failed to attend the enforcement conference.
7. On July 20, 1999, the Department sent a certified letter to Randall R. Komisarek and Beverly J. Komisarek, which advised that the Department would record an affidavit on the property deed.
8. As the Department believes that the burned wire ash and waste oils contamination currently found in soils on the property with the 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), Wis. Stats.


Michael J. Netzer

Subscribed and sworn to before me this 25th day of August, 1999.


Notary Public, State of Wisconsin

My commission expires on: 6-02-03

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