

J 14583 I 48

OUTAGAMIE Document # 1094193

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Meyer Law Firm  
201 N Main St  
Marion WI 54950

OUTAGAMIE COUNTY  
RECEIVED FOR RECORD

SEP 15 1993  
8:30 a.m.

GRACE HERB  
REGISTER OF DEEDS

411988  
REGISTER OF DEEDS  
OCONTO COUNTY  
VOL. 761 PAGE 472 510638

REGISTER'S OFFICE  
WAUPACA COUNTY WI  
RECEIVED FOR RECORD

*Moses*

AT 10 O'CLOCK AM STATE OF WISCONSIN

SEP 9 1993 OUTAGAMIE COUNTY -- CIRCUIT COURT AUG 27 1993

*Joyce B Rebling 20 pd*  
REGISTER VOL. 634 PAGE 559 OCONTO CO.

At 2:00 o'clock P M am. Recorded  
In Vol. 761 of records on Page 472  
*Class: name to register*

I, Register in Probate Outagamie County, in the State of Wisconsin, do hereby certify to the following:

- |  |  |
|--|--|
| <input type="checkbox"/> Last Will and Testament               | <input type="checkbox"/> Letters of Guardianship (minor)             |
| <input type="checkbox"/> Codicil -- to Will                    | <input type="checkbox"/> Letters of Temporary Gdn.                   |
| <input type="checkbox"/> Letters Testamentary                  | <input checked="" type="checkbox"/> Final Judgment                   |
| <input type="checkbox"/> Letters of Administration             | <input type="checkbox"/> Order of Summary Assignment                 |
| <input type="checkbox"/> Letters of Trust                      | <input type="checkbox"/> Guardian's Annual Account                   |
| <input type="checkbox"/> Letters of Conservatorship            | <input type="checkbox"/> Certificate of Termination of Joint Tenancy |
| <input type="checkbox"/> Letters of Guardianship (Incompetent) | <input type="checkbox"/> Order of Summary Settlement                 |
| <input type="checkbox"/> Domiciliary Letters                   | <input type="checkbox"/> Certificate of Termination of Life Estate   |
| <input type="checkbox"/> Letters of Special Administration     | <input type="checkbox"/> Other                                       |

The attached document or documents have been by me personally compared with the original now on file and of record in this Court, and required by law to be in my custody, and that said document or documents are exact as to the original, and of the whole or part thereof.

LETTERS CERTIFIED TO HEREIN ARE UNREVOKED AND IN FORCE THIS DATE.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court, at Appleton, Outagamie County, Wisconsin.

this 24th day of August, 1993

REGISTER IN PROBATE Rodney Madney

DEPUTY \_\_\_\_\_

STATE OF WISCONSIN, CIRCUIT COURT,

VOL 761 PAGE 473  
Outagamie

COUNTY

PROBATE

IN THE MATTER OF THE ESTATE OF

BERNARD J. MARES a/k/a

B. J. MARES

FINAL JUDGMENT

COPY

File No. 92 PR 57

**THE COURT FINDS THAT:**

1. The petition for final settlement came on for hearing upon notice/waiver as provided by law; notice has been published for determination of the heirs of the decedent; the expenses of administration, funeral, last illness, and the claims against the estate have been paid; the Department of Revenue's Certificate Determining Inheritance Tax, if required, and Closing Certificate are on file showing no unpaid taxes; the decedent at the time of death owned personal property in joint tenancy and/or as survivorship marital property as set forth in the inventory on file, which interest terminated at death; distributions have been made as shown in the account(s).

2. The decedent died \_\_\_\_\_ testate on January 2, 1992  
Date

3. The following were the heirs of the decedent:

**Leona Mares - spouse**

4. At the time of death, the decedent had the following real property interest:

A. Description of Joint Tenancy Property and Name of Surviving Joint Tenant(s):

**See Attached Memo "A" for descriptions.**

**Surviving Joint Tenant - Leona Mares**

B. Description of Survivorship Marital Property: Name of Spouse: Leona Mares

**See Attached Memo "B"**

5. The decedent at the time of death had a life estate in the following property:

**N/A**

FINAL JUDGMENT

6. The following property remains for distribution:

See Attached Memo "C"

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IT IS ADJUDGED THAT:

- The classification of assets as shown in the inventory is approved.
- The payment of claims and debts and the accounts on file are approved.
- The fees of attorneys, personal representative, and guardian ad litem are approved.
- The distributions described in the account(s) are approved.
- The interest of the decedent as joint tenant in real and personal property terminated at death.
- The interest of the decedent in survivorship marital property vested in the surviving spouse at death.
- The life estate of the decedent in the real and personal property terminated at death.
- The property described in finding number 6 is assigned as follows:

- A. St. Marys Catholic Church, Bear Creek, WI \$2,500.00
- B. Rest and residue to Leona Mares, surviving spouse. All of which is in accordance with Last Will and Testament of the decedent, Bernard J. Mares.

BY THE COURT:

Kathleen Mahoney Clerk

August 24 1992 Date

Probate Court Commissioner  
**COBY**

Murray B. Meyer Name of Attorney  
201 N. Main Street Address  
Marion, WI 54950

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MEMO "A"

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JOINT TENANCY

A. REAL ESTATE:

1. All that part of the North 1/2 of the North East 1/4 and all that part of the South West 1/4 of the North East 1/4 of Section Thirty (30), Township Twenty-four (24) North, Range Fifteen (15) East, lying East of a line which is 120 feet East of the East line of Clark Street, less the South 481.47 feet of the South West 1/4 of the North East 1/4, and less land sold to Outagamie County as described in Vol. 217 of Deeds page 167 and Vol. 356 of Deeds page 207, all in the VILLAGE OF BEAR CREEK, Wisconsin. (RESIDENCE) Outagamie County
2. Beginning on the East line of Clark Street, 120 feet South of the Southwest corner of Lot 25, Clark's Second Addition to Welcome (Now Village of Bear Creek) thence East at right angles 120 feet, thence South parallel with Clark Street 60 feet, thence West at right angles 120 feet to the East line of Clark Street, thence North on the East line of Clark Street 60 feet to the place of beginning. (ALFRED) Outagamie County
3. A part of the Northwest quarter of the Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Thirty one (31) Township Thirty three North, Range Sixteen East (T33N R16E), more particularly described as follows:  
Commencing at the center of the Southwest quarter of Section Thirty one (31) Township Thirty three North, Range Sixteen East (T33N R16E) which is a cedar post with rocks piled around it, thence North Sixty six degrees, and thirty minutes West (N66 deg. 30'W) a distance of Seventy Nine (79) feet, thence North Sixty Eight degrees and Thirty minutes West (N68 deg. 30' W) a distance of Four hundred and thirty nine (439) feet to an iron pipe on the shore of Chain Lake, a distance of One hundred and fifty feet to an iron pipe; thence South Fifty-eight degrees West) S 58 deg. W) a distance of One hundred sixty four and six tenths (164.6) feet to an iron pipe on the edge of Town Road right of way, thence South Thirty four degrees and Fifty minutes East (34 deg. 50'E) a distance of One Hundred and fifty (150) feet along the Town Road right of way to an iron pipe, thence North Fifty Eight degrees East (N58 E) a distance of one hundred and sixty one (161) feet more or less to the point of beginning. EXCEPT the mineral rights which have been reserved by the Oconto Company. Area containing Fifty six hundredth (.56) of an acre more or less. (COTTAGE) Oconto County

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MEMO "B"

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SOLE OWNERSHIP

A. REAL ESTATE

1. The South 1/2 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 24 North, Range 15 East, less and excepting therefrom, the following: A parcel of land in the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 24 North, Range 15 East, Town of Deer Creek, Outagamie County, Wisconsin, bounded and described as follows: Beginning at a point on the North line of said NW $\frac{1}{4}$  of Section 8 that is 169.30 feet West of the Northeast corner of said NW $\frac{1}{4}$ ; thence Easterly along the North line of Section 8, 169.30 feet to the Northeast corner of the NW $\frac{1}{4}$ ; thence South along the east line of the NW $\frac{1}{4}$ , 416.00 feet; thence West at right angles to the East line of the NW $\frac{1}{4}$ , 169.30 feet; thence Northerly 407.34 feet to the point of beginning. Containing 1.599 acres of land more or less. Reserving that part presently being used for road purposes. Subject to easements and restrictions of record.

(BOHN)

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MEMO "C"

VOL 781 PAGE 477

SOLE OWNERSHIP

A. REAL ESTATE

1. The South 1/2 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 24 North, Range 15 East, less and excepting therefrom, the following: A parcel of land in the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 24 North, Range 15 East, Town of Deer Creek, Outagamie County, Wisconsin, bounded and described as follows: Beginning at a point on the North line of said NW $\frac{1}{4}$  of Section 8 that is 169.30 feet West of the Northeast corner of said NW $\frac{1}{4}$ ; thence Easterly along the North line of Section 8, 169.30 feet to the Northeast corner of the NW $\frac{1}{4}$ ; thence South along the east line of the NW $\frac{1}{4}$ , 416.00 feet; thence West at right angles to the East line of the NW $\frac{1}{4}$ , 169.30 feet; thence Northerly 407.34 feet to the point of beginning. Containing 1.599 acres of land more or less. Reserving that part presently being used for road purposes. Subject to easements and restrictions of record.

(BOHN)

LAND CONTRACTS

2. Terrance L. Mares & Darlene J. Mares, husband and wife,  
Recorded 7-24-81 in Volume 557 of Records on page 760  
Document #403330 Waupaca County.
3. James Mares  
Recorded 2-19-79 in Jacket 1396 on Images 18-19  
Document #761929 Outagamie County

B. PERSONAL PROPERTY:

1. Marion State Bank Stock  
7 shares at \$1,700.00 per share

1

Mr. Jim Mares  
W10639 Flanagan Avenue  
Bear Creek, WI 54922

RE: Site Closure for Waugamie FS Cooperative, 308 Clark Street, Bear Creek, Wisconsin

To Whom It May Concern:

Groundwater contamination has migrated onto the Mrs. Leona Mares property located at 315 Clark Street in Bear Creek, Wisconsin. The levels of atrazine and alachlor contamination in the groundwater on this property exceed standards. However, the environmental consultants who have investigated this contamination have informed me that this groundwater contaminant plume is stable or receding and will naturally degrade over time. We believe that allowing natural attenuation to complete the cleanup at this site will meet the requirements for case closure that are found in chapter NR 726, Wisconsin Administrative Code, and we will be requesting that the Department of Natural Resources accept natural attenuation as the final remedy for this site and grant case closure. Closure means that the Department will not be requiring any further investigation or cleanup action to be taken, other than the reliance on natural attenuation.

Since the source of the groundwater contamination is not on the property, neither the current owner nor any subsequent owner will be held responsible for investigation or cleanup of this groundwater contamination, as long as the current owner and any subsequent owners comply with requirements of section 292.13, Wisconsin Statutes, including allowing access to the property for environmental investigation or cleanup if access is required. For further information on the requirements of section 292.13, Wisconsin Statutes, you may call 1-800-367-6076 for calls originating in Wisconsin, or 608-264-6020 if you are calling from out of state or within the Madison area, to obtain a copy of the Department of Natural Resources' publication #RR-589, Fact Sheet 10: *Guidance for Dealing with Properties Affected by Off-Site Contamination*.

The Department of Natural Resources will not review our closure request for at least 30 days after the date of this letter. As the representative of an affected property owner, you have a right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted for this site. If you would like to submit any information to the Department of Natural Resources that is relevant to this closure request, you should mail that information to:

Ms. Jennifer Tobias  
Department of Natural Resources - Oshkosh Service Center  
625 East County Road Y, STE 700  
Oshkosh, Wisconsin 54901-9731  
Telephone: 920-424-3050

If this case is closed, all properties within the site boundaries where groundwater contamination

exceeds standards will be listed on the Department of Natural Resources' geographic information system (GIS) Registry of Closed Remediation Sites. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where groundwater contamination above standards was found at the time that the case was closed. This GIS Registry will be available to the general public on the Department of Natural Resources' internet web site. Please review the enclosed legal description of the property, and notify me within the next 30 days if the legal description is incorrect.

The Bear Creek Well Abandonment Ordinance, dated December 20, 1990, was presented in a series of public meetings in the Fall of 1990. This ordinance, which is attached, requires that all wells located on premises served by the Bear Creek municipal water system be abandoned by July 31, 1991 or no later than 1 year from the date of connection to the municipal water system, whichever ever occurred last, unless a well operation permit was obtained from the Village Clerk. The Village Clerk can grant a permit for a private well for a period not to exceed 5 years if certain conditions are met, one of which is the justification of the well as being necessary in addition to water provided by the municipal water system.

Should the current owner or any subsequent property owner wish to construct a well on this property, special well construction standards may be necessary to protect the well from residual groundwater contamination. Any well driller who proposes to construct a well on this property in the future will first need to call the Diggers Hotline (1-800-242-8511) if the property is located outside of the service area of a municipally owned water system, or contact the Drinking Water program within the Department of Natural Resources if the property is located within the designated area of a municipally owned water system, to determine if there is a need for special well construction standards.

Once the Department makes a decision on my closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from me, by writing to the agency address given above or by accessing the DNR GIS Registry of Closed Remediation Sites on the internet at [www.dnr.state.us/org/at/et/geo/gwur](http://www.dnr.state.us/org/at/et/geo/gwur). A copy of the closure letter is included as part of the site file on the GIS Registry of Closed Remediation Sites.

If you need more information, you may contact us at:

Waugamie FS Cooperative  
C/O Attorney H. Dale Peterson  
Stroud, Willink & Howard, LLC  
25 West Main Street  
P.O. Box 2236  
Madison, Wisconsin 53701-2236  
Telephone: 608-257-2281

or you may contact Ms. Jennifer Tobias, DNR, at the address and telephone number listed above.

Sincerely,

Waugamie FS Cooperative

By:

H. Dale Peterson  
Stroud, Willink & Howard, LLC  
25 West Main Street  
P.O. Box 2236  
Madison, Wisconsin 53701-2236

Enclosures:

Legal Description

WDNR's Natural Attenuation Fact Sheet

Bear Creek Well Abandonment Ordinance

**Legal Description of Property to be Included in WDNR GIS Registry**

Tax Parcels 21-0-0213-00 & 21-0-0215-00

All that part of the North  $\frac{1}{2}$  of the North East  $\frac{1}{4}$  and all that part of the South West  $\frac{1}{4}$  of the North East  $\frac{1}{4}$  of Section (30), Township Twenty-four (24) North, Range Fifteen (15) East, lying East of a line which is 120 feet East of the East line of Clark Street, less 481.47 feet of the Southwest  $\frac{1}{4}$  of the North East  $\frac{1}{4}$ , and less land sold to Outagamie County as described in Vol. 217 of Deeds page 167 and Vol. 356 of Deeds page 207, all in the Village of Bear Creek, Wisconsin. (Residence) Outagamie County