

Document Number

AFFIDAVIT



1017195

Document Number

Office of Register of Deeds
Dodge County, Wisconsin
RECEIVED FOR RECORD

Mar 12, 2004

at 10:14 o'clock A.M.

Chris Planasch

CHRIS PLANASCH - Registrar

SWNE 15-12-17

Legal Description of the Property: Commencing at a point in the East line of Old County Highway "P" 864 feet North of the center point of Section 15, Township 12 North, Range 17 East, thence running North along the said East line of Old County Highway "P" 192 feet, thence in a Southeasterly direction along the West line of State Trunk Highway 175 f/k/a Federal Highway No. 41, 283.52 feet, thence in a Westerly direction 80 feet to a point 80 feet South of the place of beginning; thence North along the East line of said Old County Highway P 80 feet to the point of beginning; said parcel being located in Dodge County, Wisconsin.

Recording Area

Name and Return Address:

*DNR - Horicon office
N7725 Hwy 28
Horicon WI 53032*

1347

STATE OF WISCONSIN)

COUNTY OF DODGE)

I, Cheryl Laatsch, being first duly sworn, state that:

042-1217-1513-002

Parcel Identification Number (PIN)

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (herein after "the Department") at its Horicon office.
2. I have knowledge of the facts herein set forth and believe the same to be true.
3. The Department has determined that petroleum discharged to the property which is located at N8768 Old County Road P, in the Township of Theresa, County of Dodge, and which has the above captioned legal description (the "Property"), has contaminated soil in the vicinity.
4. On April 11, 2000, the Department received a report from the Wisconsin Department of Transportation, which stated that petroleum related contamination exists in the soil at the Property.
5. 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 May 19, 2000 the Department sent a letter to Dennis Riege advising him of the statutory requirement to restore the environment at the Property. On June 21, 2000 the Department received a letter from Dennis Riege indicating that he was financially unable to proceed with the cleanup and investigation of the Property.
6. On October 17, 2000, the Department sent a Notice of Violation to Dennis Riege concerning his responsibility to address the contamination and lack of a response to the Department's request to cleanup the Property. On November 1, 2000, the Department sent another letter to Dennis Riege providing him the opportunity to demonstrate his inability to pay for the investigation and cleanup of the Property via submittal of financial documentation.
7. On November 13, 2000, Dennis Riege submitted to the Department the necessary financial information concerning his inability to pay for the investigation and cleanup of the Property. On February 12, 2001, the Department determined that Dennis Riege was financially unable to proceed with the necessary site remediation.
8. On July 23, 2003 the Department sent a certified letter to Dennis Riege advising him that the Department determined that he was financially unable to proceed with the necessary site remediation and that an affidavit of contamination would be recorded if satisfactory action to restore the environment did not commence. That letter

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In Re: Property Located in the
Village of Theresa, Dodge County
Described above.

requested a written response by August 30, 2003. No response to that letter has been received by the Department.

- 9. On September 10, 2003, the Department sent a certified letter to Dennis Riege advising that the Department would record an affidavit of contamination on the Property deed.
- 10. As the Department believes that petroleum 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), Wisconsin Statutes.

Cheryl Laatsch
Cheryl Laatsch, Hydrogeologist

1348

Subscribed and sworn to before me this 25 day of November, 2003.

Randy Allen
Notary Public, State of Wisconsin

My commission expires on: 4-22-2007

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

