

704274

AFFIDAVIT

Document Number

Document Title

VOL 1445 PAGE 881

RECORDED

2002 FEB 26 PM 12:40

Ozaukee County)
) SS
State of Wisconsin)

Handwritten signature
NOTARY PUBLIC
STATE OF WISCONSIN

I, Steven Alan Magritz, Affiant herein, states that he over the age of twenty-one (21) years, a competent witness that the facts contained herein are true, correct, certain, and not misleading to the best of Affiant's first hand knowledge under the penalties of perjury pursuant to the Laws of The state of Wisconsin and under full commercial liability.

Affiant states that the instruments attached hereto for recording shall be referenced with previous Documents recorded at the Register of Deeds, Ozaukee County, Wisconsin, including but not limited to documents numbered 690081, 688709, 692784, 693378, 691601, 690214, 690080, 681666, 681667, 677834, 674178, 675781, 675637, 685051, 677585, 650771, 682591, 698039, 698040, 698041, 698042, 698440, 701453, 701953, 702647, and 703696 which are incorporated herein in their entirety by reference as if fully reproduced herein.

Recording Area

Name and Return Address

Steven-Alan: Magritz
[c/o W3797 Shady Lane]
Saukville
Wisconsin
in the united States of America

327

04-034-09-001.00

Parcel Identification Number (PIN)

Attached hereto and incorporated herein are copies of a Formal Certificate of Protest and Affidavit of Negative Averment regarding a previously recorded Timely Private Request For Adequate Assurance of Performance and a Notice of Fault - Opportunity to Cure, mailed to the thirty-seven men and women named in said Protest as evidenced by copies of the Certificates of Mailing, PS Form 3877. Also attached is a copy of the conditional acceptance of the meeting of the Debtors scheduled for February 25, 2002, each debtor receiving service thereof as evidenced by the Certificate of Mailing, PS Form 3877.

Further Affiant saith naught,

Steven Alan Magritz, Secured Creditor

February 25 2002
date

This Affidavit, consisting of 1 page, was sworn and subscribed before me, a Notary Public for the State of Wisconsin, by Steven Alan Magritz, who after affirming to the truthfulness of the matter herein did affix his signature on this the 25th day of February, 2002 AD

STATE OF WISCONSIN } SS
OZAUKEE COUNTY

I certify that this is a true and correct copy of a document on file and of record in my office and has been compared by me.

12-2-02 *Chris Wiebe*
Register of Deeds (Deputy)

Christopher Blandrud
Notary Public
My Commission expires 9-23-03

NOTARY PUBLIC
STATE OF WISCONSIN

Formal Certificate of Protest

Notary Public of the State of Wisconsin
#LDPS02121212

Accepted For Value
STEVEN A. MAGRITZ
February 23, 2002
01881263

State of Wisconsin

County of []) SS

On this the 23rd day of February, in the year of our Lord two thousand and two, before me, [], a duly empowered notary public in and for the County of [], State of Wisconsin, appeared Steven-Alan: Magritz, Power of Attorney in Fact for, and Secured Party-Creditor of the vessel called "Steven A. Magritz"; Priority Claimant: Wisconsinite, and declared the following as evidenced by the Affidavit of Negative Averment and documentation attached hereto and incorporated herein by reference.

That the Secured Party-Creditor caused to be mailed on February 7, 2002 a Timely Private Request For Adequate Assurance Of Performance #LDPS02121212, but has not received any response from any of the following thirty-seven (37) Debtors: Sylvester N. Weyker, Donald Dohrwardt, Kose Hass Leider, Paul H. Brunnuquell, Scott A. Jaeger, Elizabeth Brelsford, Ervin J. Peiffer, Richard C. Nelson, Jack A. Eckert, George O. Lampert, Frederick Kaul, Bernadyne M. Pape, Ralph W. Port, Alan P. Kletti, John C. Grosklaus, Thomas H. Richart, Clarence A. Boesch, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Gus W. Wirth Jr., James H. Uselding, Kathlyn M. Callen, Stanley T. Kulfan, Karen E. Broman, David H. Albert, Mark A. Cronce, Warren R. Stumpe, Katherine L. Smith, Frances M. Meyers, Theodore C. Egelhoff, John J. Hilber, Maury A. Straub, Joseph D. McCormack, Jeffrey S. Schmidt, Karen L. Makoutz, and Dennis E. Kenealy, all dba's.

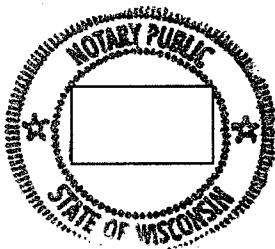
That the Secured Party-Creditor caused to be mailed on February 19, 2002, a Notice of Dishonor/ Fault - Opportunity To Cure, to each of the aforesaid thirty-seven (37) Debtors, but has not received any response from any of said Debtors.

Attesting notarial officer has seen certified copies of the documents referenced herein, and finds each of the aforesaid Debtors in DEFAULT. Based on the terms and conditions of the Timely Private Request For Adequate Assurance of Performance, the aforesaid Debtors have, by the operation of *tacit procuration*, freely confessed and admitted, stipulated and agreed, "That Requester [Secured Party-Creditor] may, by and through his Straw Man as secured creditor, execute a Security Agreement and financing statement on behalf of Debtor with Debtor's Straw Man as the named debtor, pursuant to and/or consistent with the terms as set forth in ITEM B below [said terms being set forth in the aforesaid Request for Adequate Assurance of Performance]."

Attesting notarial officer hereby enters this Note of Protest accordingly, and certifies, on information satisfactory to said notarial officer that the foregoing is true and correct, to serve and avail the aforesaid Secured Party-Creditor hereafter if found necessary.

[Signature]

Notary Public
My Commission Expires: 2-15-2004



AFFIDAVIT OF NEGATIVE AVERMENT
In Support of Protest #LDPS02121212

County)
) SS:
State of Wisconsin)

I, Steven-Alan Magritz, a living man, Affiant herein, states that he is over the age of twenty-one (21) years, a competent witness, that the facts contained herein are true, correct, certain, and not misleading to the best of Affiant's first hand knowledge under the penalties of perjury pursuant to the Laws of The state of Wisconsin and under full commercial liability.

Affiant has not received any response from any of the following thirty-seven (37) Debtors to the Timely Private Request For Adequate Assurance Of Performance #LDPS02121212, attached hereto and incorporated herein by reference, that was mailed February 7, 2002 as evidenced by the Certificates of Mailing, PS Form 3877: Sylvester N. Weyker, Donald Dohrwardt, Rose Hass Leider, Paul H. Brunnequell, Scott A. Jaeger, Elizabeth Brelsford, Ervin J. Peiffer, Richard C. Nelson, Jack A. Eckert, George O. Lampert, Frederick Kaul, Bernadyne M. Pape, Ralph W. Port, Alan P. Kletti, John C. Grosklaus, Thomas H. Richart, Clarence A. Boesch, Glenn F. Stumpf, Gerald E. Walker, Kimberly J. McCulloch, Gus W. Wirth Jr., James H. Uselding, Kathlyn M. Callen, Stanley T. Kulfan, Karen E. Broman, David H. Albert, Mark A. Cronce, Warren R. Stumpe, Katherine L. Smith, Frances M. Meyers, Theodore C. Egelhoff, John J. Hilber, Maury A. Straub, Joseph D. McCormack, Jeffrey S. Schmidt, Karen L. Makoutz, and Dennis E. Kenealy, all dba's.

Affiant has not received any response from any of the aforesaid thirty-seven (37) Debtors to the Notice Of Dishonor/ Fault - Opportunity To Cure, Re: Timely Private Request For Adequate Assurance Of Performance #LDPS02121212, attached hereto and incorporated herein by reference, that was mailed February 19, 2002 as evidenced by the Certificates of Mailing, PS Form 3877.

Affiant does not believe that any of the aforesaid Debtors will respond and provide Adequate Assurance of Performance and cure their contempt of their own Agreements and Contracts.

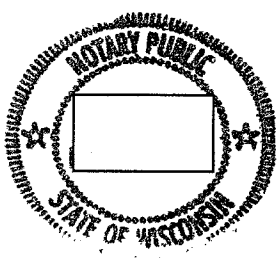
Affiant does not believe that any of the aforesaid Debtor's intend to allow Affiant the immediate peaceful use and possession of Affiant's claim.

Further Affiant saith naught,

Steven-Alan Magritz, Secured Party-Creditor of the vessel called Steven A. Magritz; Power of Attorney in Fact; Priority Claimant; Wisconsinite

February 23, 2002
date

This Affidavit, consisting of 1 page, was sworn and subscribed before me, a Notary Public for the State of Wisconsin, Washington County, by Steven-Alan Magritz on this 23rd day of February, 2002.

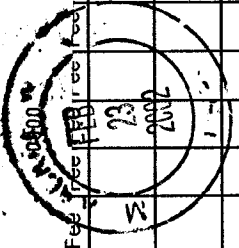


Notary Public
My Commission expires 2-15-2004

U.S. POSTAGE
PAID
MILWAUKEE, WI
53237
FEB 23, 02
AMOUNT



\$3.75
00062027-08



Line Article Number	Addressee Name, Street, and PO Address	Check type of mail:		Check type of mail:		Insured Value	Due Sender If COD	RR Fee	Protest - Request for Adequate Assurance #LDPS02121212		
		Express Registered Insured COD	RETURN receipt(RR) for Merchandise	Int'l Rec. Del	Del. Confirmation (DC)						
1 0223 A	David H. Albert, 11525 N. Vega Ave., Mequon, WI 53097										
2 0223 B	Clarence A. Boesch, P.O. Box 248, Cedarburg, WI 53012										
3 0223 C	Elizabeth Brelsford, E3612 Norport Dr., Port Washington, WI 53074										
4 0223 D	Karen E. Broman, 5210 W. Sunnyside Dr., Mequon, WI 53092										
5 0223 E	Paul H. Brunnquell, 3420 Hwy. W, Port Washington, WI 53074										
6 0223 F	Kathlyn M. Callen, 12865 N. Oriole Ln., Mequon, WI 53097										
7 0223 G	Mark A. Cronce, 9309 W. Stanford Ct., Mequon, WI 53097										
8 0223 H	Donald Dohrwardt, 305 S. Milwaukee Street, Fredonia, WI 53021										
9 0223 I	Jack A. Eckert, 312 W. Washington Street, Port Washington, WI 53074										
10 0223 J	Theodore C. Egelhoff, 4030 Freistadt Rd., Mequon, WI 53092										
11 0223 K	John C. Groszklaus, 1316 13th Ave., Grafton, WI 53024										
12 0223 L	John J. Hilber, 112 E. Freistadt Rd. Unit C, Thiensville, WI 53092										
13 0223 M	Scott A. Jaeger, 110 W. Fransee Ln., Saukville, WI 53080										
14 0223 N	Frederick Kaul, 1615 Ulaio Parkway, Grafton, WI 53024										
15 0223 O	Dennis E. Kencaly, 121 W. Main Street, Port Washington, WI 53074										
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	MILWAUKEE AMC/RETAIL UNIT 532370001 MILWAUKEE, Wisconsin 02/23/2002 (800)275-8777 02:37:30 PM		Sales Receipt Product Description Qty Unit Price Final PVI 1 \$3.75 \$3.75 PVI 1 \$2.00 \$2.00 Total: \$9.50		Paid by: Cash \$10.00 Change Due: -\$0.50		B11# 1000401092712 Clerk: 08		Refunds only per DMN P014 Thank you for your business Customer Copy	

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900. S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

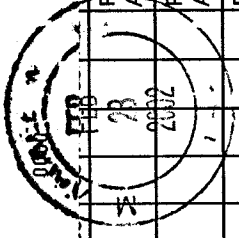
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Pic

Complete by Typewriter, Ink, or Ball Point Pen

U. S. POSTAGE
PAID
MILWAUKEE, WI
53237
FEB 23, '02
AMOUNT



\$3.75
00062027-08



If Registered Mail
check below
Insured
Not Insured

Check type of mail:
Express
Registered
Insured
COD

RETURN receipt(RR) for Merchandise

Certified
Int'l Rec. Del
Del. Confirmation (DC)

Line	Article Number	Addressee Name, Street, and PO Address	Postage	Fee	Handling Charge	Actual Value	Insured Value	Due Sender If COD	RR Fee	Protest - Request for Adequate Assurance #LDP
1	0223 P	Alan P. Kletti, 1134 Brookside Dr., Grafton, WI 53024								Protest - Request for Adequate Assurance #LDP02121212
2	0223 Q	Stanley T. Kulfan, 12139 N. Lakeshore Dr., Mequon, WI 53092								Protest - Request for Adequate Assurance #LDP02121212
3	0223 R	George O. Lampert, 1027 W. Lincoln Ave., Port Washington, WI 53074								Protest - Request for Adequate Assurance #LDP02121212
4	0223 S	Rose Hass Leider, N6623 Hwy 57, Belgium, WI 53004								Protest - Request for Adequate Assurance #LDP02121212
5	0223 T	Joseph D. McCormack, 1201 S. Spring Street, Port Washington, WI 53074								Protest - Request for Adequate Assurance #LDP02121212
6	0223 U	Kimberly J. McCulloch, N79 W5286 Bywater Ln., Cedarburg, WI 53012								Protest - Request for Adequate Assurance #LDP02121212
7	0223 V	Frances M. Meyers, 300 W. Trillium Rd. 103N, Mequon, WI 53097								Protest - Request for Adequate Assurance #LDP02121212
8	0223 W	Richard C. Nelson, 1432 Noridge Tr., Port Washington, WI 53074								Protest - Request for Adequate Assurance #LDP02121212
9	0223 X	Bernadynne M. Pape, 709 Heather Ct., Grafton, WI 53024								Protest - Request for Adequate Assurance #LDP02121212
10	0223 Y	Ervin J. Peiffer, 740 N. Montgomery St., Port Washington, WI 53074								Protest - Request for Adequate Assurance #LDP02121212
11	0223 Z	Ralph W. Port, 1700 Holly Lane, Grafton, WI 53024								Protest - Request for Adequate Assurance #LDP02121212
12	0223 AA	Thomas H. Richart, 840 5th Avenue, Grafton, WI 53024								Protest - Request for Adequate Assurance #LDP02121212
13	0223 AB	Jeffrey S. Schmidt, 1201 S. Spring Street, Port Washington, WI 53074								Protest - Request for Adequate Assurance #LDP02121212
14	0223 AC	Katherine L. Smith, 9915 N. Valley Hill Dr., Mequon, WI 53092								Protest - Request for Adequate Assurance #LDP02121212
15	0223 AD	Maury A. Straub, 1201 S. Spring Street, Port Washington, WI 53074								Protest - Request for Adequate Assurance #LDP02121212
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.							

Tic

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15

Complete by Typewriter, Ink, or Ball Point Pen

U.S. POSTAGE
PAID
MILWAUKEE, WI
FEB 23, 02
AMOUNT



\$2.00
00062027-08

FEB 23 2002
MILWAUKEE, WI

Line	Article Number	Addressee Name, Street, and PO Address	Check type of mail:		Check type of mail:		Check type of mail:		Check type of mail:		Insured Value	Actual Value	Del. Confirmation (DC)	Certified Int'l Rec. Del	Registered Insured COD	Postage Fee	Handling Charge	Insured Value	Due Sender If COD	RR Fee	DC Fee	Remarks
			Express Registered Insured COD	Registered Insured COD	Registered Insured COD	Registered Insured COD																
1	0223AE	Warren R. Stumpe, 1531 W. Greenbriar Ln 107N, Mequon, WI 53092																				Protest - Request for Adequate Assurance #LDP5021212
2	0223AF	Glenn F. Stumpf, 340 Horns Corners Rd., Cedarburg, WI 53012																				Protest - Request for Adequate Assurance #LDP5021212
3	0223AG	James H. Useiding, N49 W6557 Western Rd., Cedarburg, WI 53012																				Protest - Request for Adequate Assurance #LDP5021212
4	0223AH	Gerald E. Walker, W70 N1018 Hampton Ct., Cedarburg, WI 53012																				Protest - Request for Adequate Assurance #LDP5021212
5	0223AJ	Sylvester N. Weyker, 6737 Clay Ridge Rd., Cedar Grove, WI 53013																				Protest - Request for Adequate Assurance #LDP5021212
6	0223AJ	Gus W. Wirth Jr., N54 W5989 Portland Rd., Cedarburg, WI 53012																				Protest - Request for Adequate Assurance #LDP5021212
7	0223AK	Karen L. Makoutz, 121 W. Main Street, Port Washington, WI 53074																				Protest - Request for Adequate Assurance #LDP5021212
8	0223AL	Notarial Services, 9802 Hillcrest, Whitelaw, WI 54247																				Protest - Request for Adequate Assurance #LDP5021212
9																						
10																						
11																						
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13																						
14																						
15																						
Total Number of Pieces Listed by Sender		8		Total Number of Pieces Received at Post Office		8		Postmaster, Per (Name of receiving employee)		Tia		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.										

Complete by Typewriter, Ink, or Ball Point Pen

From:
Steven-Alan: Magritz
[c/o W3797 Shady Lane]
Saukville; near [53080]
Wisconsin
in the united States of America

To each the following named Debtors, individually:
Sylvester N. Weyker, Donald Dohrwardt, Alan P. Kletti, Gerald E. Walker, Kimberly J. McCulloch, Stanley T. Kulfan, each in their private capacity

at:
[Debtor's respective address]

Dear DEBTOR:

Word on the street addressed to "Dear Sir/Madam", is, that it appears that at a meeting on February 25, 2002 you intend to take some kind of action with respect to the sale of my property. Please be advised that with respect to this matter I accept your offer, conditioned upon where you as a party in dishonor, not only to the Agreement that you had no Claim and took the property without a Claim, but also you are now in dishonor with respect to the second Agreement of assurances, that you are going to violate the contract even with the assurances in place. **Please be advised that your further action along this line is an admitted contempt to the agreement on the first part and to the agreement of the posting of assurances, and will result in the automatic implication of the execution against the assurances for your dishonor thereon.** This is not a waiver of any rights or remedies.

Dated this 19th day of February, 2002.

Sincerely,

[Redacted signature box]

Steven-Alan: Magritz

COUNTY CLERK'S OFFICE

OZAUKEE COUNTY, WISCONSIN

HAROLD C. DOBBERPUHL
COUNTY CLERK

ADMINISTRATION CENTER
121 W. MAIN STREET - P.O. BOX 994
PORT WASHINGTON, WI 53074-0994

PHONES: Local (262) 284-8110
Metro (262) 238-8110

FAX: Local (262) 284-8100
Metro (262) 238-8100

*Conditionally Accepted by Value
STEVEN A. MAGRITZ
February 19, 2002
Name Pro Time
01881263*

Dear Sir/Madam

You are hereby notified that the TAXATION & GENERAL CLAIMS COMMITTEE
will meet _____ at the Administration Center in Room 118

on Monday, February 25, 2002, beginning at 9:00 A.M.

**THE FOLLOWING BUSINESS WILL BE BEFORE THE COMMITTEE FOR
INITIATION, DISCUSSION, CONSIDERATION, DELIBERATION AND
POSSIBLE FORMAL ACTION:**

Minutes of Previous Meetings

Claim for Damages

Dan & Teresa Berndt

Discussion/Action Regarding Sale of County Property
(formerly known as the Magritz Property)

Sincerely,

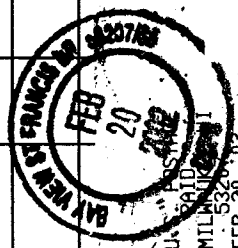
Harold C. Dobberpuhl
County Clerk

HCD:msm

A quorum of members of committees of the Ozaukee County Board or the County Board may be in attendance at this meeting for purposes related to committee or board duties, however, no formal action will be taken by these other committees or the board at this meeting.

Name and Address of Sender: Steven-Alan: Magnitz [c/o W3797 Shady Lane] Saukville Wisconsin state in the united States of America

Line Article Number	Addressee Name, Street, and PO Address	Check type of mail:		Certified Int'l Rec. Del.		If Registered Mail		Affix stamp here if issued						
		Express Registered Insured COD	Postage Fee	Handling Charge	Actual Value	Insured Value	Due Sender If COD	RR Fee	DC Fee	SC Fee	SH Fee	SD Fee	RD Fee	Remarks
1 0220 A	Harold Dobberpuhl, dba, 121 W. Main Street, Port Washington, WI 53074													Conditional Acceptance of February 25, 2002 meeting
2 0220 B	Gerald E. Walker, W70 N1018 Hampton Ct., Cedarburg, WI 53012													Conditional Acceptance of February 25, 2002 meeting
3 0220 C	Sylvester N. Weyker, 6737 Clay Ridge Rd., Cedar Grove, WI 53013													Conditional Acceptance of February 25, 2002 meeting
4 0220 D	Kimberly J. McCulloch, N79 W5286 Bywater Ln., Cedarburg, WI 53012													Conditional Acceptance of February 25, 2002 meeting
5 0220 E	Stanley T. Kulfan, 12139 N. Lakeshore Dr., Mequon, WI 53092													Conditional Acceptance of February 25, 2002 meeting
6 0220 F	Donald Dohrwardt, 305 S. Milwaukee Street, Fredonia, WI 53021													Conditional Acceptance of February 25, 2002 meeting
7 0220 G	Alan P. Kletti, 1134 Brookside Dr., Grafton, WI 53024													Conditional Acceptance of February 25, 2002 meeting
8 0220 H	Notarial Services, 9802 Hillcrest, Whitelaw, Wisconsin 54247													Conditional Acceptance of February 25, 2002 meeting
9														
10														
11														
12														
13														
14														
15														



AMOUNT \$2.00 00041216-06

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)	The full declaration of value indemnity payable for the reconstruction insurance is indemnity payable on Express for registered mail, sent with limitations of coverage on international mail. Special
8	8	Jen	

Product	Sale Unit	Final Price
PVI	1	\$2.00
Total:		\$2.00
Paid by:		Cash \$2.00

BAY VIEW-ST. FRANCIS USPS MILWAUKEE, Wisconsin 532079998 (800)275-8777 09:29:56 AM

Sales Receipt
 Description Qty Price
 PVI 1 \$2.00
 Total: \$2.00
 Paid by: Cash \$2.00
 Bill #: 1000400603659
 Clerk: 06
 Refunds only per DMM P014
 Thank you for your business
 Customer Copy