



October 17, 2018

CERTIFIED MAIL

Roswell Properties L.L.C., Ltd
Attention: Mitch Brazin
100 N Center St
Newton Falls, OH 44444-1321

SUBJECT: Deed Affidavit for Environmental Contamination Found at:
Undeveloped Rosemurgy Property, 218 South 4th Street, Wausau, WI
BRRTS #: 02-37-548031

Dear Mr. Brazin:

The Department of Natural Resources ("the Department") Roswell Properties L.L.C., LTD. a letter on August 28, 2018 indicating that the Department would proceed with enforcement, to include the filing of an affidavit for your property at the Marathon County Register of Deeds Office, unless you acted as specified in the letter. The Department has determined that the recording of an affidavit is necessary since you have not responded. A copy of the affidavit we intend to record is attached for your reference.

The Department has found that tetrachloroethene and petroleum contaminants discharged to your property, located at 218 South 4th Street, Wausau, WI 54403 ("the Property"), are the source of soil contamination and groundwater contamination in the vicinity. The Department has concluded that tetrachloroethene and petroleum products and their constituents are "hazardous substances" as defined in s. 292.01(5), Stats.

Monitoring of the Property and treatment of contaminated soil and groundwater are required under the authority of s. 292.11(3), Stats. The contamination at the Property will continue to discharge into the environment, and subsequent purchasers of the Property could become liable for remediation costs. Consequently, the recording of this affidavit is necessary to notify future purchasers of the Property of their potential liability.

The Department will record the affidavit unless we receive a written response from you within thirty (30) days of receiving this letter, certifying that the Property will be promptly investigated and remediated in compliance with chs. NR 700-754, Wis. Adm. Code, and ch. 292, Stats.

Best regards,


Matt Thompson
Hydrogeologist
Remediation and Redevelopment Program

Encl: Draft Notice of Contamination

CC: Dave Rozeboom, DNR

Wis. Admin. § NR 728.11
NOTICE OF CONTAMINATION

Legal Description of the Property:

See Exhibit A attached hereto and made a part hereof

STATE OF WISCONSIN

COUNTY OF Eau Claire)

I, David B. Rozeboom, being first duly sworn, state that:

Recording Area

Name and Return Address:

Matthew Thompson
WDNR
1300 W. Clairemont Ave.
Eau Claire, WI 54701

1. I am a Remediation and Redevelopment Program Supervisor, employed by the Wisconsin Department of Natural Resources (hereinafter "the department"). 291-2907-362-0997
Parcel Identification Number (PIN)
2. Matthew A. Thompson, Hydrogeologist, Wisconsin Department of Natural Resources, Eau Claire, Wisconsin has personal knowledge of the facts herein set forth and believe the same to be true.
3. The department was notified of petroleum and tetrachloroethene contaminants discharged at the property located at 218 South Fourth Street, map attached as Exhibit B, in the City of Wausau, County of Marathon and which has the above legal description. The property is also known as the Undeveloped Rosemurgy Property, BRRTS# 02-37-548031.
4. The removal or treatment of the contamination is required on the property under the authority of Wis. Stats. § 292.11.
5. On February 27, 2018, the Department of Natural Resources send a letter to Roswell Properties L.L.C. LTD., advising them of the statutory requirement to restore the environment at that location.
6. On July 18, 2018 the department sent a letter, by certified mail, to Mitch Brazin, REO Manager, The Cadle Company & Affiliates, 100 North Center Street, Newton Falls, Ohio 44444 advising them of the statutory requirement to restore the environment at that location, and that a notice of contamination may be recorded if satisfactory action to restore the environment did not commence. That letter requested a response within 30 days from the date the letter was received. An inadequate response to that letter was received by the department, by August 20, 2018.

7. On October 18, 2018 the department sent a second letter, by certified mail, to Mitch Brazin, REO Manager, Roswell Properties, L.L.C., LTD, 100 North Center Street, Newton Falls, Ohio 44444 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 deadline specified in the letter has expired. The 15 day waiting period since that deadline, required by Wis. Adm. Code § NR728.11 (2)(c), has passed without an acceptable response.

8. Because the department believes that petroleum and tetrachloroethene contamination currently found in the 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. Stats. § 292.11(3). Subsequent purchasers may contact the Wisconsin Department of Natural Resource's Remediation and Redevelopment Program, West Central Regional Program Associate for information regarding contamination at the property.

David B. Rozeboom
Remediation and Redevelopment Program Supervisor

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public, State of Wisconsin

My commission expires on: _____

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

Exhibit A

All that part of Government Lot 1 in Section 36, Township 29 North, Range 7 East, in the City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the Northeast corner of Lot 1 in Block 5 of B. Williams Addition to the City of Wausau; and running thence North 1° 48' East, 212.20 feet along the West line of Fourth Street to the point of beginning; thence North 88° 06' West, 190 feet; thence North 1° 48' East, 164.75 feet; thence North 70° 43' East, 28.25 feet; thence South 76° 49' East, 100.55 feet to the Southwest corner of Lot 21 in Stewart, Manson & Hinton's Addition to the City of Wausau; thence Southeasterly, along the Southerly line of said Lot 21 in said Stewart, Manson & Hinton's Addition to the City of Wausau, to the West line of Fourth Street; and thence South, along the West line of Fourth Street, 150 feet to the point of beginning.

AND

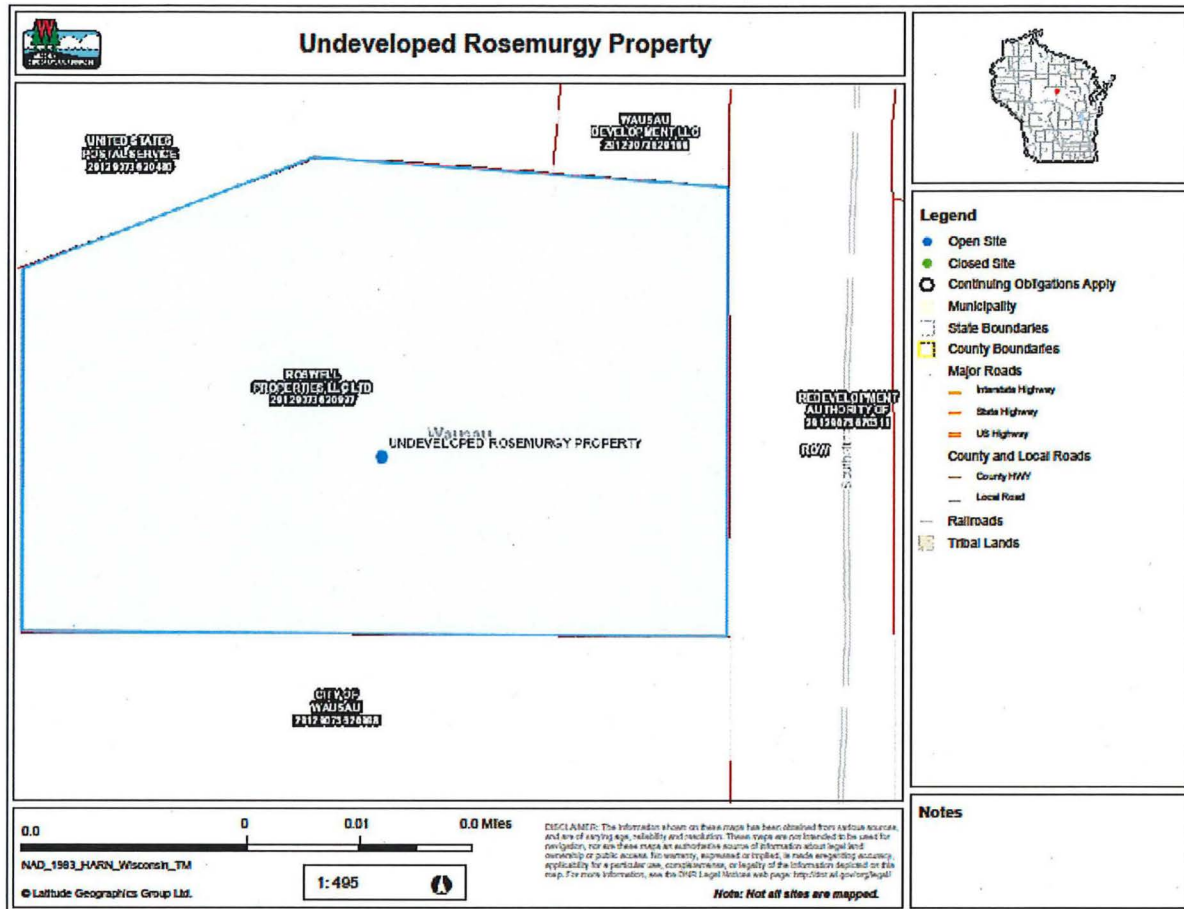
That part of Government Lot 1 in Section 36, Township 29 North, Range 7 East, in the City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the Northeast corner of Lot 1 in Block 5 of B. Williams Addition to the City of Wausau; running thence North 1° 48' East, 212.2 feet, along the West line of Fourth Street; thence North 88° 06' West, 190 feet to the point of beginning; thence North 88° 06' West, 100 feet; thence North 1° 48' East to the Southerly line of the land described in Certified Survey Map recorded in the office of the Register of Deeds for Marathon County, Wisconsin, in Volume 1 of Certified Survey Maps on Page 33; thence North 70° 43' East, along the Southerly line of said Certified Survey Map, to the Northwest corner of the parcel described in deed recorded in said Register's office in Deed Book 501 on Page 584; and thence South along the West line of the parcel of land described in Deed Book 501 on Page 584, 164.75 feet to the point of beginning.

PIN: 37.291.4.2907.362.0997 ✓ *Sub Lot 1*
Tax ID No.: 2907.362.997
Property Address: 218 S, 4th Street, Wausau, WI 54403

DRAFT

Exhibit B



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roswell Properties C.C.C.LTD.
 Attn: Mitch Brzin
 100 N. Center St
 Newton Falls OH 44444-1321



9590 9402 2709 6351 3112 59

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1?** Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Sent To: MR. MITCH BRZIN, Roswell Properties LLC
 Street and Apt. No., or PO Box No. 100 N. Center St
 City, State, ZIP+4: Newton Falls OH 44444-1321

Extra Services & Fees (check box, add fee as appropriate)	\$
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

Postmark Here

MT

Certified Mail Fee \$4.58
 For delivery information, visit our website at www.usps.com®

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

7017 0530 0000 6059 4582
 7017 0530 0000 6059 4582
 7017 0530 0000 6059 4582



CERTIFIED MAIL®

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

7017 0530 0000 6059 4582