

374613

Document Number

NOTICE OF CONTAMINATION

VOL. 590 PAGE 976

Legal Description of the Property:

LOT 1 of CSM 1242 BEING PART OF LOT 3 BLK 12 MERRILL BROS ADDN TO VILLAGE OF MERRILLAN

STATE OF WISCONSIN

COUNTY OF JACKSON

I, Connie Antonuk, being first duly sworn, state that:

1. I am an Air, Waste and Remediation and Redevelopment Program Manager, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its regional office in Rhinelander, WI.

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 leaded gasoline present at Lot 1 of CSM 1242 being part of Lot 3, Block 12, Merrill Bros Addition to the Village of Merrilan, Village of Merrilan, County of Jackson, WI and which has the above legal description, has contaminated soil and groundwater on the property. See Exhibit A for a map of the property.

4. The Department believes that a site investigation, 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 04/11/2013, the Department of Natural Resources sent a letter to Mr. Brian K Ferries, advising him of the statutory requirement to restore the environment at that location. A phone contact was made with Mr. Brian K Ferries by DNR Hydrogeologist, David Hon. Mr. Brian K Ferries said that he was going to consult with an attorney. DNR Hydrogeologist David Hon said that Mr. Brian K Ferries had 30 days to respond.

6. On 06/26/2013, a Notice of Noncompliance (NON) was sent by the WDNR to Mr. Brian K Ferries, advising Mr. Brian K Ferries that subsequent enforcement action may occur if no response was received within 30 days of the NON. A phone contact was made on 07/11/2013 to Mr. Brian K Ferries, who stated that he was going to let his property go tax delinquent and he was not going to fund a cleanup.

7. On 04/10/2014, the Department sent a letter, by certified mail, to Mr. Brian K Ferries, advising that the Department has intent to file a deed affidavit if he does not move forward with a site investigation and remediation of the Property.

8. On 06/25/2014, the Department sent a letter, by certified mail, to Mr. Brian K Ferries, advising that the Department has made the decision to record a deed affidavit for the above-described property at the county Register of Deeds office. The 30 day response time set out in the letter has expired. The 15 day waiting period since that deadline, required by NR 728, Wis. Adm. Code, has passed without an acceptable response.

9. Because the Department believes that leaded gasoline contamination is currently found in the soil and groundwater on the property with the above legal description, and 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.

RECEIVED FOR RECORD
AT 10:30 A M
Vol. 590 Page 976

JUL 14 2014

SHARI MARG
REGISTER OF DEEDS
JACKSON COUNTY, WI

Recording Area

Name and Return Address:

Connie Antonuk
Wisconsin DNR
107 Sutliff Ave
Rhinelander, WI 54501

152-0054-0005

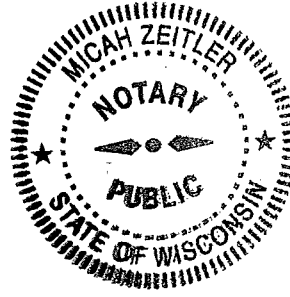
Parcel Identification Number (PIN)

2

In Re: Merrilan Standard Former Gas Station
SE Corner of Merrill St and N Washington St
Merrilan, WI

Connie Antonuk

Connie Antonuk



Subscribed and sworn to before me this 7th day of July, 2014.

Micah Zeitler

Notary Public, State of Wisconsin

My commission expires on: 12/09/2017

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