

3/2

DOC# 898710

Document Number

NOTICE OF CONTAMINATION

Recorded
JULY 18, 2007 AT 11:12AM

Legal Description of the Property:

Lot One (1) of Certified Survey Map No. 4369, recorded in Volume 25 of Certified Survey Maps, at Page 12 and 12A, as Document No. 529211; being a part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Thirty-five (35), Township Fourteen (14) North of Range Fourteen (14) East, Town of Alto, Fond du Lac County, Wisconsin.

Patricia Kraus

PATRICIA KRAUS
REGISTER OF DEEDS
FOND DU LAC COUNTY
Fee Amount: \$13.00

STATE OF WISCONSIN

COUNTY OF FOND DU LAC

Recording Area

I, Casey L. Jones, being first duly sworn, state that:

Name and Return Address:

Casey Jones
WDNR
625 E Cty Rd Y, Suite 700
Oshkosh, WI 54901

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its Oshkosh Service Center.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department of Natural Resources has determined that petroleum discharged to the property which is located at N2828 West Rock River Road, in the Town of Alto, County of Fond du Lac, which has the above legal description, (the "Property"), has contaminated soil in the vicinity. The Property is listed as owned by the Glendon Wayne Greenfield and Sandra Kay Greenfield on the most recent deed at the Fond du Lac County Register of Deeds.
4. On December 10, 1992, Glendon Greenfield received notification from Northern Environmental Technologies, Inc. that a release of petroleum products at N2828 West Rock River Road, Waupun, Fond du Lac County, Wisconsin was discovered during an investigation of potential soil contamination associated with petroleum underground storage tanks tank formerly located on the property. Mr. Greenfield was also notified of his responsibilities under the Hazardous Substance Spill Law, sec. 144.76, Stats., (now sec. 292.11, Stats.).
5. On March 9, 1993, the Department received notification from Glendon Greenfield that petroleum contamination exists at N2828 West Rock River Road, Town of Alto, Fond du Lac County, Wisconsin in a location on the property where former underground storage tanks were located.
6. On March 10, 1993, the Department received notification from Northern Environmental Technologies, Inc. that a release of petroleum products at N2828 West Rock River Road, Waupun, Fond du Lac County, Wisconsin was discovered during an investigation of potential soil contamination associated with the operation of former petroleum underground storage tanks tank located on the property. Northern also submitted a report to the Department which confirmed that petroleum related contamination exists in the soil at the Property.
7. 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.
8. On April 1, 1993, the Department sent a letter to Glendon and Sandra Greenfield, advising them of their statutory requirement to restore the environment at that location. An inadequate response to that letter was received by the Department.
9. On July 15, 1993, the Department sent Glendon Greenfield a Notice of Violation letter for failure to take action to restore the environment at the Property. The Department received an inadequate response to that letter.
10. On November 4, 1994, the Department sent a letter to Glendon Greenfield, which advised him that he needed to complete the investigation of the contamination of his property and that he was seriously delinquent in complying

T01-14-14-35-06-002-00

Parcel Identification Number (PIN)

AFFIDAVIT

In Re: Property Located in the
Town of Alto, Fond du Lac County,
Wisconsin described above.

with the statutory requirements to restore the environment at the Property.

- 11. On September 11, 2002, the Department sent Glendon Greenfield a letter advising them of the statutory requirement to restore the environment at the Property and requested a status update letter. The Department received an inadequate response to that letter.
- 12. On January 3, 2003, the Department sent Glendon Greenfield a request for a status update letter. The Department received no response to that letter.
- 13. On March 14, 2003, the Department sent Glendon Greenfield a Notice of Non-Compliance letter for failure to take action to restore the environment at the Property. The Department received no response to that letter.
- 14. On June 30, 2003, the Department sent Glendon Greenfield a Second Notice of Non-Compliance letter for failure to take action to restore the environment at the Property. The Department received no response to that letter.
- 15. On February 14, 2006, the Department sent Glendon and Sandra Greenfield a letter requesting permission to access the Property for purposes of investigating the contamination on the Property under the State Funded Response Program. Included with the letter was an agreement to allow the Department to access the Property for purposes of the investigation. The Department received no response to that letter.
- 16. On May 10, 2007 the Department of Natural Resources sent a letter, by certified mail, to Glendon and Sandra Greenfield advising that a notice of contamination would be recorded if satisfactory action to restore the environment did not commence.
- 17. On June 18, 2007, the Department sent a letter, with an affidavit of mailing on file, to Glendon and Sandra Greenfield advising that the Department has made the decision to record a notice of contamination for the above-described property at the Fond du Lac County Register of Deeds office.
- 18. Because 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), Wisconsin Statutes.

Casey L. Jones
Casey L. Jones

Subscribed and sworn to before me this 16 day of July, 2007

Cynthia Rudolph

Notary Public, State of Wisconsin

My commission expires on: 16 Aug 2009