

ENTRY NO. 00985627

12/10/2013 09:36:55 AM B: 2220 P: 0187

Certificate PAGE 1/9

MARY ANN TRUSSELL, SUMMIT COUNTY RECORDER

FEE 0.00 BY UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY



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

RECEIVED

DEC 27 2013

Environmental Response &
Remediation

**RE: Park City Business Center (VCP #C071)
4006 – 4665 North Forestdale Drive, Park City, Summit County, Utah**

CERTIFICATE OF COMPLETION

1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of the Utah Department of Environmental Quality, through her undersigned designee below, has determined that Forestdale Investments, LLC and Sundborn, LLC, hereinafter referred to as "Applicant," has completed a Utah Department of Environmental Quality ("UDEQ") supervised voluntary cleanup of the real property described in Attachment A (the "Property" or the "Site"), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Annotated and the Voluntary Cleanup Agreement entered into on July 22, 2010, and amended August 12, 2013, ("Agreement") and that the Applicant is granted this Certificate of Completion ("COC") pursuant to section 19-8-111, subject to the conditions set forth in section three below. Figures depicting the Site are included in Attachment B.

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 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 or contamination, or to an owner or lender who changes the land use from the use specified in 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 failure to disclose material information.

Finally, protection from liability is limited to contamination that may be related to the Site as identified in documents outlining the investigation and cleanup of the Site.

3. Specified Land Use for Certificate of Completion

This COC is issued based upon the Applicant's representation that the Property will be used for a business park and undeveloped land uses. In addition, the future land use will be consistent with the industrial/commercial worker exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A and B. The industrial/commercial worker exposure scenario is described as: exposure to adults to incidental ingestion and dermal contact to hazardous constituents for duration of 25 years at a frequency of 250 days/year for 8 hours/day.

This COC is not issued for use of the Property for commercial or industrial uses that include managed care facilities, hospitals or any type of business that would require a caretaker to reside on the Site. Land uses that would expose children to hazardous constituents at the Site for extended periods of time (such as day care and school facilities) are also not approved as future uses of the Site. Residential uses are not approved. Uses that are not approved as stated above would be inappropriate and unacceptable for this Site. Additional investigation and possible remediation would be required and the Agreement/COC amended before the Site could be used for uses that are not approved.

This COC is issued based upon the Applicant's representation that groundwater will not be accessed via wells, pits or sumps for drinking water, bathing and/or irrigation purposes.

4. Unavailability of Release of Liability

Use of the Property that is not consistent with Section 3 including failure to comply with 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 described in Section 2 unavailable.

5. Availability of Records

All documents discussed in this COC are on file and may be reviewed at the UDEQ/Division of Environmental Response and Remediation ("DERR") office located at 195 North 1950 West, Salt Lake City, Utah.

6. Final Signature for Park City Business Center Certificate of Completion

Dated this 21st day of October 2013.

Brent H. Everett

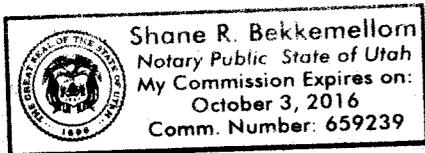
Brent H. Everett, Director
Division of Environmental Response and Remediation
And Authorized Representative of the
Executive Director of the Utah
Department of Environmental Quality

STATE OF UTAH _____)

:SS.

COUNTY OF SALT LAKE _____)

On this 21st day of October, 2013, personally appeared before me, Brent H. Everett who duly acknowledged that he signed the above Certification of Completion as an authorized representative of the Executive Director of the Utah Department of Environmental Quality.



Shane R. Bekkemellom
NOTARY PUBLIC

Residing At: Cottonwood
Heights, Utah

My Commission Expires October 3 2016

ATTACHMENT A: LEGAL PROPERTY DESCRIPTION

ATTACHMENT B: PARK CITY BUSINESS CENTER SITE MAPS

ATTACHMENT A.

Legal Property Description

Park City Business Center VCP Site

4006 through 4665 North Forestdale Drive, Park City, Summit County, Utah

Legal Property Description:

Parcel: File No. 11372-CA

Property Address:

4006 through 4665 North Forestdale Drive
Park City, Summit County, Utah 84098

Legal Description:

A portion of the NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian (SLB&M), located in Park City, Utah, more particularly described as follows:

Beginning at the North $\frac{1}{4}$ corner of Section 35, T1S, R4E, SLB&M; thence South $00^{\circ}03'42''$ East along the $\frac{1}{4}$ Section Line 2,668.85 feet to the center $\frac{1}{4}$ corner of said Section 35; thence South $12^{\circ}56'38''$ East 13.31 feet; thence South $27^{\circ}16'02''$ East 466.75 feet to the North corner of that Real Property described in Deed Book 1336 page 757 of the Official Records of Summit County located North $89^{\circ}52'38''$ West along the Section Line 2,659.48 feet and North 2,659.52 feet from the Southeast Corner of Section 35, T1S, R4E, SLB&M; thence South $11^{\circ}39'22''$ West 236.14 feet; thence South $28^{\circ}56'39''$ West 135.94 feet; thence South $43^{\circ}38'43''$ West 229.34 feet to the easterly line of a Frontage Road incident to U.S. Highway 40; thence northwesterly along the arc of a 5,629.55 foot radius non-tangent curve (radius bears: North $51^{\circ}01'19''$ East) 841.70 feet through a central angle of $08^{\circ}34'00''$ (Chord: North $34^{\circ}41'41''$ West 840.92 feet); thence North $30^{\circ}24'42''$ West 249.37 feet to a point on a fence line of the Salt Lake Pipeline Company described in Deed Book 1687 Page 339 of the Official Records of Summit County; thence along said Deed the following 3 (three) courses: South $65^{\circ}00'00''$ East 66.35 feet; thence North $24^{\circ}58'55''$ East 49.36 feet; thence North $64^{\circ}03'00''$ West 141.34 feet to said Frontage Road; thence North $30^{\circ}24'42''$ West along said Frontage Road 2,269.86 feet; thence North $89^{\circ}40'51''$ West along said Frontage Road 2,269.86 feet; thence North $89^{\circ}40'51''$ East 472.96 feet along the South Line of that Real Property described in Deed Book 1036, Page 484 of the Official Records of Summit County; thence North $00^{\circ}19'09''$ West along said Deed 377.15 feet to the South Line of that Real Property described in Deed Book 1765 Page 1261 of the official Records of Summit County; thence North $89^{\circ}40'51''$ East along said Deed 1.08 feet; thence North $00^{\circ}19'09''$ West along said Deed 282.85 feet to the North Line of Section 35; thence North $89^{\circ}40'51''$ East along the Section Line 1,381.78 feet to the Point of Beginning. (Contains $90.10 \pm$ acres.)

Less $10.01 \pm$ acres as follows:

A portion of Lot 35, Plat "A", Park City Business Center Subdivision, located in the Northwest $\frac{1}{4}$ of Section 35, Township 1 South, Range 4 East, Salt Lake Base and Meridian (SLB&M), more particularly described as follows:

Beginning at the North $\frac{1}{4}$ Corner of Section 35, T1S, R4E, SLB&M; thence South $00^{\circ}03'42''$ East along the Quarter Section Line 1,510.92 feet; thence North $21^{\circ}00'00''$ West 1,614.97 feet to the North Line of said Section 35; thence North $89^{\circ}40'51''$ East along the Section Line 577.13 feet to the Point of Beginning.

$90.10 \pm$ acres less $10.01 \pm$ acres = **$80.09 \pm$ acres.**

First Legal Description (90.10 acres) dated June 5, 2007, Dennis P. Carlisle, Professional Land Surveyor No. 172675.

Second Legal Description (10.01 acres) dated June 10, 2013, LEI Engineers, Surveyors and Planners.

End of Legal Description.

2013 Property Taxes Forestdale - PCBC

Lot #	Property Parcel Number	Account Number	Property Address
	PCBC-B-1 (previous lot 27/28)	0473212	4174 Forestdale Dr
1	PCBC-1	0449655	4021 Forestdale Dr
2	PCBC-2	0449662	4123 Forestdale Dr
3	PCBC-3	0449679	4175 Forestdale Dr
4	PCBC-4	0449686	4207 Forestdale Dr
5	PCBC-5	0449693	4285 Forestdale Dr
6	PCBC-6	0449701	4313 Forestdale Dr
7	PCBC-7	0449718	4335 Forestdale Dr
8	PCBC-8	0449725	4350 Forestdale Dr
9	PCBC-9	0449732	4383 Forestdale Dr
10	PCBC-10	0449749	4413 Forestdale Dr
11	PCBC-11	0449756	4437 Forestdale Dr
12	PCBC-12	0449763	4513 Forestdale Dr
13	PCBC-13	0449770	4603 Forestdale Dr
14	PCBC-14	0449787	4637 Forestdale Dr
15	PCBC-15	0449794	4665 Forestdale Dr
16	PCBC-16	0449802	4660 Forestdale Dr
17	PCBC-17	0449819	4620 Forestdale Dr
18	PCBC-18	0449826	4588 Forestdale Dr
19	PCBC-19	0449833	4554 Forestdale Dr
20	PCBC-20	0449840	4518 Forestdale Dr
21	PCBC-21	0449857	4490 Forestdale Dr
22	PCBC-22	0449864	4462 Forestdale Dr
23	PCBC-23	0449871	4428 Forestdale Dr
24	PCBC-24	0449888	4376 Forestdale Dr
25	PCBC-25	0449895	4328 Forestdale Dr
26	PCBC-26	0449903	4212 Forestdale Dr
29	PCBC-29	0449934	4108 Forestdale Dr
30	PCBC-30	0449941	4032 Forestdale Dr
31	PCBC-31	0449958	4006 Forestdale Dr
32	PCBC-32	0449965	No Address
33	PCBC-33	0449972	No Address
34	PCBC-34	0449989	No Address
35	PCBC-35 , A portion of.*	0449996	No Address

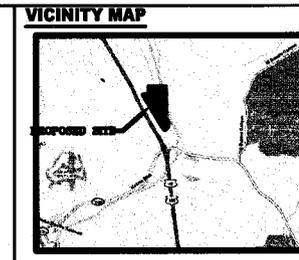
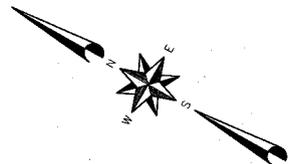
* See Legal Description.

ATTACHMENT B.

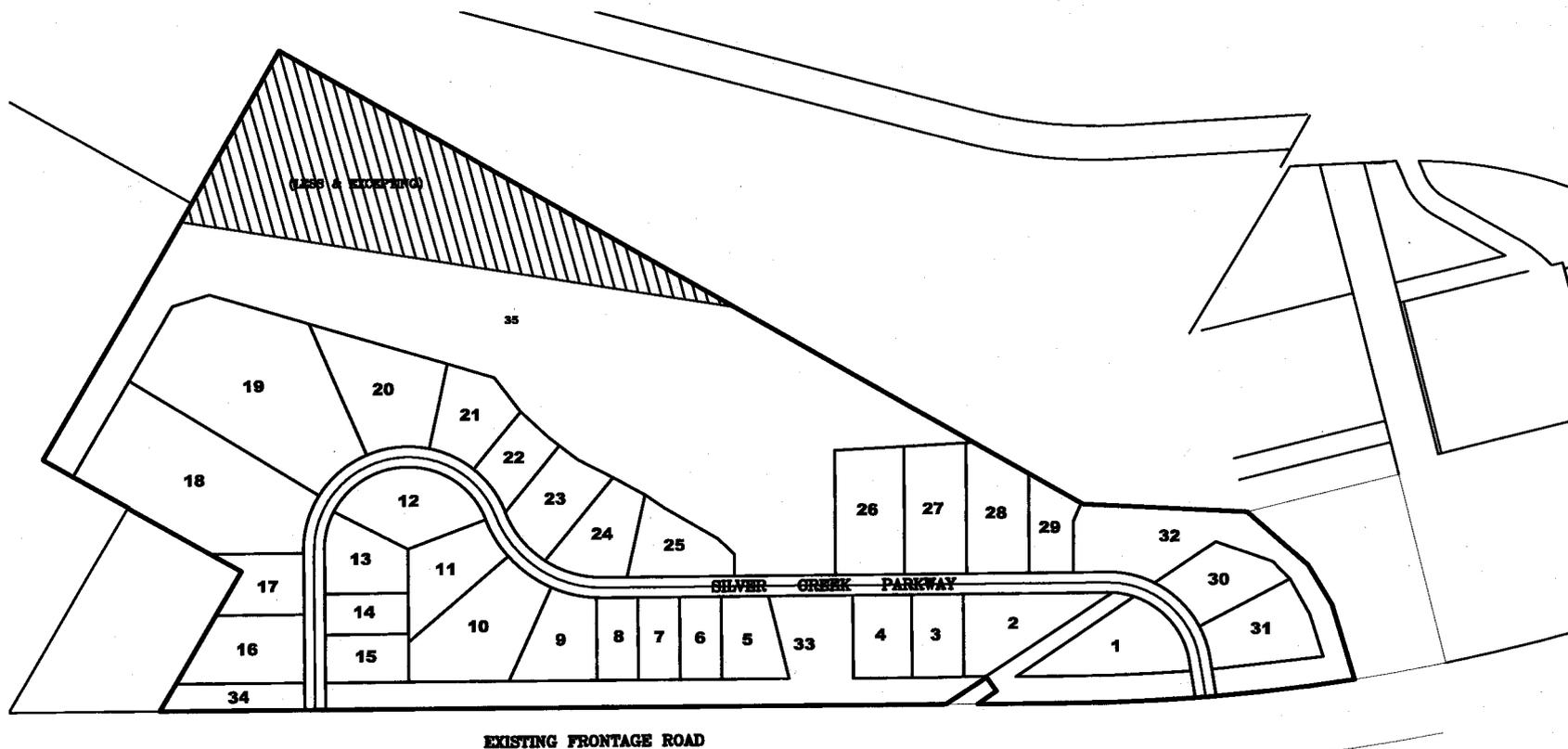
Park City Business Center Site Maps

PARK CITY BUSINESS CENTER SITE MAP

(EXCLUDING A PORTION OF LOT 35 AS DEPICTED BELOW
AND AS SET FORTH IN THE LEGAL DESCRIPTION)
SUMMIT COUNTY, UTAH



REVISION	DATE	BY



BOUNDARY DESCRIPTION

A PORTION OF THE NW1/4, SW1/4, AND SE1/4 OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, LOCATED IN PARK CITY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 35, T1S, R4E, S.L.B. & M.; THENCE S0°03'42"E ALONG THE 1/4 SECTION LINE 2,668.85 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 35; THENCE S12°56'38"E 13.31 FEET; THENCE S27°16'02"E 466.75 FEET TO THE NORTH CORNER OF THAT REAL PROPERTY DESCRIBED IN DEED BOOK 1336 PAGE 757 OF THE OFFICIAL RECORDS OF SUMMIT COUNTY LOCATED N89°52'38"W ALONG THE SECTION LINE 2,659.48 FEET AND NORTH 2,659.52 FEET FROM THE SOUTHEAST CORNER OF SECTION 35, T1S, R4E, S.L.B. & M.; THENCE S11°39'22"W 236.14 FEET; THENCE S28°56'39"W 135.94 FEET; THENCE S43°38'43"W 229.34 FEET TO THE EASTERLY LINE OF A FRONTAGE ROAD INCIDENT TO U.S. HIGHWAY 40; THENCE NORTHWESTERLY ALONG THE ARC OF A 5,629.55 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: N51°01'19"E) 841.70 FEET THROUGH A CENTRAL ANGLE OF 8°34'00" (CHORD: N34°41'41"W 840.92 FEET); THENCE N30°24'42"W 249.37 FEET TO A POINT ON A FENCE LINE OF THE SALT LAKE PIPELINE COMPANY DESCRIBED IN DEED BOOK 1687 PAGE 339 OF THE OFFICIAL RECORDS OF SUMMIT COUNTY; THENCE ALONG SAID DEED THE FOLLOWING 3 (THREE) COURSES: S65°00'00"E 66.35 FEET; THENCE N24°58'55"E 49.36 FEET; THENCE N64°03'00"W 141.34 FEET TO SAID FRONTAGE ROAD; THENCE N30°24'42"W ALONG SAID FRONTAGE ROAD 2,269.86 FEET; THENCE N89°40'51"E 472.96 FEET ALONG THE SOUTH LINE OF THAT REAL PROPERTY DESCRIBED IN DEED BOOK 1036, PAGE 484 OF THE OFFICIAL RECORDS OF SUMMIT COUNTY; THENCE N0°19'09"W ALONG SAID DEED 377.15 FEET TO THE SOUTH LINE OF THAT REAL PROPERTY DESCRIBED IN DEED BOOK 1765 PAGE 1261 OF THE OFFICIAL RECORDS OF SUMMIT COUNTY; THENCE N89°40'51"E ALONG SAID DEED 1.08 FEET; THENCE N0°19'09"W ALONG SAID DEED 282.85 FEET TO THE NORTH LINE OF SECTION 35; THENCE N89°40'51"E ALONG THE SECTION LINE 1,381.78 FEET TO THE POINT OF BEGINNING;

LESS AND EXCEPTING:

A PORTION OF LOT 35, PLAT "A", PARK CITY BUSINESS CENTER SUBDIVISION LOCATED IN THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 35, T1S, R4E, S.L.B. & M.; THENCE S0°03'42"E ALONG THE QUARTER SECTION LINE 1510.92 FEET; THENCE N21°00'00"W 1614.97 FEET TO THE NORTH LINE OF SAID SECTION 35; THENCE N89°40'51"E ALONG THE SECTION LINE 577.13 FEET TO THE POINT OF BEGINNING.

14441 S. 900 E.
BLUFFDALE, UT 84005
801-485-2844
FAX 801-485-2847



PARK CITY BUSINESS CENTER
SUMMIT COUNTY, UTAH
SITE MAP

EXCLUDING A PORTION OF LOT 35 AS DEPICTED BELOW AND AS SET FORTH IN THE LEGAL DESCRIPTION

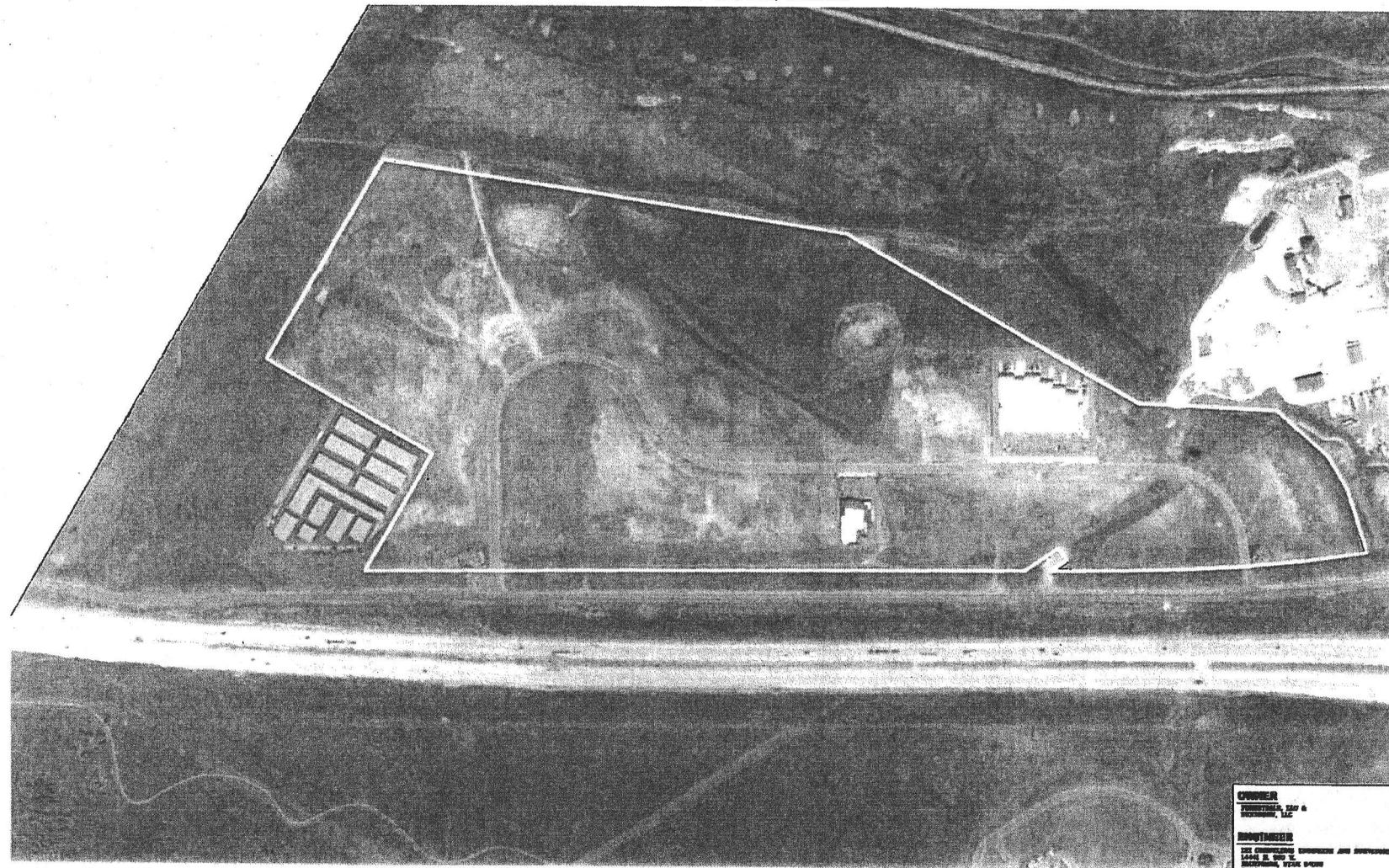
PROJECT:	06-987
SCALE:	1" = 500'
DATE:	09/09/2008
DRAWN BY:	MAP

OWNER
FURNEDALE, LLC

ENGINEER
L&E CONSULTING ENGINEERS AND SURVEYORS
14441 S. 900 E.
BLUFFDALE, UTAH 84005
(801)485-2844

PROJECT NAME
PARK CITY BUSINESS CENTER
SUMMIT COUNTY, UTAH

PARK CITY BUSINESS CENTER
 SUBDIVISION
 SECTION 35, T1S, R4E, S.L.B.&M.



OWNER
 FORTYFIVE, LLC &
 PARTNERS, LLC

ENGINEER
 THE CONSULTING ENGINEERS AND ARCHITECTS
 1244 E. 2100 W.
 SALT LAKE CITY, UT 84119
 (801) 488-2800

PROJECT NAME
 PARK CITY BUSINESS CENTER
 SECTION 35, T1S, R4E, S.L.B.&M.

DATE	7/25/2013	SCALE	N.T.S.
DRAWN BY	JBB/SBP	DATE	7/25/2013
CHECKED BY		PROJECT NO.	2008-007
SECTION		PROJECT NAME	PARK CITY BUSINESS CENTER
DATE		COUNTY	SUMMIT COUNTY, UT
			BOUNDARY EXHIBIT

4444 South 240 West
 Salt Lake City, UT 84119
 (801) 488-2800
 Fax: (801) 488-2807

THE CONSULTING ENGINEERS AND ARCHITECTS