



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF ENVIRONMENTAL
RESPONSE AND REMEDIATION

Brent H. Everett
Director

ERRC-147-18

November 9, 2018

Adam Gardiner
Salt Lake County Recorder
2001 State Street, N1-600
Salt Lake City, Utah 84190

RE: Alta Gateway Voluntary Cleanup Site #C082, Salt Lake City, Salt Lake County

Dear Mr. Gardiner:

Please find enclosed a Certificate of Completion (COC) for the Alta Gateway Voluntary Cleanup Program site. It is requested that the County record the COC on the distinct legal property description set forth in Attachment A of the COC.

It is my understanding that as the COC is for the sole benefit of the State of Utah, acting by and through the Department of Environmental Quality, Division of Environmental Response and Remediation, any filing fees associated with the recording of the COC are waived.

If you have any questions regarding this letter, please contact the undersigned at (801) 536-4100. Thank you for your assistance in this matter.

Sincerely,

Leigh Anderson
Environmental Scientist/Project Manager
Division of Environmental Response and Remediation

KLA/kb

Enclosure: Certificate of Completion

cc: Clay Iman, WP West Acquisitions, LLC (d/b/a Wood Partners)
Gary L. Edwards, M.S., Director, Salt Lake Valley Health Department (w/o enclosure)

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RECEIVED 12887907
11/16/2018 03:31 PM \$0.00
Book - 10731 Pg - 2233-2237
ADAM GARDINER
RECORDER, SALT LAKE COUNTY, UTAH
UDEQ/ DERR
PO BOX 144840
SALT LAKE CITY UT 84114-4840
BY: MZP, DEPUTY - MA 5 P.

When recorded return to:
Department of Environmental Quality
Division of Environmental Response and Remediation
Attention: Voluntary Program Coordinator
Post Office Box 144840
Salt Lake City, Utah 84114-4840

RE: Alta Gateway Voluntary Cleanup Program Site (VCP #C082)
Approximately 100 – 160 South 500 West, Salt Lake City, Salt Lake County

CERTIFICATE OF COMPLETION

1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of the Utah Department of Environmental Quality (“DEQ”), through his undersigned designee below, has determined that WP West Acquisitions, LLC, and Alta Gateway Owner, LLC, hereinafter referred to as “Applicant,” have completed a DEQ supervised voluntary cleanup of the real property described in Attachment A (“Property or “Site”), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Annotated and the Voluntary Cleanup Agreement entered into May 23, 2014 and amended July 21, 2015. The Applicant is granted this Certificate of Completion (“COC”) pursuant to section 19-8-111, subject to the conditions set forth in Section 3.0 below.

2. Acknowledgment of Protection from Liability

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Annotated to an Applicant who is not responsible for the contamination under the provisions listed in subsection 19-8-113(1)(b) at the time the Applicant applies to enter into a Voluntary Cleanup Agreement, and to future owners who acquire the Property covered by this COC, and to lenders who make loans secured by the Property covered by the COC.

As set forth in section 19-8-113, this release of liability is not available to an owner or lender who was originally responsible for a release of contamination, or to an owner or lender who changes the land use from the use specified in Section 3.0 of the COC, if the changed use or uses may reasonably be expected to result in increased risks to human health or the environment, or to an owner or lender who causes further releases on the Property. Also, there is no release from liability if the COC is obtained by fraud, misrepresentation, or the knowing failure to disclose material information.

Finally, protection from liability is limited to contamination identified in the documents related to the investigation and cleanup of the Property. The protection from liability does not extend to

Leaking Underground Storage Tank Release Site NIP (Facility ID#: 4002149) closed by the Division of Environmental Response and Remediation (“DERR”) November 18, 2015.

3. Specified Land Use for Certificate of Completion

The Property may be used for residential, commercial or industrial purposes, subject to the Site Management Plan (“SMP”) dated August 10, 2018, as may be amended from time to time, and that certain Environmental Covenant (“EC”) recorded with the Salt Lake County Recorder on September 28, 2018, Book 10716, Pages 8848-8857.

This COC is issued based on compliance with the SMP and EC. Among other requirements, the SMP or EC or both require:

- a. The vapor mitigation system to be managed consistent with the SMP. In the event additional occupied buildings are constructed on the Property, or if the Property is otherwise redeveloped, the requirements for vapor mitigation will need to be re-evaluated and discussed with and approved by the DEQ;
- b. Workers conducting work at the Property boundaries shall be notified of the potential soil impacts that could be encountered in the subsurface beyond the Property boundaries, and contractors that work on the Property that could come in contact with soil impacts, shall comply with the SMP;
- c. Groundwater shall not be accessed for drinking water, irrigation or bathing purposes;
- d. Continued reimbursement to the DEQ for its oversight of the EC and SMP; and
- e. Continued consent to access by the DEQ to monitor compliance with the EC and SMP.

4. Unavailability of Release of Liability

Use of the Property that is not consistent with Section 3.0 including failure to comply with the SMP and/or EC and provisions of this COC shall constitute a change in land use expected to result in increased risks to human health and the environment making the release of liability in Section 2.0 above unavailable.

5. Amended Certificate of Completion

There is no expectation that compliance with the SMP and EC will cease to be a condition of this COC. Further remediation under the VCP would be needed to qualify for a new or amended COC that does not include compliance with the SMP and EC as a condition of land use.

6. Availability of Records

All documents discussed in this COC are on file and may be reviewed at the DEQ/DERR office located at 195 North 1950 West, Salt Lake City, Utah.

7. Final Signature for Alta Gateway Voluntary Cleanup Site Certificate of Completion

Dated this 1st day of November 2018.

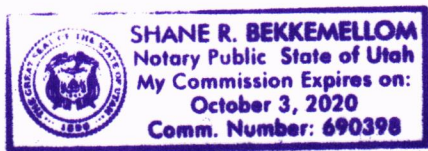
Brent H. Everett
Brent H. Everett, Director
Division of Environmental Response and Remediation
And Authorized Representative of the
Executive Director of the Utah
Department of Environmental Quality

STATE OF UTAH)

:ss.

COUNTY OF SALT LAKE)

On this 1st day of November, 2018, personally appeared before me, Brent H. Everett who duly acknowledged that he signed the above Certificate of Completion as an authorized representative of the Executive Director of the Department of Environmental Quality.



Shane R. Bekkemellom
NOTARY PUBLIC

Residing At: salt lake county,
Utah

My Commission Expires october 3, 2020

Attachment A: Legal Property Description

ATTACHMENT A

**Alta Gateway
Legal Property Description**

**Alta Gateway Voluntary Cleanup Program
Legal Property Description**

Lot 1, McCarthy's Subdivision, according to the official plat thereof, recorded June 9, 2015 as Entry No. 12067482 in Book 2015P at Page 128 in the office of the Salt Lake County Recorder.

Property Tax ID#: 15-01-108-033