

Iron Range Brownfield Assessment Coalition
Site Eligibility and Property Ownership Determination
Community: City of Nashwauk

Site: Bozich Farm
Date: March 19, 2013

A. Basic Site Information:

Name: The Site has generally been referred to as the Bozich Farm.

Location: The Site is located at 35680 State Highway 65, Nashwauk, Itasca County, Minnesota 55769. It is in the north half of the northwest quarter of Section 29, Township 57 north, Range 22 west. A portion of land in the south half of the southwest quarter of Section 20, Township 57 north, Range 22 west may also be included.

Legal Description:

Parcel 95-029-2110: The North Half of the Northeast Quarter of the Northwest Quarter (N ½ of NE ¼ of NW ¼) of Section Twenty-nine (29) in Township Fifty-seven (57) North of Range Twenty-two (22), West of the Fourth Principal Meridian, LESS THAT PART conveyed to the United States of America through the Federal Aviation Administration AGL-56, by Warranty Deed dated November 1, 1977 and filed as Document No. 20,695 on November 3, 1977, in the office of the Registrar of Titles, Itasca County, in the following language, to wit: That part of the West 30.00 feet of the North Half of the Northeast Quarter of the Northwest Quarter (N ½ of NE ¼ of NW ¼), Section Twenty-nine (29), Township Fifty-seven (57) North, Range Twenty-two (22), West of the Fourth Principal Meridian, that lies south of the following described line: Commencing at the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence North 01°24'30" West, astronomic bearing, 848.47 feet along the West line of said Northeast Quarter of the Northwest Quarter to the point of beginning of the line to be described: thence North 87°51'43" East 30.00 feet to the East line of said West 30.00 feet and there ending.

Parcel 95-029-2120: The South One-Half of the Northeast Quarter of the Northwest Quarter (S ½ of NE ¼ of NW ¼) LESS the West Thirty Feet (W 30') thereof, Section Twenty-Nine (29), Township Fifty-Seven North (57 N), Range Twenty-Two (22) west of the Fourth Principal Meridian, subject to easements, reservations and restrictions of record. *The portion of the parcel ultimately conveyed to the City of Nashwauk is described as follows: The East 335.00 feet of the West 365.00 feet of the South Half of the Northeast Quarter of the Northwest Quarter, Section 29, Township 57 North, Range 22 West, Itasca County, Minnesota.*

Parcel 95-029-2121: E 335' OF W 365' OF S ½ NE NW

Parcel 95-029-2103: W 30 FT OF S 848.47 FT OF NE NW

Parcel 95-029-2270: The East Twenty [20] acres of the Northwest Quarter of the Northwest Quarter [NW ¼ of NW ¼] of Section Twenty-nine [29], in Township Fifty-seven [57] North, Range Twenty-two [22], West of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing at the Southeast corner of said Northwest Quarter of the Northwest Quarter [NW ¼ of NW ¼], thence due north 1320 feet, thence due West 660 feet, thence due South a distance of 1320 feet, thence due east a distance of 660 feet to the point of beginning, containing 20 acres, more or less, EXCEPTING from the above that part of the South 386.6 feet of the East 640.05 feet lying Westerly of State Highway No. 65, containing four [4] acres, more or less, LESS THAT PART conveyed to the United States of America through the Federal Aviation Administration, AGL-56, by Warranty Deed dated November 1, 1977 and filed as Document No. 20,691 on November 3, 1977 in the office of the Registrar of Titles, Itasca County, in the following language, to-wit: That part of the Northwest Quarter of the Northwest Quarter [NW ¼ of NW ¼], Section Twenty-nine [29], Township Fifty-seven [57] North, Range Twenty-two [22] West of the Fourth Principal Meridian, that lies easterly of the easterly right of way line of State Highway Number 65 and South of the following described line: Commencing at the Southeast corner of said Northwest Quarter of the Northwest Quarter; thence North 01 degrees 24 minutes 30 seconds West, astronomic bearing, 848.47 feet along the east line of said Northwest Quarter of the Northwest Quarter to the point of beginning of the line to be described; thence South 87 degrees 51 minutes 43 seconds West 393.20 feet to the easterly right of way line of said State Highway Number 65 and there ending, containing 3.1 acres, more or less.

Parcel 30-020-3301: Southwest Quarter of the Southwest Quarter (SW ¼ SW ¼) Less that part lying Southerly and Westerly of State Highway 65, Section Twenty (20), Township Fifty-seven (57) North, Range Twenty-two (22), West of the Fourth Principal Meridian.

Parcel 30-020-3400: The Southeast Quarter of the Southwest Quarter (SE ¼ of SW ¼) of Section Twenty (20), in Township Fifty-seven (57) North, Range Twenty-two (22), West of the Fourth Principal Meridian, in Itasca County Minnesota, according to the United States Government survey thereof.

Ownership: The City of Nashwauk obtained parcel numbers 95-029-2110, 30-020-3400, and 30-020-3301 from Eli Bozich and Eli Bozich, Trustee of the Eli Bozich Revocable Trust Agreement, in 2011. The City of Nashwauk obtained a portion of parcel number 95-029-2120 from Itasca County in 2011.

Historical Use and Development:

Eli Bozich conveyed parcel number 30-020-3301 to Brian and Lisa Ryhti on February 12, 2008. Parcels 095-029-2110 and 30-020-3400 were conveyed from Eli Bozich, a single person, to Eli Bozich, Trustee, or the successor(s) in Trust, under the Eli Bozich Revocable Trust Agreement on February 27, 2008. Eli Bozich and Eli Bozich, Trustee of the Eli Bozich Revocable Trust Agreement, then conveyed parcels 095-029-2110, 30-

020-3400, and 30-020-3301 to the City of Nashwauk on July 6, 2011. According to Itasca County document number T000057854, parcels 30-020-3301 and 30-020-3400 were annexed into the City of Nashwauk on August 7, 2012.

According to Itasca County document number T000042787, the Blandin Paper Company conveyed parcel number 95-029-2120 to Itasca County on April 5, 2002. A portion of the parcel was then conveyed to the City of Nashwauk in August of 2011, as described in Itasca County document number T000056411, with the specification that it be used exclusively for industrial park purposes unless otherwise approved by Itasca County.

Parcel number 95-029-2270 was conveyed from Buddy and Eleanore Grozdanich to Brian Gangl on February 23, 2007, according to Itasca County document number T000050697.

B. and E. Environmental Assessment and Status of Contamination:

1. No prior environmental assessments are known to have been completed for this Property.
2. The Property was not found in the Minnesota Pollution Control Agency (MPCA) database for Minnesota Aboveground/Underground Storage Tanks, and was not identified as a leak site.

C. Eligibility Screening:

1. The site is not listed or proposed for listing on the National Priorities List.
2. The site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or jurisdictional consent decrees issued to or entered into by parties under CERCLA.
3. The site is not subject to the jurisdiction or control of the United States Government.

D. Requirement for a Property Specific Determination: The site does not require a Site Specific Determination.

F. CERCLA 107 Liability: The City of Nashwauk obtained parcel numbers 95-029-2110, 30-020-3400, and 30-020-3301 from Eli Bozich and Eli Bozich, Trustee of the Eli Bozich Revocable Trust Agreement, in 2011. The City of Nashwauk obtained a portion of parcel number 95-029-2120 from Itasca County in 2011. No prior environmental assessments are known to have been completed for this Property.

G. Enforcement Actions: There are no known or anticipated federal, state, or local enforcement actions.

H. Information on Liability and Defenses:

Pre-purchase inquiry: See part B and E.

Post Acquisition Uses: The City of Nashwauk is considering the Site for use as an industrial park.

Continuing obligations: Continuing obligations are described in Itasca County document number T000056356. The document states that the Deed dated July 6, 2011 reserves unto the seller, to wit Eli Bozich, the right to live and use the home and three buildings in the area around them for the remainder of his life rent-free. The property subject to this life estate is described as the North 500 feet of the West 450 feet of the North Half of the Northeast Quarter of the Northwest Quarter (N ½ NE ¼ NW ¼) Section Twenty-nine (29), Township Fifty-seven (57), Range Twenty-two (22), West of the Fourth Principal Meridian. Additionally, any development of the Property by the City of Nashwauk will be identified as “Bozich Addition to Nashwauk”.

The portion of parcel 95-029-2120 that was conveyed to the City of Nashwauk, as described in Itasca County document number T000056411, must be used exclusively for industrial park purposes unless otherwise approved by Itasca County.

Additional information related to Petroleum Eligibility: The Property is not currently identified in MPCA databases as a tank site or a leak site.

