

AFFIDAVIT

223867

Document Number

VOL 380 PAGE 204

REGISTER'S OFFICE,

Marquette County, Wis.

Received for Record, the 31 day of August A.D. 2000 at 10:25 o'clock A.M., and recorded in Vol 380 of Records on page 204

Bernice M. Wegner

Recording Area

Name and Return Address:

Kevin D. McKnight
WI Department of Natural Resources
625 E. CTY Y, Suite 700
Oshkosh, WI 54901-9731 \$12.00

Legal Description of the Property:

A parcel of land located in the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section Eight (8), Township fifteen (15) North, Range Ten (10) East, described as follows: Beginning at a point on the quarter line of said Section Eight (8) which is South 89° 50' East 520.22 feet from the West one-quarter corner thereof; thence North 1° 41' East 352.60 feet to the center of County Trunk Highway "B"; thence Southeasterly along the center of County Trunk Highway "B" to said quarter line; thence West along said quarter line to the point of beginning, and excepting therefrom the right-of-way of County Trunk Highway "B" and the right-of-way of State Trunk Highway 23, Town of Montello, Marquette county, Wisconsin.

As described in Volume 138, page 874, Marquette County Register of Deeds.

STATE OF WISCONSIN )
COUNTY OF Winnebago )

Parcel Identification Number (PIN)

I, Kevin D. McKnight, 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 Oshkosh Service Center, 625 E. County Rd 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 property which is located on CTY B and STH 23 in the city of Montello, County of Marquette, and which has the above captioned legal description, has contaminated soil and groundwater in the vicinity. The property is listed as owned by Stanley F. Skrzypek and Bernice Skrzypek, husband and wife, as joint tenants, on the most recent deed at the Marquette 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 October 18, 1995, the Department sent a letter to Stanley and Charles Skrzypek, which advised them of the statutory requirement to restore the environment at that location. The Department received an inadequate response to that letter.
6. On June 17, 1999, the Department sent a Notice of Violation to Stanley and Charles Skrzypek concerning his responsibility to address the contamination. That Notice of Violation was returned to the Department as

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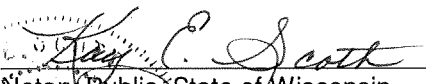
In Re: Property Located in the  
Town of Montello, Marquette County,  
described above:

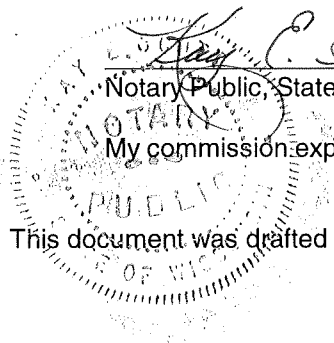
unclaimed. The Department resent the Notice of Violation on August 17, 1999. Department records indicate that no investigation or cleanup of the petroleum contamination occurred as a result of these activities.

7. On November 23, 1999, the Department sent a certified letter to Stanley Skrzypek, which advised that an affidavit of contamination would be recorded if satisfactory action to restore the environment did not commence. That letter requested a written response by December 3, 1999. The Department received a response from Charles Skrzypek, on behalf of his father Stanley Skrzypek informing the Department that Stanley Skrzypek was financially unable to proceed with a investigation or cleanup at this time and understood the need for a deed affidavit.
  
8. On April 13, 2000, the Department sent a certified letter to Stanley Skrzypek, which advised that the Department would record an affidavit on the property deed. This letter was resent with a affidavit of mailing following the return of the April 13, 2000 mailing as unclaimed.
  
9. As the Department believes that petroleum contamination currently found in the soil 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.

  
\_\_\_\_\_  
Hydrogeologist

Subscribed and sworn to before me this 14th day of August, 2000, 1999.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires on: 10-21-2001



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