

AFFIDAVIT OF OWNERSHIP

DOCUMENT# **935872**

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TRACY A MIDDLETON
REGISTER OF DEEDS
DOUGLAS COUNTY, WI
Fee Amount: \$30.00

Total Pages: 2
ELECTRONICALLY RECORDED DOCUMENT

Affidavit of Ownership for an unclaimed island (Island) described as:
Non-submerged lands identified as CCN-031-008 in the United States
Department of the Interior Bureau of Land Management
Lake States office island inventory report dated 5/11/1977, as
generally located in the St. Louis River, within the NW ¼
of the NW ¼, and the SW ¼ of the NW ¼, and the NW ¼ of the
SW ¼ of Section 25, T49N, R15W, Douglas County, Wisconsin.

Return: Department of Natural Resources
Bureau of Facilities & Lands – LF/6
P.O. Box 7921
Madison, Wisconsin 53707-7921
Attn: AUBREY JOHNSON

09-809-05314-00

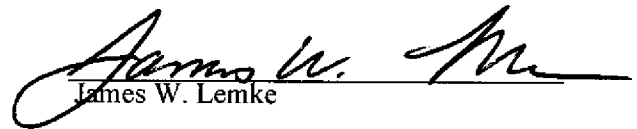
Parcel Identification Number (PIN)

James W. Lemke, being first duly sworn on oath deposes and says:

1. That he is an adult resident of the State of Wisconsin and is currently the Real Estate Section Chief for the State of Wisconsin Department of Natural Resources (Department), whose office is located at 101 South Webster Street, Madison, Wisconsin.
2. That prior to his assignment as the Real Estate Section Chief, he was a recreational land developer in the state of Wisconsin for more than thirty (30) years whose work included but was not limited to the subdivision of large tracts of land along streams, rivers and lakes.
3. That he has been a licensed real estate broker in Wisconsin for thirty-nine (39) years.
4. That he has reviewed the Department's records pertaining to the ownership claims of the Island as described herein.
5. That he is aware that the Island is located on the Wisconsin side of the state boundary of the main channel of the St. Louis River separating the states of Minnesota and Wisconsin.
6. That the above-described Island is presently considered unsurveyed, undesignated or unclaimed lands.
7. That the Island lays in close proximity to another Department-owned island known as Clough Island, which is generally located in the SE ¼ of Section 24 and the NE ¼ of Section 25, T49N, R15W, Douglas County, State of Wisconsin.
8. That the Island lays within an area designated by the Department as Conservation Opportunity Area (Wisconsin Wildlife Action Plan, WDNR 2006), a Legacy Place (Land Legacy Report, WDNR 2006), and a Priority Navigable Water.


9. That neither the State of Minnesota nor the State of Wisconsin's Bureau of Commissioners of Public Lands is pursuing any claim of ownership to the Island.
10. That the Department is participating in a partnership with the Minnesota Pollution Control Agency (MPCA), the United States Environmental Protection Agency and the United States Army Corps of Engineers to dredge and remove an estimated 121,400 cubic yards of contaminated sediments from the St. Louis River. This work is being proposed to address water quality problems and degradation of aquatic and terrestrial habitats within the St. Louis River due to high levels of PCB's and Dioxins.
11. That the project identified in the previous paragraph is intended to result in a layer of sand and fine organic material being placed over dredged areas adjacent to the Island as a component of the restoration, and it is my understanding that the necessary permitting for the restoration under Wis. Stat. s. 30.12 requires riparian ownership sign off.
12. That the Department has concluded and I agree, based on the information I have reviewed, the Island was formed after Wisconsin became a state in 1848 by the depositing of materials, either by man or nature, or by materials that were uncovered by the lowering of the mean, high-water elevation of the St. Louis River over the years.
13. That this affidavit is given for the purpose of the State of Wisconsin claiming title to the Island based on the State of Wisconsin's (a) activities on and in the riparian zone of the Island, (b) riparian ownership of adjacent Clough Island and (c) inherent sovereign rights to the beds of navigable waters.

Dated this 5th day of January, 2022


James W. Lemke

STATE OF WISCONSIN)
COUNTY OF DANE) ss.

Personally came before me the 5th day of January, 2022 the above-named James W. Lemke, to me known to be the person who executed the foregoing instrument and acknowledged that he executed and delivered the same and for the act and deed of the Department of Natural Resources.


Diane L. Milligan
Notary Public, State of Wisconsin
My commission is permanent.

This document was drafted by
Attorney Michael Kowalkowski
Department of Natural Resources.
State Bar # 1087602