

DOC# 648573

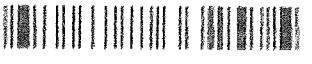
Document Number

NOTICE OF CONTAMINATION

Recorded
 Dec. 11, 2008 AT 01:44:16PM
 AMY DILLENBURG
 REGISTER OF DEEDS
 SHAWANO COUNTY WI

Legal Description of the Property: That part of the Southeast quarter of the Southeast quarter (SE¼SE¼) of Section 15, Township 26 North, Range 17 East, Shawano County, Wisconsin, described as follows: Commencing at a point 14 rods South of the Northeast corner of the said Quarter-Quarter (¼¼), there shall be the place of beginning; thence running South along the center of the Highway (Hilltop Road) 18 rods more or less to a point of intersection of center line of the highway (Hilltop Road) with center line of the Green Bay and Shawano Road (County Highway BE); thence Northwesterly along the center line of the Green Bay and Shawano Road (County Highway BE) 18 rods to a point; thence Northeasterly 18 rods more or less to the place of beginning except that part described in Volume 597 on pages 298-299 as Document No. 394100.

Fee Amount: \$13.00



Recording Area

Name and Return Address:
 WDNR
 Tom Sturm
 647 Lakeland Rd.
 Shawano, WI 54166
 \$13.00

STATE OF WISCONSIN)
)
 COUNTY OF SHAWANO)

I, Thomas Sturm, being first duly sworn, state that:

022-15140-010

Parcel Identification Number (PIN)

1. I am a Hydrogeologist, employed by the Wisconsin Department of Natural Resources (herein after "the Department") at the Shawano 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 product discharged to the property which is located at W3306 County Highway BE (formerly State Highway 29) in the Town of Hartland, County of Shawano, and which has the above captioned legal description ("the Property") has contaminated soil in the vicinity. The Property is currently listed as owned by Clifford E. Hanson and Susan T. Hanson on the most recent deed at the Shawano County Register of Deeds office.
4. On August 28, 1990, the Department received a report from the Wisconsin Department of Transportation, which indicated that petroleum related contamination exists in the soil on the property located at W3306 County Highway BE (formerly State Highway 29), in the Town of Hartland, County of Shawano, discovered during a right-of-way environmental assessment.
5. The Department believes that an investigation is required to define the extent and degree of soil and groundwater contamination on the Property under the authority of s. 292.11(3), Wisconsin Statutes.
6. On September 26, 1996, Clifford E. Hanson and Susan T. Hanson purchased the Property under a warranty deed from Joseph P. Marinan and Andrea E. Marinan. At the time of purchase, the Hansons were aware of the petroleum contamination on the Property and had discussions with Department staff concerning a proposed timetable for addressing the contamination.
7. On July 14, 1998 the Department sent a letter to Clifford E. and Susan T. Hanson advising them of the statutory requirement to restore the environment at the Property. An inadequate (or no) response to that letter was received by the Department.
8. On April 9, 1999, the Department held an enforcement conference with Clifford E. and Susan T. Hanson to discuss the steps that need to be taken to address the petroleum contamination on the Property.
9. On April 16, 1999, the Department sent Clifford E. and Susan T. Hanson a letter summarizing the enforcement conference. Within this letter the Hansons were requested to obtain written bids for a site investigation at the Property and to provide the Department with copies of the bids.
10. On June 25, 1999, the Department held a meeting with Clifford E. and Susan T. Hanson to discuss the option of

In Re: Property Located in the Township of Hartland. Shawano County Described above.

using a backhoe to obtain soil samples from the contaminated area.

- 11. On July 30, 1999 the Department sent Clifford E. and Susan T. Hanson a letter summarizing the June 25, 1999 meeting. Within this letter, the Hansons were requested to provide, within 20 days, the name of the certified site assessor to obtain the soil samples or provide the Department with their 1996, 1997 and 1998 tax returns to determine if this deed affidavit is appropriate.
- 12. On August 30, 1999, the Department sent a certified letter to Clifford E. and Susan T. Hanson requiring that the backhoe soil investigation be completed by November 15, 1999.
- 13. On January 24, 2000, the Department sent a certified letter to Clifford E. and Susan T. Hanson indicating that a deed affidavit will be filed on the Property if site investigation activities were not initiated within thirty (30) days.
- 14. On November 6, 2002, the Hansons communicated to the Department that they would be contracting with Jerry's Excavating to obtain soil samples in the former tank area at the Property. The Department has received no communication that indicates that this work was ever completed.
- 15. July 22, 2008, the Department sent a certified letter to Clifford E. and Susan T. Hanson indicating that a deed affidavit will be filed on the Property if site investigation activities were not initiated within thirty (30) days.
- 16. On August 28, 2008 the Department sent a certified letter to Clifford E. and Susan T. Hanson advising that the Department would record an affidavit of contamination on the Property deed.
- 17. Because 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.

Thomas Sturm

Thomas Sturm, Hydrogeologist

Subscribed and sworn to before me this 10th day of December, 2008.

Mary J. Renik

Notary Public, State of Wisconsin

Mary J. Renik

My commission expires on: 5/29/2011

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

