

Document Number

Wis. Admin. § NR 728.11
NOTICE OF CONTAMINATION



8 6 5 2 5 4 0
Tx:4483799

DOC# 1834991
NATALIE STROHMEYER
REGISTER OF DEEDS
WINNEBAGO COUNTY, WI
RECORDED ON:
11/17/2020 02:09 PM
RECORDING FEE: 30.00
PAGES: 2

Legal Description of the Property:

The East Forty (40) feet of Lot Twelve (12) of Block Two (2) in REPLAT OF AIRPORT HEIGHTS, in the Second Ward, City of Neenah, Winnebago County, Wisconsin

AND

Lot Eleven (11) and the West Twenty (20 feet of Lot twelve (12) of Block Two (2) in REPLAT OF AIRPORT HEIGHTS, in the Second Ward, City of Neenah, Winnebago County, Wisconsin.

Recording Area

Name and Return Address:
Wisconsin Department of Natural Resources
Attn: Andy James
2984 Shawano Avenue
Green Bay, WI 54313

STATE OF WISCONSIN)
)ss
COUNTY OF WINNEBAGO)

80204150100

Parcel Identification Number (PIN)

I, Jenna Soyer, being first duly sworn, state that:

1. I am a Remediation and Redevelopment Program Natural Resource Manager, employed by the Wisconsin Department of Natural Resources (hereinafter "the Department") at its Central Office in Madison.
2. I have personal knowledge of the facts herein set forth and believe the same to be true.
3. The Department has determined that Chlorinated Volatile Organic Compounds (CVOCs) have discharged to the property at 110 West Cecil Street, in the City of Neenah, County of Winnebago, WI ("the Property"), and which has the above legal description.
4. The Department has determined that soil, groundwater and vapor contamination has been identified on the Property which has not been adequately defined or remediated and further investigation must occur.
5. On January 7, 2013, the Department sent a letter to H & J Investments, LLC, advising of the statutory requirement to restore the environment at that location. Since that time, H & J Investments, LLC, has not taken the necessary steps in order to comply with Wis. Admin. Code §§ NR 700 to 754.
6. Per Wis. Admin. § NR 728.11(2)(a), on July 30, 2020, the Department sent an electronic copy of a letter, which was sent by certified mail on August 6, 2020, to H & J Investments, LLC, advising that a notice of contamination would be recorded if satisfactory action to address the environmental contamination did not commence. As discussed with Attorney Doug Hahn, representing H & J Investments, LLC, that letter requested a written response by August 10, 2020, to indicate the contamination at the Property would be addressed. No response to that letter has been received by the Department.

AFFIDAVIT

In Re: Property Located in the
City of Neenah
Winnebago County, Wisconsin
Described above.

- 7. Per Wis. Admin. § NR 728.11(2)(b), on August 12, 2020, the Department sent a letter, by certified mail, to H & J Investments, LLC and advising that the Department has made the decision to record a notice of contamination for the above-described property at the county Register of Deeds office. The 30-day response time set out in the letter has expired. Additionally, per Wis. Admin. § NR 728.11(2)(c), the 15-day waiting period since that deadline, required by Wis. Admin. § NR 728, has passed without an acceptable response.

- 8. Because the Department believes that CVOCs currently found in the soil and groundwater 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 cleanup costs under Wis. Stat. § 292.11(3). Subsequent purchasers of the Property may contact the Department of Natural Resources Northeast Regional Office for information regarding contamination at the Property.



Jenna Soyer
Natural Resource Manager
Remediation & Redevelopment Program

Subscribed and sworn to before me this 8th day of October, 2020.



Notary Public, State of Wisconsin

My commission expires on: May 5, 2022

