

676127

Document Number

AFFIDAVIT

VOL 1054 PG 805

GRANT COUNTY, WI
RECEIVED FOR RECORD

MAR 8 - 2005

Legal Description of the Property: Lots One (1), Two (2) and Three (3) in Block Five (5) of the Village of Mt. Ida, Grant County, Wisconsin. Also Commencing at the Northwest corner of Section Twenty-nine (29), Town Six (6) North, Range Three (3) West of the 4th P.M., Grant County, Wisconsin, thence running East 47.52 feet, thence running South 46° 41' East 1186.24 feet along the center of the highway, thence running South 70° 59' East 168.83 feet along the center of the highway to the place of the beginning, thence running North 161.82 feet, thence South 70° 59' East 52.73 feet, thence South 19° 01' West 153.0 feet to the place of the beginning, the above described tract of land being a part of Lot Five (5) of Block Four (4) according to the recorded plat of the Village of Mt. Ida, Grant County, Wisconsin.

at 1:45P m. and recorded in
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M. H. P. Register

Recording Area

Name and Return Address: (300 due)
L. Hanefeld - WI DNR
1500 N. John St
Dodgeville, WI 53533

STATE OF WISCONSIN)
COUNTY OF GRANT)

I, Linda Hanefeld, being first duly sworn, state that:

Parcel Identification Number (PIN)

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources ("Department") at its Dodgeville 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 contaminants discharged to the Hugo A. and Beverly A. Speaker Property, which is located at 6832 State Highway 18, Fennimore (Mt. Ida), County of Grant, ("Property") and which has the above captioned legal description, has known contaminated soil in the vicinity.
4. On December 10, 1997, the Department received notification stating that petroleum related contamination exists in the soil at the Property. On January 28, 1998, the Department received a report from McCutchin Crane Service of Dodgeville, Wisconsin, documenting the concentrations of the petroleum related contamination that 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.
6. On December 23, 1997, the Department sent a letter to Mr. Hugo Speaker advising him of the statutory requirement to restore the environment at that location. Mr. Speaker did not respond to the Department's December 23, 1997 letter.
7. On March 2, 2000, the Department sent a letter to Hugo Speaker at 6832 Highway 18, Fennimore, reminding him of his statutory obligations and requesting that he provide an update concerning the most recent investigation and remediation activities at the Property. This letter was not deliverable as addressed and was returned to the Department. On July 10, 2000 the Department again sent a letter to Hugo Speaker at 116 Wildwood Court, Boscobel, requesting an update and encouraging Mr. Speaker to provide documentation of his attempts to secure financing to hire an environmental consultant to complete the investigation of the contamination at the Property. The Department received no response to this letter.
8. Department records indicate that the investigation and remediation of the contaminated soil on the Property was not initiated as a result of these letters/activities.
9. On July 25, 2003, the Department sent a letter to Hugo and Beverly Speaker again requesting they hire an environmental consultant to start an investigation and also providing Mr. and Mrs. Speaker the opportunity to

Lots 1, 2, 3 - Bk. 5 } OP - Mt. Ida
Lot 5 - Bk. 4 }

AFFIDAVIT

In Re: Property Located in the Town of Mount Ida
Grant County, Wisconsin
Described above.

demonstrate their inability to pay for completing the investigation and cleanup of the Property through submittal of financial documentation.

- 10. In an envelope having a postage cancellation date of July 28, 2003, Hugo and Beverly Speaker submitted a portion of the necessary financial information concerning their inability to pay for the completion of the investigation and cleanup of the Property. On August 21, 2003 the Department, after analysis, determined that Hugo and Beverly Speaker were financially unable investigate and remediate the above described property to Department standards.
- 11. On July 12, 2004, the Department sent a certified letter to Hugo and Beverly Speaker advising them that the Department determined that they were financially unable to proceed with the necessary site investigation and remediation and that an affidavit of contamination would be recorded on the Property, if satisfactory action to restore the environment did not commence. That letter requested a written response by August 11, 2004. The Department did not receive a response to that letter.
- 12. On December 27, 2004, the Department sent a certified letter to Hugo and Beverly Speaker, advising that the Department would record an affidavit of contamination on the Property deed.
- 13. As the Department believes that petroleum contaminant 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.

Linda Harfeld

Linda Harfeld
Hydrogeologist

Subscribed and sworn to before me this 8th day of MARCH, 2005.

Melissa Pierce
Notary Public, State of Wisconsin

My commission expires on: 12/10/07

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