



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

July 16, 2015

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

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

Dear Ms. Vinas:

The Petroleum Tank Release Compensation (Petrofund) Board reviewed and approved the filing of the environmental lien on the leaksite property noted above at its most recent meeting held on July 8, 2015. This notice follows our letter dated May 27, 2015, in which you were notified that the Petrofund Board would be reviewing the *Notice of Intent to File an Environmental Lien*. The Department will be filing the *Notice of Environmental Lien* with the Anoka County Recorder (see enclosed copy for your records).

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. In this case, the Board determined that you are responsible for 10% (\$2,074.18) of the total corrective action costs.

A copy of this correspondence and the *Notice of 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,

Colleen Schiltz
Petrofund Cost Recovery Coordinator
Enclosures

copy: Ocean Bank – Certified Mail



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July 16, 2015

Anoka County Property Records & Taxation Division
Attn: Cindi Foster
Government Center
2100 Third Avenue
Anoka, MN 55303

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

Dear Ms. Foster:

The purpose of this letter is to notify your office of an environmental lien in favor of the State of Minnesota that has been filed against the property described in the attached *Notice of Environmental Lien*. The authority of the Commissioner of the Minnesota Department of Commerce, or their Designee, to file an environmental lien is found in Minn. Stats. §514.671 to §514.676.

The Minnesota Department of Commerce requests that you invoice us for the fees due for filing the lien with the county. The invoice should be sent to the following address:

Minnesota Department of Commerce
Attn: Colleen Schiltz, Petrofund Cost Recovery Coordinator
85 East Seventh Place, Suite 500
St. Paul MN 55101

Please reference the Commerce Department Purchase Order Number **6941** on your invoice. The payment will be made by electronic transfer to the county unless otherwise requested in writing by you.

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,

Colleen Schiltz
Petrofund Cost Recovery Coordinator
Enclosure

copy: MDW Equity LLC – Certified mail
Ocean Bank – Certified mail



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NOTICE OF ENVIRONMENTAL LIEN

NOTICE IS HEREBY GIVEN that an environmental lien in favor of the State of Minnesota has been filed and will attach to the real property described below pursuant to the authority of Minnesota Statute Sections 514.671 through 514.676. The real property described in this **NOTICE** 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 Minn. Stat. §115C.03. These expenses are recoverable by the Petroleum Tank Release Compensation Board (Petrofund Board) and the Commissioner of the Minnesota Department of Commerce 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** is liable for the investigation and/or cleanup action 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 REAL 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 Petrofund Board received notice on June 30, 2015, of the Minnesota Department of Commerce Commissioner's intention to file this **NOTICE**. All identified owners and mortgagees of the property also received written notice of this potential lien action and were provided an opportunity to appear before the Board on this matter. The Petrofund Board approved the filing of the lien at its meeting on July 8, 2015, authorizing the Commissioner to file this **NOTICE** pursuant to Minnesota Statute Section 514.673, subd. 3(b).

Signed and executed this 16th day of July, 2015

Tim Jahnke
Tim Jahnke
Director of Administrative Services

NOTARIZATION

Subscribed and sworn to before me this 16th day of July, 2015

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

