



85 7TH PLACE EAST, SUITE 500
SAINT PAUL, MINNESOTA 55101-2198
MN.GOV/COMMERCE
651.539.1500 FAX: 651.539.1547
AN EQUAL OPPORTUNITY EMPLOYER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 27, 2015

MDW Equity LLC
Attn: Sara L. Vinas
2760 North University Drive
Davie, FL 33024

RE: Notice of Intent to File Environmental Lien
Leak Site Address: 4020 233rd Avenue NW, St. Francis, MN 55070
Leak #18925 - Former Food & Fuel

Dear Ms. Vinas:

This letter is to advise you that the Minnesota Department of Commerce (Department) has begun the process of placing an environmental lien in the amount of \$2,074.18 on the property described in the attached *Notice of Intent to File Environmental Lien*, as allowed for in Minn. Stat. §514.672. This notice follows our letter dated October 7, 2013 (see attached) in which you were notified that an environmental lien may be filed in order to recover your share of investigation and/or cleanup costs incurred by the Minnesota Pollution Control Agency (MPCA) as part of addressing contamination from a leaking petroleum storage tank at this site.

Before an environmental lien can be filed, it must be reviewed and approved by the Petroleum Tank Release Compensation (Petrofund) Board, which must give liable property owners the opportunity to appear before it prior to making its decision. Accordingly, the Petrofund Board will be reviewing the proposed filing of this environmental lien at its next meeting scheduled for July 8, 2015, at which time you will have the opportunity to appear. The meeting will be held at 10:00 a.m. in Lower Level Room 35 at the Golden Rule Building, 85 Seventh Place East, St. Paul, Minnesota. Signs posted at the building will direct you to the meeting room.

If you would like to provide any written materials for the Petrofund Board to review, please send them to my attention at the address listed above. Please be aware that I must receive the materials by **June 22, 2015**, in order to be able to include the information in the meeting packet prepared for the Board.

In the event the Petrofund Board approves the filing of this environmental lien, the Department will file a *Notice of Environmental Lien* with the Anoka County Recorder.

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May 27, 2015
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The \$2,074.18 environmental lien amount represents your share of \$20,741.79 in eligible corrective action costs, as established by Minn. Stats. §115C.04, subd.1 and §115C.07, subd. 3. In this case, the Petrofund covers 90% of the corrective action costs, less any penalties for failure to comply with tank regulations, release reporting, or cooperation requirements. As a result, you are responsible for 10% (\$2,074.18) of the total corrective action costs.

A copy of this correspondence and the *Notice of Intent to File Environmental Lien* have been provided to all other owners and mortgagees of this property, if applicable, as required by Minn. Stat. §514.673.

If you have any questions regarding this correspondence, please contact me by phone at 651-539-1513 or 800-638-0418 or by email at colleen.schiltz@state.mn.us.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Colleen Schiltz', followed by a stylized flourish.

Colleen Schiltz
Petrofund Cost Recovery Coordinator
Enclosure

copy: Ocean Bank – Certified mail

NOTICE OF INTENT TO FILE ENVIRONMENTAL LIEN

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Commerce (Department) intends to file an environmental lien notice on the real property described herein pursuant to the authority of Minnesota Statutes Sections 514.671 through 514.676. The real property described in this **NOTICE OF INTENT** is subject to and affected by investigation and/or cleanup actions for expenses that have been incurred by the Minnesota Pollution Control Agency (MPCA) in response to a petroleum tank release under Minnesota Statute Section 115C.03. These expenses are recoverable by the Department under the Minnesota Petroleum Tank Release Cleanup Act pursuant to Minnesota Statute Section 115C.04. The owner of the property identified in item three in this **NOTICE OF INTENT** is liable for the investigation and/or cleanup action expenses incurred by the MPCA. If a lien notice is filed, a lien in favor of the State of Minnesota will attach to the real property described in this **NOTICE OF INTENT** to secure payment of expenses incurred by the MPCA.

1. LEGAL DESCRIPTION OF REAL PROPERTY:

Lots 1, 2, 3, Block 1 DeGardner Third Addition, Anoka County, Minnesota

2. ADDRESS OF PROPERTY:

4020 233rd Avenue NW
St. Francis, MN 55070

3. LIABLE OWNER:

MDW Equity LLC

4. OTHER OWNER(S) OF RECORD:

None

5. MORTGAGEE(S) OF RECORD:

Ocean Bank
780 NW 42nd Avenue
Miami, FL 33126

6. TORRENS CERTIFICATE OF TITLE NUMBER:

Not applicable

7. LIEN AMOUNT:

The amount of the lien is \$2,074.18 as of May 22, 2015.

The Petroleum Tank Release Compensation (Petrofund) Board will consider approval of an environmental lien filing against this property at their regular meeting on July 8, 2015, at 10:00 a.m. at the Golden Rule Building, 85 7th Place East, St. Paul, Minnesota. Signs posted at the building will direct you to the meeting room. The owner named in this **NOTICE OF INTENT** will have an opportunity to appear at that meeting.

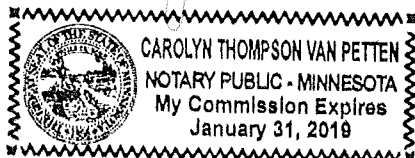
Signed and executed this 26TH day of May, 20 15

Tim Jahnke
Tim Jahnke
Director of Administrative Services

NOTARIZATION

Subscribed and sworn to before me this 26th day of May, 20 15

Notary Public Carolyn Thompson Van Petten



My commission expires 01/31/2019

This instrument was drafted by:

Colleen Schiltz
Petrofund Cost Recovery Coordinator
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, Minnesota 55101