

Document Number

AFFIDAVIT

Legal Description of the Property: Lots 1, 2, 3 & 4 in Block 2 of Valentine's Addition of the Village of Bancroft, according to the recorded Plat thereof.

Now known as Lot 42 of Bancroft Assessor's Plat No. 1.

STATE OF WISCONSIN)

COUNTY OF JUNEAU)

I, Bill Evans, being first duly sworn, state that:

1. I am the West Central Region Remediation and Redevelopment Team Supervisor, employed by the Wisconsin Department of Natural Resources (herein after "the Department") at its Eau Claire 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 5428 CTH W., in the Village of Bancroft, County of Portage, and which has the above captioned legal description (the "Property"), has contaminated soil in the vicinity.
4. On July 18, 1996, the Department received a release notification from Fischer Environmental, which stated that petroleum related contamination exists in the soil at the Property.
5. The Department believes that a site investigation is required on the Property under the authority of s. 292.11(3), Wisconsin Statutes.
6. On July 29, 1996, the Department sent a letter to Jerry Bowen advising him of the statutory requirement to restore the environment at the Property.
7. On March 5, 1998, October 10, 2000, October 24, 2001, and June 29, 2007, Jerry Bowen was sent letters from the Department requesting a status update.
8. On January 16, 2008, the Department issued a Notice of Non-Compliance to Jerry Bowen.
9. On January 12, 2009, the Department issued a Notice of Violation to Jerry Bowen. This letter stated that if the proper response is not received, the Department will continue with the process of filing a deed affidavit.
10. On approximately January 19, 2009, the Department received a letter from Warren J. Bowen, which informed the Department that property ownership was transferred from Jerry Bowen to Jerry Bowen's son, Warren Bowen.
11. On February 17, 2009, the Department issued a letter to Warren Bowen indicating that, as property owner, Warren Bowen is now responsible for continuing with the investigation.
12. On June 24, 2009, the Department sent a certified letter to Warren Bowen advising that the Department would record an affidavit of contamination on the Property deed.

737353



CYNTHIA A WISINSKI
PORTAGE COUNTY REGISTER OF DEEDS
RECEIVED FOR RECORD
SEP. 23, 2009 AT 08:35AM

CYNTHIA A WISINSKI, REGISTER OF DEEDS
Fee Amount: \$13.00

Recording Area

Name and Return Address:

Bill Evans
Wisconsin Dept. of Natural Resources
1300 Clairemont Ave.
Eau Claire, WI 54702-4001

028-23-042
Parcel Identification Number (PIN)

AFFIDAVIT

In Re: Property Located in the Village
of Bancroft, Portage County
Described above.

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.

Bill Evans
Bill Evans,
West Central Region Remediation & Redevelopment Team Supervisor

Subscribed and sworn to before me this 8th day of Sept, 2009.

Mary Fradette
Mary Fradette
Notary Public, State of Wisconsin
Department of Natural Resources

My commission expires on: 3-17-13

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